



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
January 7, 2020
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 December 17, 2019 Regular Meeting.
2. Consider approval of the following bids:
 - a. Duck Creek Wastewater Treatment Plant Grit Removal System Bid No. 0265-20

Newman Regency Group \$110,000.00

This request is to replace two Gritt Mitt Shaftless Classifiers due to heavy wear and corrosion.

b. Media Buy Services Bid No. 0296-19

Pyro Agency \$56,190.00

This request is to approve a Change Order for Media Buy Services to reflect the increased advertising budget.

c. GP&L Street Light Maintenance Bid No. 0144-20

MasTec North America \$700,000.00

This request is to provide labor and equipment needed for the repair or replacement of GP&L street light poles, street light wire and street light luminaries. This is a Term Agreement with four optional renewals.

d. GP&L Olinger Unit 3 Force Draft Fan Motor Bid No. 1395-19

Shermco Industries, Inc. \$162,700.00

This request is for the purchase of a new motor for the Olinger Unit 3 force draft fan which is 45 years old.

e. GP&L Newman Substation 69kV Conversion Engineering Services Bid No. 0284-20

M&S Engineering \$498,500.00

This request is to provide engineering services associated with the conversion and upgrade of the GP&L Newman Substation to 138kV operation.

f. Carte Graph Work Management/Operations Management Bid No. 0327-20

Carte Graph Systems, Inc. \$112,089.00

This request is for the annual maintenance and support of the Work/Operations Management software utilized by the Streets, Transportation and Parks Department.

g. IH 635 City Representative Bid No. 0191-20

TEAL Engineering Services \$200,000.00

This request is to provide professional engineering services to represent the City's interests during the IH 635 design build reconstruction project.

h. GP&L Dent Road Substation Electrical Contractor Services Bid No. 0532-19

Sayers Construction, LLC \$66,261.35

This request is to approve Change Order #2 for the Dent Road Switch Station Electrical Contractor Services.

i. Gridsmart Cameras for IH 635 Corridor Bid No. 0232-20

Texas Highway Products \$170,704.20

This request is to purchase dynamic video turning movement counters for the IH 635 corridor design build reconstruction project. This technology will enable staff to adjust signal timing as traveler demand changes through numerous construction phases over the next five years.

j. Main Street and Avenue A Alley Improvements Bid No. 0108-20

Tri-Con Services, Inc. \$1,638,000.00

This request is to provide paving, drainage, water and wastewater improvements to the alley between Main Street and Avenue A from Fifth Street to Seventh Street as well as in Fifth Street between State Street and the alley.

3. A public hearing was previously conducted for the following zoning case. Council approved the request and instructed staff to bring forth the following ordinance for consideration.

a. Zoning File No. Z 19-34, Market Mission, Inc., (District 5)

Consider an ordinance amending the Garland Development Code of the City of Garland, Texas, by approving a Specific Use Provision for a Food Processing and Storage Use on a 2.1866-acre tract of land zoned Industrial (IN) District and located at 2960 Market Street; providing for conditions, restrictions, and regulations; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Notice of Conditions of Compliance Clause; a Savings

Clause, and a Severability Clause; and providing an effective date.

4. **Consider an ordinance amending Chapter 26, Police-Miscellaneous Provisions and Offenses, 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 November 18, 2019 Work Session, Council considered an ordinance that will place residency restrictions around areas where children commonly gather.

5. **Consider a resolution authorizing the City Manager to execute Amendment No. 4 to the Joint Operating Agreement between Texas Municipal Power Agency and City of Bryan, Texas, City of Denton, Texas, City of Garland, Texas and City of Greenville, Texas.**

At the January 6, 2020 Work Session, Council considered an amendment to the TMPA Joint Agreement Amendment No. 4 to the Joint Operating Agreement to provide for the (i) continued responsibility of mine reclamation costs for Member Cities that exit the Mining Business, and (ii) selling of all or a majority of Mining Assets by eliminating certain restrictions on mine land sales.

6. **Consider an ordinance amending Chapter 24, "Municipal Court and Administrative Adjudication," and Chapter 32, "Property Sanitation and Housing Services;" 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.**

The ordinances passed by Council on November 5, 2019 to implement administrative parking enforcement requires technical corrections to Section 22.44 and Section 32.57. The proposed Ordinance amends Section 22.44 and Section 32.57 to clarify a definition of oversized trailers and provides a uniform late date.

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.

7. **Consider an ordinance appointing Natalie S. Banuelos as Judge of the Municipal Court of the City of Garland, Texas; approving Employment Agreements for John Sholden and Natalie S. Banuelos; and providing an effective date.**

Council is requested to consider the adoption of an ordinance appointing Natalie Banuelos as a Municipal Judge of the Garland Municipal Court. Council is also requested to approve employment agreements for both new judges. A draft of the appointment ordinance for Judge Banuelos is attached and drafts of the employment agreements for Judge Sholden and for Judge Banuelos are attached as well.

8. **Hold public hearings on:**

- a. **Consider the application of Bill Swisher, requesting approval of a Zoning Change from Community Retail (CR) District to a Planned Development (PD) District for Community Retail Uses; Indoor Automobile Sales, New or Used; Motorcycle/ATV Sales (New and Used - Indoors Only); and Pawn Shop Use. This property is located at 484 West I-30 Freeway. (File No. Z 19-37, District 3)**

The applicant proposes to add automobile and motorcycle/ATV sales to an existing pawn shop business. All operations would be conducted inside an existing building. This item serves as the applicant's Planned Development (PD) request.

- b. **Consider the application of Bill Swisher, requesting approval of a Detail Plan for Indoor Automobile Sales, New or Used; Motorcycle/ATV Sales (New and Used -Indoors Only); and Pawn Shop Use. This property is located at 484 West I-30 Freeway. (File No. Z 19-37, District 3)**

The applicant proposes to add automobile and motorcycle/ATV sales to an existing pawn shop business. All operations would be conducted inside an existing building. This item serves as the applicant's Detail Plan request.

- c. **Consider the application of Afreen Lakhani, requesting approval of a variance to Chapter 2, Article 5, Section 2.55(A) of the Garland Development Code regarding the distance to a church, public school, or public hospital from an establishment that sells or serves alcoholic beverages. This property is located at 723 East Miller Road. (File No. BW 19-03, District 2) (This case was postponed from the December 17, 2019 Regular City Council meeting).**

The applicant requests a variance to allow alcoholic beverages (beer & wine) to be sold at an existing convenience store [On a Run Foods] closer than the required distance of 300 feet from a school. This case was postponed from the December 17, 2019 City Council meeting to the January 7, 2020 City Council meeting to allow time for the City Attorney's Office to draft a resolution requiring beer and wine sales to be limited to one location within the building. A draft resolution is attached for final approval.

- d. **Consider the application of Masterplan, requesting approval of a variance to Chapter 2, Article 5, Section 2.55(A) of the Garland Development Code regarding the distance to a church, public school, or public hospital from an establishment that sells or serves alcoholic beverages. This property is located at 5055 North President George Bush Turnpike. (File No. BW 19-04, District 1)**

The applicant requests a variance to allow alcoholic beverages to be sold at an existing hotel [Hilton Tru] closer than the required distance of 300 feet from a school.

9. 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 Jerry Nickerson

- Joffrin Mathew Alexander - TIF Downtown Board

10. Citizen comments.

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

11. Adjourn.

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



GARLAND

City Council Regular Session Agenda

1.

Meeting Date: 01/07/2020

Item Title: Minutes Dec. 17

Submitted By: Rene Dowl, City Secretary, City Secretary

Summary:

Consider approval of the minutes of the December 17, 2019 Regular Meeting.

Attachments

Minutes Dec. 17



GARLAND

MINUTES

The City Council of the City of Garland convened in regular session at 7:00 p.m. on Tuesday, December 17, 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 Robert John Smith
Deputy Mayor Pro Tem Robert Vera
Council Member David Gibbons
Council Member Deborah Morris
Council Member Jerry A. Nickerson
Council Member Jim Bookhout
Council Member Rich Aubin
Council Member Dylan Hedrick

Staff Present: City Manager Bryan Bradford
Deputy City Manager Mitch Bates
City Attorney Brad Neighbor
City Secretary Eloyce René Dowl

LEGISLATIVE PRAYER AND PLEDGE OF ALLEGIANCE

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MAYORAL PROCLAMATIONS, RECOGNITIONS AND ANNOUNCEMENTS

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Mayor LeMay presented a special recognition to members of Loving Garland Green for their commitment to making Garland a Greener place to live.

Mayor LeMay, along with Council Member Morris, presented a special recognition and plaque to Jolene Smith on behalf of Sydney Wilmany, widow of Wayne Wilmany, for Mr. Wilmany's many years of service to Garland.

CONSENT AGENDA

All items under this section are recommended for approval by a single motion of Council, without discussion. Council has had the opportunity to review each of these items at a previous work session and approval of the consent agenda authorizes the City Manager 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.

Motion was made by Mayor Pro Tem Robert John Smith, and seconded by Deputy Mayor Pro Tem Robert Vera to approve the Consent Agenda, with the exception of Item 3, pulled by Council Member Aubin for individual discussion.

Vote: 9 - 0

1. APPROVED Consider approval of the minutes of the December 3, 2019 Regular Meeting.

2. Consider approval of the following bids:

a. APPROVED New Holland Tractor Bid No. 0224-20

Landmark Equipment \$115,901.80

This request is for the replacement purchase of a New Holland PowerStar 110 Tractor to be utilized by the Parks, Recreation and Cultural Arts Department.

b. APPROVED Freightliner Truck Chassis Bid No. 0247-20

Freightliner of Austin \$324,800.00

This request is for the replacement purchase of a truck chassis to be utilized by Garland Power & Light.

c. APPROVED Design Services for Duck Creek Trail South Extension Bid No. 0192-20

BW2 Engineers, Inc. \$246,050.00

This request is to provide professional services to design a 12'-wide multi-use trail along Duck Creek in South Garland.

d. APPROVED Police Ammunition **Bid No. 0228-20**

GT Distributors	\$82,818.80
Precision Delta Corp.	<u>81,200.00</u>
TOTAL:	\$164,018.80

This request is to purchase ammunition for the training of Garland Police Officers in the use of firearms to perform their duties.

e. APPROVED Fleet Replacement Vehicles for Various Departments **Bid No. 0242-20**

Caldwell Country Chevrolet	\$232,165.00
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This request is for the replacement purchase of nine vehicles to be utilized by various City departments.

f. APPROVED Replacement Crane **Bid No. 0248-20**

H&E Equipment Services, LLC	\$395,000.00
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This request is for the replacement purchase of a crane to be utilized by the Wastewater Treatment Plants.

g. APPROVED Fleet Replacement Vehicles for Departments **Bid No. 0258-20**

Sam Pack's Five Star Ford	\$258,479.20
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This request is for the replacement purchase of eight vehicles to be utilized by various City departments.

h. APPROVED Fleet Replacement Vehicles **Bid No. 0259-20**

Caldwell Country Ford	\$144,975.00
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This request is for the replacement purchase of seven vehicles to be utilized by various City departments.

i. APPROVED Police Motorcycles **Bid No. 0153-20**

Retail Motorcycle Ventures Inc.	\$165,868.92
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This request is for the replacement purchase of six motorcycles to be utilized by the Police Department.

j. APPROVED SF6 Gas Recovery Trailer

Bid No. 0190-20

Dilo Company, Inc.

\$182,375.58

This request is for the purchase of a new SF6 Gas Recovery Trailer to be utilized by Garland Power & Light.

k. APPROVED GP&L Storm Damage Repair and Power Restoration Services

Bid No. 0214-20

Primoris T&D Services, LLC

\$363,962.04

This request is to approve emergency storm damage repair and power restoration services resulting from the October 20, 2019 tornado.

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

a. APPROVED Zoning File No. Z 19-03, Environmental Reconstruction Services, Inc. (District 4)

Ordinance No. 7111 amending the Garland Development Code of the City of Garland, Texas, by approving a 1) an Amended Detail Plan and 2) an Amended Specific Use Provision (SUP) for fuel pumps, retail on a property zoned Planned Development (PD) District 83-32 for Community Retail Uses on a 2.8838-acre tract of land zoned Planned Development (PD) District 83-32 for Community Retail Uses and located at 5150 and 5102 Duck Creek Drive; providing for conditions, restrictions, and regulations; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Notice of Conditions of Compliance Clause; providing a Savings Clause and a Severability Clause; and providing an effective date.

c. APPROVED Zoning File No. Z 19-36 Rock Ink Tattoos (District 2)

Ordinance No. 7113 amending the Garland Development Code of the City of Garland, Texas, by approving a Specific Use Provision for a tattooing/body piercing establishment on a 0.24-acre tract of land zoned Downtown (DT) District (Uptown (U) Subdistrict) and located at 316 Main Street, Suite 200; providing for conditions, restrictions, and regulations; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Savings Clause and a Severability Clause; and providing an effective date.

d. APPROVED Zoning File No. Z 19-32, Masterplan (District 6)

Ordinance No. 7114 amending the Garland Development Code of the City of Garland, Texas, by approving 1) a Zoning Change from Industrial (IN) District to a Planned Development (PD) District for Industrial Uses; 2) a Detail Plan for a Recycling Salvage yard (Unlimited Outside Storage); and 3) a Specific Use Provision for a Recycling Salvage Yard (unlimited outside storage) on a 19.8-acre tract of land located at 312 South International Road; providing for conditions, restrictions, and regulations; providing a penalty under the provisions

of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Notice of Conditions of Compliance Clause; a Savings Clause, and a Severability Clause; and providing an effective date.

4. **APPROVED Minute action approving the contract of sale for the 2.146 acres of land and the 0.076-acre access easement at 1700 Block of Spencer Road in Denton, Texas at the City of Garland Spencer Electric Generation Facility for a total monetary compensation of \$298,132.00**

At the November 18, 2019 Work Session, Council considered approving the sale of 2.194 acres of land and an access easement located in Denton, Texas in the 1700 Block of Spencer Road at the City of Garland Spencer Electric Generation Facility.

5. **APPROVED Resolution No. 10421 agreeing to the sale of certain property located within the City of Garland and owned by taxing authorities including the City of Garland as the result of a tax sale; authorizing the Mayor to execute a Deed Without Warranty; and providing an effective date.**

At the December 2, 2019 Work Session, Council was briefed on the potential sale of property located at 726 Parker Circle. The City of Garland has received an unsolicited offer from Habitat for Humanity of Greater Garland, Inc. related to the purchase of City owned property obtained through a 2019 Sheriff's Sale. Habitat for Humanity of Greater Garland, Inc. has presented an offer of \$25,500 for the property. The City of Garland will receive \$6,348.79 from the proceeds of this sale.

6. **APPROVED Resolution No. 10422 approving a schedule for meetings of the City Council to be held in Calendar Year 2020; and providing an effective date.**

At the November 4, 2019 Work Session, Council considered the meeting dates for the 2020 calendar year.

7. **APPROVED Minute action approving the 2020 Housing Tax Credit process and application.**

At the December 2, 2019 Work Session, Council considered a revised Low Income Housing Tax Credit process for Resolutions of Support for the Texas Department of Housing and Community Affairs Tax Credit Applications.

ITEMS FOR INDIVIDUAL CONSIDERATION

Speaker Regulations:

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3b. **APPROVED** Zoning File No. Z 19-35, Patricia Ann Jones (District 2)

Ordinance No. 7112 amending the Garland Development Code of the City of Garland, Texas, by approving a Specific Use Provision for a dwelling, accessory-guest house on a 0.172-acre tract of land zoned Single-Family-7 (SF-7) District and located at 718 Carpenter Drive; providing for conditions, restrictions, and regulations; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a notice of conditions of Compliance Clause; a Savings Clause, and a Severability Clause; and providing an effective date.

Motion was made by Mayor Pro Tem Robert John Smith, and seconded by Council Member Deborah Morris to approve Item 3b as presented, motion carried:

Vote: 7 - 2

8. **APPROVED** Ordinance No. 7115 appointing judges to the Municipal Court and approving an employment agreement with those persons.

Due to retirements within the Municipal Court, the City Council has been conducting interviews of candidates for the two full-time judicial positions in Municipal Court. Under State law, judicial appointments to the Garland Municipal Court of Record must be done by ordinance. Additionally, Council is requested to approve the terms of the employment agreement for new judicial appointees.

Motion was made by Council Member David Gibbons, and seconded by Council Member Jim Bookhout to approve John Sholden as Presiding Judge, pursuant to requirements under State law. Motion carried:

Vote: 9 - 0

9. **Hold public hearings on:**

a. **APPROVED** Consider the application of Market Mission, Inc., requesting approval of a Specific Use Provision for Food Processing and Storage on a property zoned Industrial (IN) District. This property is located at 2960 Market Street. (File No. Z 19-34, District 5)

The applicant proposes Food Processing and Storage in an existing building.

Kimberly Hopkins, Development Planner, and Will Guerin, Director of Planning

presented the staff report. Speaker on this item was Ryan Huang, applicant. There was discussion by the Council.

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

Vote: 9 - 0

b. TABLED

Consider the application of Afreen Lakhani, requesting approval of a variance to Chapter 2, Article 5, Section 2.55(A) of the Garland Development Code regarding the distance to a church, public school, or public hospital from an establishment that sells or serves alcoholic beverages. This property is located at 723 East Miller Road. (File No. BW 19-03, District 2)

The applicant requests a variance to allow alcoholic beverages (beer & wine) to be sold at an existing convenience store [On a Run Foods] closer than the required distance of 300 feet from a school.

The staff report was presented by Will Guerin, Director of Planning. Speaker on this item was Afreen Lakhani, applicant. There was discussion by the Council and a request for input from Brian England, First Assistant City Attorney. Mr. England requested additional time to research the distance issue.

Motion was made by Council Member Deborah Morris, and seconded by Council Member Rich Aubin to postpone (table) for consideration until the January 7 Regular Session.

Vote: 9 - 0

The staff report was presented by Will Guerin, Director of Planning. Speaker on this item was Afreen Lakhani, applicant. There was discussion by the Council and a request for input from Brian England, First Assistant City Attorney..Mr. Englad requested additional time to research the distance issue.

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.

APPROVED Council Member Jerry Nickerson

- David Perry - TIF 3 Medical Board

Mr. Nickerson presented David Perry for appointment to the TIF 3 Medical Board. A vote was cast approving Mr. Perry:

Vote: 9 - 0

11. Citizen comments: Yvette Sedlewicz
Chrisit Baughman
Alexander Turpin
Robert Stark

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: There being no further business to come before the City Council, Mayor LeMay adjourned the meeting at 8:07 p.m.

Submitted By:

Scott LeMay, Mayor

Eloyce René Dowl, City Secretary



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. a.

Meeting Date: 01/07/2020

Item Title: Duck Creek Wastewater Treatment Plant Grit Removal System

Submitted By: Wes Kucera, Managing Director

Bid Number: 0265-20

Purchase Justification:

This request is to replace two (2) Gritt Mitt Shaftless Classifiers due to heavy wear and corrosion. The classifiers are used for the removal of grit and rocks that have settled in the grit basins, helping to prevent damage to the treatment equipment and improve the treatment process. This replacement was recommended as part of the 2016 Wastewater Treatment Master Plan.

Evaluation:

Newman Regency Group is the Sole Source representative for the Gritt Mitt Shaftless Classifiers.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Newman Regency Group	All	\$110,000.00
TOTAL:		\$110,000.00

Basis for Award: Sole Source

Purchase Requisition #: 42669

Fiscal Impact

Total Project/Account: \$7,035,000
Expended/Encumbered to Date: 954,421
Balance: \$6,080,579
This Item: 110,000
Proposed Balance: \$5,970,579

Account #: 230-4239-3403800-9007

Fund/Dept/Project – Description and Comments:

Wastewater CIP / Duck Creek WWTP Processes Improvements

Attachments

Bid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2019

Document Location: CIP - Page WW21

Budget Director Approval: Ron Young

Approval Date: 12/27/2019

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 12/24/2019

[illegible]



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. b.

Meeting Date: 01/07/2020

Item Title: Media Buy Services

Submitted By: Dorothy White, Public & Media Relations Director

Bid Number: 0296-19

Purchase Justification:

This request is to approve a Change Order for Media Buy Services to reflect the increased advertising budget. Additionally, the Change Order reflects that social media advertising rates will no longer be direct-billed to the City but paid through the vendor to increase efficiency. Funding for placing paid advertisements was approved by City Council in the 2019-20 Budget.

Evaluation:

Pyro Agency was awarded the original Purchase Order BL 7500 in the amount of \$97,830.00 through a Best Value bid process.

Award Recommendation:

	<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
	Pyro Agency	All	\$56,190.00
		TOTAL:	\$56,190.00

Basis for Award: Change Order

Purchase Requisition #: 42808

Fiscal Impact

Total Project/Account:	\$550,000
Expended/Encumbered to Date:	145,680
Balance:	\$404,320
This Item:	56,190
Proposed Balance:	\$348,130
Account #:	104-1522-7613

Fund/Dept/Project – Description and Comments:Economic Development Fund / Image Management Initiative

AttachmentsBid Recap 0296-19

Fiscal Reference:

Budget Type: Operating Budget

Fiscal Year: 2019-20

Document Location: Page 208

Budget Director Approval: Ron Young

Approval Date: 12/27/2019

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 12/20/2019



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. c.

Meeting Date: 01/07/2020

Item Title: GP&L Street Light Maintenance

Submitted By: Jonas Whitehead, Distribution Director

Bid Number: 0144-20

Purchase Justification:

This request is to provide labor and equipment needed for the repair or replacement of GP&L street light poles, street light wire and street light luminaries. This is a Term Agreement with four (4) optional renewals. Subsequent renewals do not require additional City Council approval. Expenditures will not exceed appropriated funds.

Evaluation:

A request for bids was issued in accordance with Purchasing procedures. Nine (9) bids were received and evaluated based on the published criteria. MasTec North America, Inc., received the highest evaluated score, offering the Best Value for the City.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
MasTec North America, Inc.	All	\$700,000.00
TOTAL:		\$700,000.00

Basis for Award: Best Value

Purchase Requisition #: 42486

Fiscal Impact

Total Project/Account: N/A
Expended/Encumbered to Date: N/A
Balance: N/A
This Item: 700,000
Proposed Balance: N/A

Account #: 211-3224-7111

Fund/Dept/Project – Description and Comments:

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

Attachments

Bid Recap 1 of 2

Bid Recap 2 of 2

Fiscal Reference:

Budget Type: Operating Budget

Fiscal Year: 2019-20

Document Location: Op. - Page 232

Budget Director Approval: Ron Young

Approval Date: 12/23/2019

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 12/20/2019



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. d.

Meeting Date: 01/07/2020

Item Title: GP&L Olinger Unit 3 Force Draft Fan Motor

Submitted By: Dan Bailey, Energy Services Director

Bid Number: 1395-19

Purchase Justification:

This request is for the purchase of a new motor for the Olinger Unit 3 force draft fan which is 45 years old. Given the age and importance of the force draft fan motor in the operation of the Unit, a new motor is required. This is part of the approved Olinger 3 Force Draft Fan Spare Motor CIP project.

Evaluation:

A request for bids was issued in accordance with Purchasing procedures. Four (4) bids were received and evaluated based on the published criteria. Shermco Industries, Inc., received the highest evaluated score, offering the Best Value for the City.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Shermco Industries, Inc.	All	\$162,700.00
TOTAL:		\$162,700.00

Basis for Award: Best Value

Purchase Requisition #: 42357

Fiscal Impact

Total Project/Account:	\$214,000
Expended/Encumbered to Date:	0
Balance:	\$214,000
This Item:	162,700
Proposed Balance:	\$51,300

Account #: 215-3449-3159501-6051

Fund/Dept/Project – Description and Comments:

Electric CIP / 2019 Production Program

Attachments

Bid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2019

Document Location: CIP - Page E08

Budget Director Approval: Ron Young

Approval Date: 12/23/2019

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 12/20/2019



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. e.

Meeting Date: 01/07/2020

Item Title: GP&L Newman Substation 69kV Conversion Engineering Services

Submitted By: Steve Martin, Transmission Director

Bid Number: 0284-20

Purchase Justification:

This request is to provide engineering services associated with the conversion and upgrade of the GP&L Newman Substation to 138kV operation. All 69kV and 138kV equipment and structures will be removed and a new 138kV circuit switcher, distribution feeder structures, feeder breakers and control house will be installed. The engineer will provide electrical design, facilitate permitting processes and prepare the bid documents for material and construction.

Evaluation:

M&S Engineering was selected as the Most Qualified firm for this project from the approved short list established through RFQ 5771-15.

Award Recommendation:

	<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
	M&S Engineering	All	\$498,500.00
TOTAL:			\$498,500.00

Basis for Award: Most Qualified

Purchase Requisition #: 42773

Fiscal Impact

Total Project/Account: \$500,000
Expended/Encumbered to Date: 0
Balance: \$500,000
This Item: 498,500

Proposed Balance: \$1,500
Account #: 210-3799-3178501-7111
Fund/Dept/Project – Description and Comments:
Electric CIP / 2020 Substations Upgrades Program

Attachments

Bid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2019

Document Location: CIP - Page E10

Budget Director Approval: Ron Young

Approval Date: 12/27/2019

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 12/24/2019



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. f.

Meeting Date: 01/07/2020
Item Title: Carte Graph Work Management/Operations Management
Submitted By: Steven Niekamp, Chief Information Officer
Bid Number: 0327-20

Purchase Justification:

This request is for the annual maintenance and support of the Work/Operations Management software utilized by the Streets, Transportation and Parks Department.

Evaluation:

Carte Graph Systems, Inc., is the Sole Source provider for the software.

Award Recommendation:

Carte Graph Systems, Inc.	All	\$112,089.00
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TOTAL:	\$112,089.00
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Basis for Award: Sole Source

Purchase Requisition #: 42770

Fiscal Impact

Total Project/Account: \$7,464,242
Expended/Encumbered to Date: 2,412,813
Balance: \$5,051,429
This Item: 112,089
Proposed Balance: \$4,939,340
Account #: 411-4514-7121
Fund/Dept/Project – Description and Comments:
Information Technology Fund / Operations

Attachments

Bid Recap

Fiscal Reference:
Budget Type: Operating Budget
Fiscal Year: 2019-20
Document Location: Page 305

Budget Director Approval:	Ron Young	Approval Date:	12/27/2019
Purchasing Director Approval:	Gary L. Holcomb	Approval Date:	12/24/2019



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. g.

Meeting Date: 01/07/2020

Item Title: IH 635 City Representative

Submitted By: Paul Luedtke, Transportation Director

Bid Number: 0191-20

Purchase Justification:

This request is to provide professional engineering services to represent the City's interests during the IH 635 design build reconstruction project. The engineer will coordinate between the City and the IH 635 design build contractor. Funding for these activities was included in the 2019-20 Operating Budget.

Evaluation:

A request for qualifications was issued in accordance with Purchasing procedures. TEAL Engineering Services was selected as the Most Qualified firm for this project.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
TEAL Engineering Services	All	\$200,000.00
TOTAL:		\$200,000.00

Basis for Award: Most Qualified

Purchase Requisition #: 42694

Fiscal Impact

Total Project/Account:	\$530,021
Expended/Encumbered to Date:	31,484
Balance:	\$498,537
This Item:	200,000
Proposed Balance:	\$298,537
Account #:	100-1701-7101

Fund/Dept/Project – Description and Comments:

General Fund / Transportation / Operations

AttachmentsBid Recap

Fiscal Reference:

Budget Type: Operating Budget

Fiscal Year: 2019-20

Document Location: Page 117

Budget Director Approval: Ron Young

Approval Date: 12/27/2019

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 12/24/2019



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. h.

Meeting Date: 01/07/2020

Item Title: GP&L Dent Road Substation Electrical Contractor Services

Submitted By: Steve Martin, Transmission Director

Bid Number: 0532-19

Purchase Justification:

This request is to approve Change Order #2 for the Dent Road Switch Station Electrical Contractor Services. This Change Order includes transporting material from Garland to the Dent Road construction site and provides services to modify circuits and reroute wire terminations due to a layout change of the station control cabinet.

Evaluation:

Sayers Construction, LLC, was awarded the original Purchase Order 28666 in the amount of \$861,725.05 at the May 7, 2019, City Council Meeting.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Sayers Construction, LLC	All	\$66,261.35
TOTAL:		\$66,261.35

Basis for Award: Change Order

Purchase Requisition #: 42782

Fiscal Impact

Total Project/Account:	\$9,028,160
Expended/Encumbered to Date:	4,315,159
Balance:	\$4,713,001
This Item:	66,261
Proposed Balance:	\$4,646,740
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: CIP - Page E10

Budget Director Approval: Ron Young

Approval Date: 12/23/2019

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 12/20/2019



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. i.

Meeting Date: 01/07/2020

Item Title: Gridsmart Cameras for IH 635 Corridor

Submitted By: Paul Luedtke, Transportation Director

Bid Number: 0232-20

Purchase Justification:

This request is to purchase dynamic video turning movement counters for the IH 635 corridor design build reconstruction project. This technology will enable staff to adjust signal timing as traveler demand changes through numerous construction phases over the next five years.

Evaluation:

The Gridsmart Cameras are being provided by Texas Highway Products through the BuyBoard Cooperative Purchasing Contract 534-17.

Award Recommendation:

<u><i>Vendor</i></u>	<u><i>Item</i></u>	<u><i>Amount</i></u>
Texas Highway Products	All	\$170,704.20
TOTAL:		\$170,704.20

Basis for Award: Cooperative Purchase

Purchase Requisition #: 42719

Fiscal Impact

Total Project/Account: \$1,490,536
Expended/Encumbered to Date: 780,467
Balance: \$710,069
This Item: 170,704
Proposed Balance: \$539,365
Account #: 624-1799-1553004-9019
Fund/Dept/Project – Description and Comments:

Street/Transportation CIP - Traffic Control System

Attachments

Bid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2019

Document Location: CIP - Page ST24

Budget Director Approval: Ron Young

Approval Date: 12/27/2019

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 12/24/2019



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. j.

Meeting Date: 01/07/2020

Item Title: Main Street and Avenue A Alley Improvements

Submitted By: Michael Polocek, Engineering Director

Bid Number: 0108-20

Purchase Justification:

This request is to provide paving, drainage, water and wastewater improvements to the alley between Main Street and Avenue A from Fifth Street to Seventh Street as well as in Fifth Street between State Street and the alley. Also included are drainage, water and wastewater improvements in Avenue A along the Foundry development. The project consists of constructing approximately 800 linear feet (LF) of alley paving, 1,200 LF of water, 1,500 LF of wastewater, 400 LF of storm drainage, storm drainage inlets, storm drainage junction structures and 370 LF of box culvert improvements. The project also includes replacing utility services, conduit placement, pavement markings, tooled concrete joint scoring and all incidentals. A location map is included for reference.

Evaluation:

A request for bids was issued in accordance with Purchasing procedures. Four (4) bids were received and evaluated with Tri-Con Services, Inc., submitting the Straight Low Bid.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Tri-Con Services, Inc.	All	\$1,638,000.00
TOTAL:		\$1,638,000.00

Basis for Award: Straight Low Bid

Purchase Requisition #: 42839

Fiscal Impact

Total Project/Account: \$5,658,999

Expended/Encumbered to Date: 3,188,047

Balance: \$2,470,952
This Item: 1,638,000
Proposed Balance: \$832,952
Account #: 230-4149-3215700-9305, 220-4049-3019200-9214,
692-4699-3981800-9011, 692-1409-1423001-9011

Fund/Dept/Project – Description and Comments:

Total project amount includes funding spent for Design. The following accounts will be impacted for Construction:

Wastewater - Relocation of Mains Prior to Paving	\$ 433,038.22
Water - Relocation of Mains Prior to Paving	242,618.85
Street Reconstruction & Improvements	561,304.05
Miscellaneous Flooding	<u>401,038.88</u>
Total	\$1,638,000.00

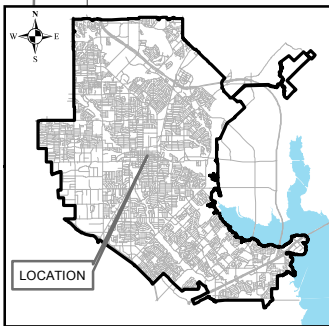
Attachments

Bid Recap
Location Map

Fiscal Reference:

Budget Type:	CIP
Fiscal Year:	2019
Document Location:	CIP - Pages D01, ST32, W03, and WW07

Budget Director Approval:	Ron Young	Approval Date: 12/27/2019
Purchasing Director Approval:	Gary L. Holcomb	Approval Date: 12/24/2019



SIXTH

STATE

STORM SEWER

FIFTH

MAIN

WASTE WATER MAIN

WATER & PAVEMENT

SEVENTH

AVENUE A

AVENUE B



MAIN ST & AVE A ALLEY
IMPROVEMENTS
BETWEEN 5TH & 7TH STREETS

Scale: NTS
Date: 10/30/2018
Drawn: JW

File: DowntownAlley.mxd

Sheet
1
of
1

Not to Scale





**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

3. a.

Meeting Date: 01/07/2020

Item Title: Z 19-34 Market Mission, Inc. (District 5)

Submitted By: Kimberly Hopkins, Development Planner

Summary of Request/Problem

Zoning Ordinance Z 19-34 Market Mission, Inc.

Recommendation/Action Requested and Justification

Consider adoption of attached ordinance.

Attachments

Z 19-34 Ordinance

Z 19-34 Exhibit A

Z 19-34 Exhibit B

Z 19-34 Exhibit C

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING A SPECIFIC USE PROVISION FOR A FOOD PROCESSING AND STORAGE USE ON A 2.1866-ACRE TRACT OF LAND ZONED INDUSTRIAL (IN) DISTRICT AND LOCATED AT 2960 MARKET STREET; 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 25th day of November, 2019, the Plan Commission did consider and make recommendations on a certain request for approval of a Specific Use Provision for a Food Processing and Storage Use by **Market Mission, Inc.**; 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 for a Food Processing and Storage on a 2.1866-acre tract of land zoned Industrial (IN) District and located at 2960 Market Street 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 C 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 C 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 19-34

PASSED AND APPROVED this _____ day of _____, 2020.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

Published:

EXHIBIT A

LEGAL DESCRIPTION

ZONING File Z 19-34

Being a 2.1866-acre tract situated in the Henry Reid Survey, Abstract No 1197, and being all of Lot 1, Block 1, of Precision/Penske Addition, an Addition to the City of Garland, according to the plat thereof recorded in Volume 98056, Page 0001, Map Records, Dallas County, Texas, and also being part of that tract of land conveyed to Precision Solar Controls, Inc. by deed recorded in Volume 95178, Page 2140, and all of that tract of land in Deed recorded in Volume 98096, Page 8415, both of the Deed Records, Dallas County, Texas, and being more particularly described as follows:

Beginning at a ½" iron rod found for corner in the East line of Market Street (50' R.O.W.) said corner also being the southwest corner of said Lot 1, Block 1, Precision/Penske Addition and the northwest corner of Lot 1, Block 1, Northeast Business Park No 7;

Thence N 00°08'51" E, along said East line, a distance 266.95 feet to a ½" iron rod found for corner at the southwest corner of Lot 2, Block 1 of the said Precision/Penske Addition;

Thence S 89°51'12" E departing said east line and along the common lot line between said Lot 1 and Lot 2 of said Precision/Penske Addition, a distance of 357.00 feet to a 5/8" iron rod set for corner in the west line of the Missouri Kansas and Texas Railroad (55' R.O.W.);

EXHIBIT A

Thence S 00°08'51" W along said west line, a distance of 266.66' to a ½" iron rod found for corner at the northeast corner of said Lot 1, Northeast Business Park No. 7;

Thence N 89°54'00" W, along the north line of said Northeast Business Park No. 7, a distance of 357.00 feet to the POINT OF BEGINNING and containing 95,249 square feet or 2.1866 acres of land, more or less.

SPECIFIC USE PROVISION CONDITIONS

ZONING FILE Z 19-34

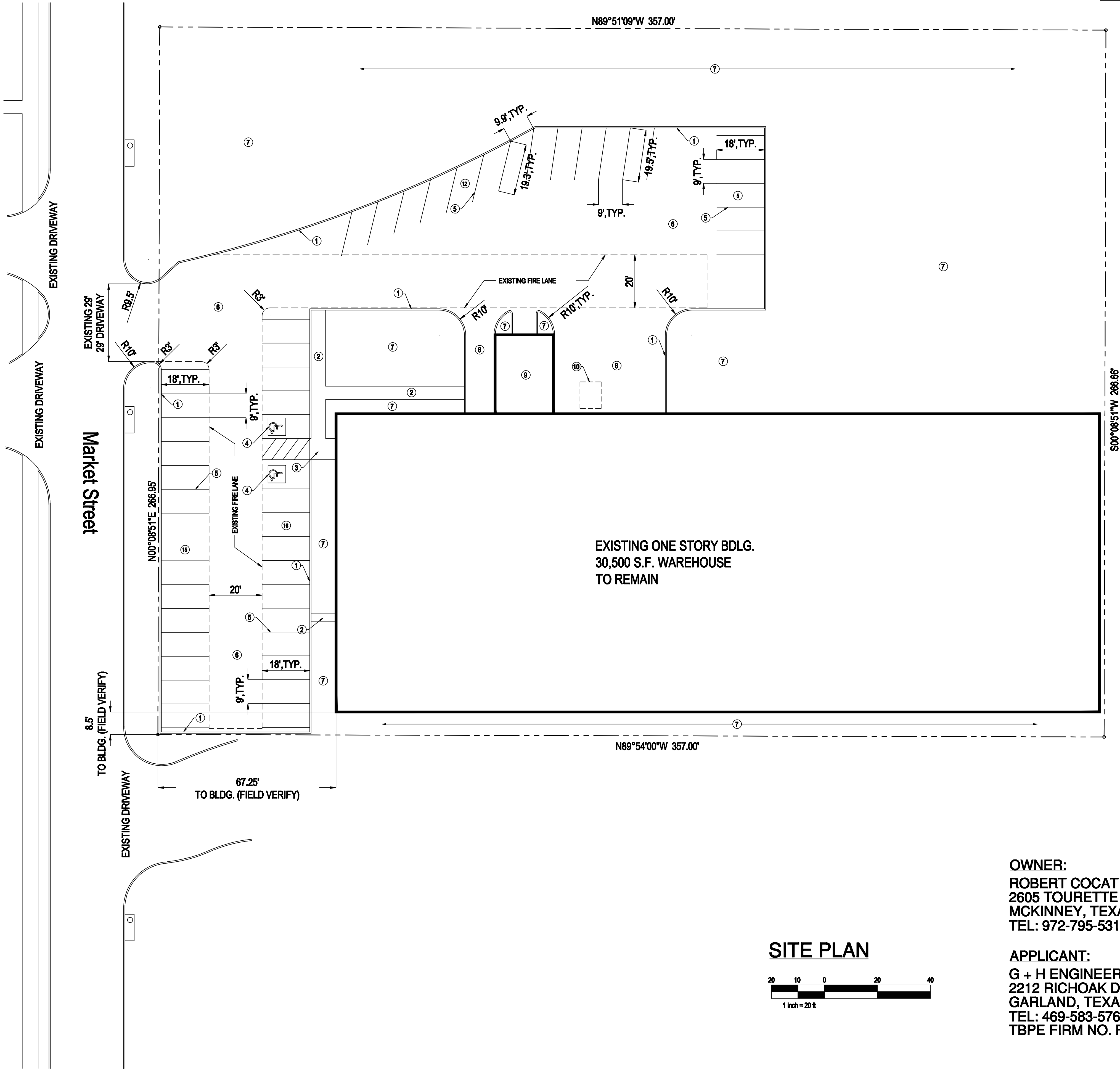
2960 Market Street

- I. Statement of Purpose:** The purpose of this Specific Use Provision is to allow Food Processing and Storage.
- II. Statement of Effect:** This Specific Use Provision shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations of the Industrial (IN) District as set forth in Chapter 2 of the Garland Development Code, Ordinance 6773, are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. Specific Use Provision:**
 - A. SUP Time Period:** The Specific Use Provision for a Food Processing and Storage facility shall be in effect for a period of twenty (20) years.
 - B. Site Layout:** The site shall be in conformance with the site layout in Exhibit C.

SITE SUMMARY	
ZONING	IN
BUILDING USE	WAREHOUSE (FOOD PROCESSING)
LOT AREA	95,249 SQ. FT OR 2.1866 AC.
BUILDING AREA	30,500 SQ. FT.
BUILDING HEIGHT	ONE STORY
TOTAL PARKING REQUIRED	32 SPACES
1 SPACE/1000 S.F. +1/EMP.	30,500 S.F. ÷ 30.5 + 1 = 32 SPACES INCLUDE (2 ADA)
PARKING PROVIDED	48 SPACES
TOTAL FLOOR AREA RATIO	0.32
TOTAL BUILDING COVERAGE	32%
TOTAL IMPERVIOUS AREA	56,970 SQ. FT.=59.8%
OPEN SPACE	38,280 SQ. FT.

- ① EXISTING CONCRETE CURB TO REMAIN
- ② EXISTING CONCRETE SIDEWALK TO REMAIN
- ③ EXISTING HANDICAP RAMP TO REMAIN
- ④ EXISTING HANDICAP PAVEMENT STRIPPING TO REMAIN
- ⑤ EXISTING 4" PAVEMENT STRIPPING TO REMAIN
- ⑥ EXISTING CONCRETE PAVEMENT TO REMAIN
- ⑦ LANDSCAPE AREA TO REMAIN
- ⑧ EXISTING CONCRETE PAVEMENT/ LOADING AREA TO REMAIN
- ⑨ EXISTING 650 SQ. FT. BUILDING ATTACHED TO MAIN BUILDING TO REMAIN
- ⑩ PROPOSED REFUSE CONTAINER LOCATION

NOTE:
THE LAYOUT SHOWN ON THIS DRAWING BASED ON THE EXISTING CONDITIONS AND MAY NOT REFLECT ACTUAL FIELD CONDITIONS
THE CONTRACTOR SHALL VERIFY THIS DRAWING WITH ACTUAL SITE CONDITIONS AND NOTIFY THE ENGINEER OF ANY INCONSISTENCIES BETWEEN THIS DRAWING AND ACTUAL CONDITIONS PRIOR TO BEGINNING CONSTRUCTION.



SITE PLAN

OWNER:
ROBERT COCAT
2605 TOURETTE CT.
MCKINNEY, TEXAS 75070
TEL: 972-795-5313

APPLICANT:
G + H ENGINEERING & DESIGN, LLC
2212 RICHOK DRIVE
GARLAND, TEXAS 75044
TEL: 469-583-5766
TBPE FIRM NO. F-19819

REVISIONS:	
Δ	-

BALLY PLUS PRODUCTION
STORAGE & PACKING
2960 MARKET STREET
GARLAND, TEXAS 75041

DRAWING TITLE
SITE PLAN

SHEET NUMBER



GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda

4.

Meeting Date: 01/07/2020

Item Title: Sex Offender Ordinance

Submitted By: Jeffrey Bryan, Chief of Police

Summary of Request/Problem

At the November 18, 2019 Work Session, Council discussed an ordinance that will place residency restrictions around areas where children commonly gather.

Recommendation/Action Requested and Justification

Approve an ordinance amending Chapter 26 "Police-Miscellaneous Provisions and Offenses," of the Code of Ordinances of the City of Garland adding Subsection 26.35.

Attachments

Sex Offender Ordinance

Sex Offender Ordinance Map

- DRAFT -

For Discussion Purposes Only – Non-Final and Unapproved

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 26, POLICE-MISCELLANEOUS PROVISIONS AND OFFENSES, 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.

Whereas, the City Council finds, determines and declares that:

Sex offenders are a serious threat to public safety; and

The recidivism rate for released sex offenders is alarmingly high, especially for those who commit their crimes against children; and

That establishing a policy to restrict the property available for residence of sex offenders will provide better protection for children gathering in the City; and

Article 42.12(13B) of the Texas Code of Criminal Procedure provides a 1000-foot safety zone for children, as a condition of probation for those convicted of certain sexual offenses;

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

Section 1

That Chapter 26, Police - Miscellaneous Provisions and Offenses, of the Code of Ordinances of the City of Garland, Texas, is hereby amended by the addition of Section 26.35 to read as follows:

Sec. 26.35 Regulation of Sex Offender Residency within the City of Garland

(A) Definitions. For the purposes of this section, the following terms, words, and the derivations thereof shall have the meanings given herein:

(1) Minor. A minor is a person younger than 17 years of age.

- (2) Permanent residence. A place where a person abides, lodges, or resides for 14 or more consecutive days.
- (3) Temporary residence. A place where a person abides, lodges, or resides for a period of 14 or more days in the aggregate during any calendar year and which is not the person's permanent address, or a place where a person routinely abides, resides, or lodges for a period of four or more consecutive or nonconsecutive days in any month and which is not the person's permanent residence.

(B) Offense.

- (1) Residency prohibition. For each person required to register on the Texas Department of Public Safety's Sex Offender Database (the "Database") because of a violation involving a victim who was less than 17 years of age at the time of the offense, it is unlawful for that person to establish a permanent residence or temporary residence within 1,000 feet of any premises where children commonly gather, which, for purposes of this section, shall be a public park, private school, public school, or any of the following located within a regional mall: private playground, private sporting facility, or private park.
- (2) Evidentiary matters; measurements.
 - a. It shall be prima facie evidence that this section applies to such a person if that person's record appears on the Database and the Database indicates that the victim was less than 17 years of age at the time of the offense.
 - b. For the purposes of determining the minimum distance separation, the requirement shall be measured by following a straight line from the outer property line of the permanent or temporary residence to the nearest property line of the premises where children commonly gather, as described herein above, or, in the case of multiple residences on one property, measuring from the nearest property line of the premises to the nearest property line of the premises where children commonly gather, as described herein.

- c. A map depicting the prohibited areas shall be maintained by the City of Garland. The city shall review the map at least annually for changes. Said map will be available to the public at the Garland Police Department.
- (3) Culpable mental state not required. Neither allegation nor evidence of a culpable mental state is required for the proof of an offense defined by this chapter.
 - (4) Affirmative defenses. It is an affirmative defense to prosecution that any of the following conditions apply:
 - a. The person required to register on the Database established the permanent or temporary residence and has complied with all of the sex offender registration laws of the State of Texas, prior to the date of the adoption of this Ordinance.
 - b. The person required to register on the Database was a minor when he or she committed the offense requiring such registration and was not convicted as an adult.
 - c. The person required to register on the Database is a minor.
 - d. The premises where children commonly gather, as specified herein, within 1,000 feet of the permanent or temporary residence of the person required to register on the Database was opened after the person established the permanent or temporary residence and complied with all sex offender registration laws of the State of Texas.
 - e. The information on the Database is incorrect, and, if corrected, this section would not apply to the person who was erroneously listed on the Database.

Section 2

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 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.

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.

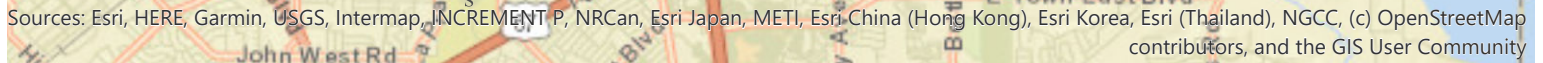
PASSED AND APPROVED this the _____ day of _____, 2019.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



Author: C. Miller

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Texas Government Code § 2051.102 (2011)."



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

5.

Meeting Date: 01/07/2020

Item Title: TMPA Joint Operating Agreement Amendment No. 4

Submitted By: Jeff Janke, Administration

Summary of Request/Problem

At the January 6, 2020 Work Session, Council considered an amendment to the TMPA Joint Operating Agreement ("JOA"). Amendment No. 4 to the JOA will provide for the (i) continued responsibility of mine reclamation costs for Member Cities that exit the Mining Business, and (ii) selling of all or a majority of Mining Assets by eliminating certain restrictions on mine land sales. For the Council's consideration is a resolution approving Amendment No. 4 to the JOA.

Recommendation/Action Requested and Justification

Approval of the resolution for Amendment No. 4 to the TMPA Joint Operating Agreement.

Attachments

JOA Amendment # 4

Resolution of JOA Amendment # 4

**AMENDMENT NO. 4 TO THE
JOINT OPERATING AGREEMENT
BETWEEN
TEXAS MUNICIPAL POWER AGENCY
AND
CITY OF BRYAN, TEXAS
CITY OF DENTON, TEXAS
CITY OF GARLAND, TEXAS
CITY OF GREENVILLE, TEXAS**

This Amendment No. 4 (“Amendment No. 3”), effective as of the date set forth below, to the Joint Operating Agreement, effective September 1, 2016, as amended by Amendment No. 2, effective September 22, 2017, and as amended by Amendment No. 3, effective September 17, 2019 (the “JOA” or the “Joint Operating Agreement”), is made and entered into between the Texas Municipal Power Agency (“TMPA” or “Agency”), a municipal corporation and political subdivision of the State of Texas established pursuant to the provisions of Chapter 163 of the Texas Utilities Code, and the City of Bryan, the City of Denton, the City of Garland, and the City of Greenville, Texas (herein collectively “Cities” or individually “City”), each of which cities is a municipal corporation of the State of Texas, a home rule city, and a Participating Public Entity in TMPA (collectively, the “Parties”). Capitalized terms used in this Amendment No. 4 not otherwise defined herein shall have the definition set forth in the JOA.

WITNESSETH:

WHEREAS, the Parties have previously entered into the JOA; and

WHEREAS, Amendment No. 1 provided that Amendment No. 1 would have no force or effect if the Generation Asset Sale, as defined in and contemplated by Amendment No. 1, was terminated or did not close; and

WHEREAS the Generation Asset Sale, as contemplated by Amendment No. 1, did not close, and therefore, by the terms thereof, Amendment No. 1 was of no force and effect as of the Effective Date of Amendment No. 2; and

WHEREAS, this Amendment No. 4 is intended to enable TMPA to sell all or a majority of Mining Assets by eliminating the restrictions on mine tract sales that may occur on a piecemeal basis and, in the event of multiple sales, that may occur during a fiscal year; and

WHEREAS, this Amendment No. 4 is also intended to ensure that, in the event a Participating Public Entity exits the Mining Business, it continues to be responsible for its share of the costs of Mine reclamation; and

WHEREAS, this Amendment No. 4 shall be deemed delivered and effective on the date that this Amendment No. 4 is executed by the last Party to do so, being the “Effective Date” of this Amendment No. 4;

NOW, THEREFORE, in consideration of the recitals set forth above, the mutual covenants, benefits, agreements and obligations of the Parties, as set forth herein, the Parties, each intending to be legally bound, agree as follows:

Section 1. Section 3.2.1 of the JOA is hereby amended to read as follows:

3.2.1. BUDGETING AND OPERATIONS. From and after the Effective Date through September 1, 2018, charges for recoupment of such costs as are included in the Annual Budget for the Mining Business category, including any debt service on any Mine Reclamation Bonds and any other costs related to surety bonds, banking agreements, letters of credit, or other financial commitment related to providing financial security or assurance for the TMPA's mine remediation responsibilities, shall be assessed to each Participating Public Entity in the manner provided in Section 2.6.1.1. From and after September 2, 2018, charges for recoupment of such costs as are included in the Annual Budget for the Mining Business category, including any debt service on any Mine Reclamation Bonds and any other costs related to surety bonds, banking agreements, letters of credit, or other financial commitment related to providing financial security or assurance for the TMPA's mine remediation responsibilities, shall be assessed to each Participating Public Entity according to the following percentages: Bryan - 21.7%; Denton - 21.3%; Garland - 47%, Greenville - 10%, and billed to each Participating Public Entity on a monthly basis, unless a different schedule of charges shall be adopted by the unanimous approval of all of the Participating Public Entities in the Mining Business category. In the event a Participating Public Entity exits the Mining Business as permitted under Section 2.11.1, it shall remain responsible for the same percentage share of costs incurred after its exit as set forth above, such that the same percentages shall apply to each exited and remaining Participating Public Entity for any costs of the Mining Business category until all Mining Assets are sold and all obligations are discharged with respect to Mine Reclamation Bonds, surety bonds, banking agreements, letters of credit, and other financial commitments related to providing financial security or assurance for TMPA's mine reclamation responsibilities.

Section 2. Section 3.2.4 of the JOA is hereby amended to read as follows:

3.2.4. SALE OF MINING ASSETS PRIOR TO COMPLETION OF MINE RECLAMATION. Prior to completion of mine reclamation, the TMPA Board may approve leases and license agreements of Mining Assets, including the lease of minerals that are Mining Assets, and, pursuant to Section 3.2.3, may approve the sale of real property interests in Mining Assets. Such sales of real property interests in Mining Assets shall not be less than the

fair market value of such assets as reasonably determined by TMPA. The net funds received from the sale of any mining assets under this section shall be applied for the purposes and in the priority stated in Section 3.2.3.

Section 3. OTHER AGREEMENTS.

(a) All other terms and conditions of the Joint Operating Agreement shall remain in full force and effect except as modified herein.

(b) This Amendment No. 4 shall terminate on the same date the Joint Operating Agreement terminates.

(c) Each Party warrants that all necessary actions have been taken to make this Amendment No. 4 a binding amendment, including TMPA Board or city council action, as applicable.

(d) This Amendment may be executed in multiple counterparts, each of which shall constitute an original but both or all of which, when taken together, shall constitute but one instrument. This Amendment No. 4 may be delivered by the exchange of signed signature pages by facsimile transmission or by attaching a pdf copy to an email, and any printed or copied version of any signature page so delivered shall have the same force and effect as an originally signed version of such signature page.

IN WITNESS WHEREOF, the Parties have executed this Amendment No. 4 to Joint Operating Agreement, to be effective upon the Effective Date as set forth in the Recitals.

TEXAS MUNICIPAL POWER AGENCY

By: _____

Name: _____

Title: _____

Date: _____

Attest: _____

Approved as to form: _____
Counsel for Texas Municipal Power Agency

CITY OF BRYAN, TEXAS

By: _____

Name: _____

Title: _____

Date: _____

Attest: _____

Approved as to form: _____
Counsel for the City of Bryan, Texas

CITY OF DENTON, TEXAS

By: _____

Name: _____

Title: _____

Date: _____

Attest: _____

Approved as to form: _____
Counsel for the City of Denton, Texas

CITY OF GARLAND, TEXAS

By: _____

Name: _____

Title: _____

Date: _____

Attest: _____

CITY OF GREENVILLE, TEXAS

By: _____

Name: _____

Title: _____

Date: _____

Attest: _____

GEUS, acting on behalf of the City of Greenville pursuant to its Charter

By: _____

Name: _____

Title: Chair of the Board of Trustees of the Electric Utility Board

Date: _____

Attest: _____

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 4 TO THE JOINT OPERATING AGREEMENT BETWEEN TEXAS MUNICIPAL POWER AGENCY AND CITY OF BRYAN, TEXAS, CITY OF DENTON, TEXAS, CITY OF GARLAND, TEXAS, AND, CITY OF GREENVILLE, TEXAS.

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

Section 1

That the City Manager is hereby authorized to execute Amendment No. 4 to the Joint Operating Agreement between Texas Municipal Power Agency and City of Bryan, Texas, City of Denton, Texas, City of Garland, Texas, and, City of Greenville, Texas.

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 _____, 2020.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda

6.

Meeting Date: 01/07/2020

Item Title: Consider Technical Amendments to City Marshal Parking Program

Submitted By: Brad Neighbor, City Attorney

Summary of Request/Problem

The ordinances passed by Council on November 5, 2019 to implement administrative parking enforcement requires technical corrections to Section 22.44 and Section 32.57. The proposed Ordinance amends Section 22.44 and Section 32.57 to clarify a definition of oversized trailers and provides a uniform late date.

Recommendation/Action Requested and Justification

Adopt the proposed ordinances as submitted. Enforcement by citation will likely begin following the third week in January.

Attachments

Technical corrections to administrative parking enforcement program

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 24, "MUNICIPAL COURT AND ADMINISTRATIVE ADJUDICATION, AND CHAPTER 32, "PROPERTY SANITATION AND HOUSING SERVICES; 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 22.44(B) of Article III, "Administrative adjudication of parking Offenses" of Chapter 24 "Municipal Court and Administrative Adjudication", of the Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows:

"(B) A civil penalty must be paid no later than the 65th day after the issuance of the citation. A penalty paid after that date is subject to a \$25 late fee."

Section 2

That Sec. 32.57(A) (7) of Chapter 32, "Property Sanitation and Housing Services" of the Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows:

"(7) Oversized vehicle means a tow truck (wrecker), truck tractor, road tractor, semitrailer (whether or not attached to a truck tractor or a road tractor), trailer greater than 16 feet in length excluding the tongue (whether or not attached to a truck, truck tractor or a road tractor), passenger motor vehicle designed to carry more than 16 persons (including the driver), and includes any modified vehicle with a manufacturer's rating of 9,000 GWT (gross weight) or higher. The term shall also include a box truck, dump truck or dump trailer with a manufacturer's rating of 9,000 GWT (gross weight) or higher, or box trucks, dump trucks or dump trailers with a cargo containment space greater than 16 feet in length, excluding the cabin area of the vehicle, regardless of GWT.

The term does not include:

- (a) any motor vehicle owned or operated by a governmental entity;
- (b) a vehicle for recreational use;

- (c) a vehicle owned or used by a church for church purposes;
- (d) trailers less than 16 feet in total length, exclusive of the tongue; or
- (e) passenger vehicles that are not modified beyond the intended purpose.”

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 4

That Chapter 24 “Municipal Court and Administrative Adjudication” and Chapter 32, “Property Sanitation and Housing Services”, 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 5

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

Section 6

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

PASSED AND APPROVED this the ____ day of January, 2020.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

PUBLISHED:



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

7.

Meeting Date: 01/07/2020

Item Title: Consider an Ordinance Appointing a Municipal Court Judge

Submitted By: Brad Neighbor, City Attorney

Summary of Request/Problem

Due to retirements within the Municipal Court, the City Council conducted interviews of candidates for the two full-time judicial positions in the Garland Municipal Court. At its Regular Meeting on December 17, 2019, Council adopted an ordinance filling one of those two positions. Council must adopt another ordinance to fill the second position.

Additionally, formal council approval is required for the employment agreements governing the terms and conditions of employment of the two judges.

Recommendation/Action Requested and Justification

Council is requested to consider the adoption of an ordinance appointing Natalie Banuelos as a municipal judge of the Garland Municipal Court. Council is also requested to approve employment agreements for both new judges. A draft of the appointment ordinance for Judge Banuelos is attached and drafts of the employment agreements for Judge Sholden and for Judge Banuelos are attached as well. The appointment ordinance will cover the approval of the employment agreements so separate resolutions to that effect will not be needed.

Attachments

Appointment of Judges 2020

employment agreement - Sholden

employment agreement - Banuelos

ORDINANCE NO.

AN ORDINANCE APPOINTING NATALIE S. BANUELOS AS JUDGE OF THE MUNICIPAL COURT OF THE CITY OF GARLAND, TEXAS; APPROVING EMPLOYMENT AGREEMENTS FOR JOHN SHOLDEN AND NATALIE S. BANUELOS; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1

That Natalie S. Banuelos is hereby appointed as judge of the Municipal Court of the City of Garland, Texas for a term of office of two years commencing January 1, 2020, subject to her taking of the oath of office as prescribed by law.

Section 2

That the City Council hereby approves employment agreements for John Sholden and Natalie S. Banuelos in the form and substance of those attached hereto.

Section 3

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

PASSED AND APPROVED this the 7th day of January, 2020.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

STATEMENT OF ELECTED/APPOINTED OFFICER

I, Natalie S. Banuelos, do solemnly swear (or affirm), that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God.

Natalie S. Banuelos

SWORN TO and subscribed before me by Natalie S. Banuelos on this 7th day of January, 2020.

[Seal]

Notary Public for the State of Texas

JUDGE
MUNICIPAL COURT OF THE CITY OF GARLAND, DALLAS COUNTY,
TEXAS

**In the Name and by the Authority of the
State of Texas**

OATH OF OFFICE

I, Natalie S. Banuelos, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of Judge of the Municipal Court of the City of Garland, of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.

Natalie S. Banuelos

SWORN TO and subscribed before me by Natalie S. Banuelos on this 7th day of January, 2020.

[Seal]

Notary Public for the State of Texas

JUDGE
MUNICIPAL COURT OF THE CITY OF GARLAND, DALLAS COUNTY,
TEXAS

DISCLOSURE OF INTERESTED PERSONS FORM
Sec. 2252.908, TEXAS GOVERNMENT CODE

"My name is Natalie S. Banuelos, my date of birth is [redacted], and my business address is 1791 W Avenue B, Garland, TX 7504275046-9002

Pursuant to Sec. 2252.908 of the Texas Government Code, I disclose that:

- (1) I am a party to a contract with the City of Garland, Texas that requires an action or vote by the governing body of the entity; and
- (2) I am the sole and only interested person in that party to the contract.

I further affirm and verify that I do not and will not boycott Israel.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Dallas County, State of Texas, on the 7th day of January, 2020.

Natalie S. Banuelos
Declarant

EMPLOYMENT AGREEMENT

This Employment Agreement ("Agreement") is made and entered into as of the Effective Date (as defined below) by and between the City of Garland, Texas (the "City") and John Sholden ("Employee").

1. Duties and Scope of Employment.

(A) *Position and Duties.* For the term of his employment under this Agreement, the City agrees to employ the Employee as a judge of the Garland Municipal Court reporting directly to the City Council. Employee shall have such duties, powers, authority, responsibilities, and obligations as provided by Article IV, Section 5 of the Charter of the City of Garland, Texas. Employee shall perform all such duties incident to his position diligently, to the best of his ability, and with the highest degree of good faith and loyalty to the principles governing judges within the State.

(B) *Obligations to the City.* During his employment under this Agreement, Employee shall devote his full time and energy to his service to the City and shall not be engaged in any outside practice of law or other activity without the express consent of the City Council, provided that Employee may engage in charitable, religious or community activities so long as no such activity is undertaken that may create a conflict of interest with the duties of impartiality and fairness attendant to the position of judge, as solely determined by the City Council. Employee shall abide by the City Council's policies and rules regarding his employment during the term of his employment.

2. Term of Employment; Review.

(A) Unless sooner terminated in accordance with the provisions of Section 4 of this Agreement, the City agrees to employ the Employee, and Employee agrees to continue in employment with the City, as a municipal judge beginning on the Effective Date and continuing through December 31, 2021.

(B) The City Council shall annually review and evaluate the performance of Employee during the term of this Agreement in accordance with the City Council's policies on the review of its appointed employees.

3. Compensation; Benefits; Expenses.

(A) *Compensation.* For the services rendered by Employee during the term of this Agreement, Employee shall be entitled to the following:

- (1) A salary, payable bi-weekly or in accordance with a schedule generally applicable to other City employees, at the annual rate of \$135,000.00;
- (2) Deferred compensation in the amount of \$1,200.00 annually payable to a "Section 457" or other deferred compensation plan offered through the City to non-civil service employees; and

- (3) A non-recurring, one-time remuneration of \$5,000.00 payable as a lump sum following one year of satisfactory performance.

The sum of the amounts described in Section 3(A)(1) and 3(A)(2), along with the benefits that Employee may receive as pay under Section 3(B) less Employees' costs of participation in such benefits, shall hereinafter be referred to as the "Base Salary". By way of example, Employee may be entitled to stability pay as a benefit, which should be included as Base Salary, and if receiving health insurance benefits, would be obligated to pay the Employee's share of those benefits, which should be deducted from Base Salary.

(B) *Benefits.* Employee shall be allowed to participate in all City health, welfare, retirement, savings, and other employee benefit and fringe benefit plans on the same basis as that offered or provided to other full-time non-civil service City employees subject to the terms and conditions generally applicable to other non-executive-level City employees who participate in such plans.

(C) *Professional Development and Dues.* The City agrees to budget for and pay, on behalf of Employee, all professional fees, dues, and seminar/conference registrations costs together with the costs and expenses incurred (consistent with City travel and reimbursement policies) necessary for the Employee to maintain his license to practice law, to serve as a judge of a municipal court of record, and such other professional development of Employee that may be in the best interests of the City.

(D) *Expenses.* Employee shall be paid a monthly cell phone stipend and shall be entitled to reimbursement for other incurred or out-of-pocket expenses in accordance with generally applicable City policies governing the reimbursement of employee expenses.

(F) *Vacation, Sick Leave, and Time Off.* Employee shall be entitled to such vacation and sick leave as generally applies under City policy to employees of similar seniority.

4. Termination.

(A) The City may terminate Employee's employment either for Good Cause or at will and without Good Cause at any time. In the event the Employee is terminated without Good Cause or this Agreement is not renewed at the end of its term without Good Cause, the City agrees to pay Employee severance pay in the amount of six months of Employee's annual "Base Salary" then in effect. For purposes of this Agreement, the City shall have "Good Cause" to terminate Employee's employment if:

- (1) The Employee willfully fails to substantially and materially perform his duties hereunder and such failure is not cured or discontinued within a reasonable period of time, not to exceed 30 days, after the Employee receives written notice from the City specifying the grounds for such failure;
- (2) The Employee commits an act of dishonesty, disloyalty or other conflict of interest

intended to result in personal enrichment at the expense of the City or the Employee is convicted of any felony;

(3) The Employee is unable to practice law within the State of Texas; or

(4) For other incompetency, misconduct, malfeasance, or for a disability that cannot be lawfully accommodated.

(B) The severance pay provided in this Section is expressly conditioned on Employee's execution of an appropriate release of all claims, known or unknown, that Employee may then have or contemplate and the submission of a written resignation from the office of municipal judge. The failure to submit such resignation shall be deemed misconduct under the provisions of Article IV, Section 8 of the Garland City Charter and a waiver of any right to severance pay under the provisions of this Section 4.

(C) If the City at any time reduces the salary, compensation, or other benefits of the Employee in a greater percentage than an applicable across-the-board reduction for all City employees, or if the City refuses, within thirty days of written notice from Employee of the specifics of non-compliance, to comply with any other provision of this Agreement that benefits the Employee, then the Employee may deem his employment terminated without Good Cause and shall be entitled to severance pay as provided in and conditioned by this Section 4.

(D) Employee may resign or terminate this Agreement at will by providing not less than thirty days written notice to the City. If the Employee voluntarily resigns his position during the term of this Agreement, Employee shall not be entitled to severance pay as provided by this Section 4.

5. Notices. Any notice required or desired to be given from one party to the other party to this Agreement shall be in writing and shall be given and shall be deemed to have been served and received (whether actually received or not) if (i) delivered in person; (ii) deposited in an official depository under the regular care and custody of the United States Postal Service located within the confines of the United States of America and sent by certified mail, return receipt requested, and addressed to such party at the address specified; or (iii) delivered to such party by courier receipted delivery. Either party may designate another address within the confines of the continental United States of America for notice, but until written notice of such change is actually received by the other party, the last address of such party designated for notice shall remain such party's address for notice.

6. Attorney's Fees. Should either party to this Agreement commence legal proceedings against the other to enforce the terms and provisions of this Agreement, the party losing in such legal proceedings shall pay the reasonable attorneys' fees and expenses (including, but not limited to expert witness fees and deposition expenses) of the party prevailing in such legal proceedings.

7. No Assignment. Neither party shall have the right to assign that party's interest in this Agreement without the prior written consent of the other party. This Agreement is personal to Employee alone.

8. Severability. If any term or provision of this Agreement is held to be illegal, invalid or unenforceable, the legality, validity or enforceability of the remaining terms or provisions of this Agreement shall not be affected thereby, and in lieu of each such illegal, invalid or unenforceable term or provision, there shall be added automatically to this Agreement a legal, valid or enforceable term or provision as similar as possible to the term or provision declared illegal, invalid or unenforceable.

9. Waiver. Either City or Employee shall have the right to waive any requirement contained in this Agreement, which is intended for the waiving party's benefit, but, except as otherwise provided herein, such waiver shall be effective only if in writing executed by the party for whose benefit such requirement is intended. No waiver of any breach or violation of any term of this Agreement shall be deemed or construed to constitute a waiver of any other breach or violation, whether concurrent or subsequent, and whether of the same or of a different type of breach or violation.

10. Governing Law; Venue. This Agreement and all of the transactions contemplated herein shall be governed by and construed in accordance with the laws of the State of Texas. The provisions and obligations of this Agreement are performable in Dallas County, Texas such that exclusive venue for any action arising out of this Agreement shall be in Dallas County, Texas.

11. Paragraph Headings; Construction. The paragraph headings contained in this Agreement are for convenience only and shall in no way enlarge or limit the scope or meaning of the various and several paragraphs hereof. Both parties have participated in the negotiation and preparation of this Agreement and this Agreement shall not be construed either more or less strongly against or for either party.

12. Binding Effect. Except as limited herein, the terms and provisions of this Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, devisees, personal and legal representatives, successors and assigns.

13. Gender. Within this Agreement, words of any gender shall be held and construed to include any other gender, and words in the singular number shall be held and construed to include the plural, unless the context otherwise requires.

14. Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, and all of which shall constitute but one and the same instrument.

15. Computation of Deadlines. If any deadline contained herein ends on a Saturday, Sunday or a legal holiday recognized by the Texas Supreme Court, such deadline shall automatically be extended to the next day that is not a Saturday, Sunday or legal holiday.

16. Dispute Resolution; Enforcement of Contract. In accordance with the provisions of Subchapter I, Chapter 271, TEX. LOCAL GOV'T CODE, the parties agree that, prior to instituting any lawsuit or other proceeding arising from a dispute under this Agreement, the parties will first attempt to resolve the dispute by taking the following steps: (1) A written notice substantially

describing the nature of the dispute shall be delivered by the dissatisfied party to the other party, which notice shall request a written response to be delivered to the dissatisfied party not less than five days after receipt of the notice of dispute; (2) If the response does not reasonably resolve the dispute, in the opinion of the dissatisfied party, the dissatisfied party shall give notice to that effect to the other party whereupon each party shall appoint a person having authority over the activities of the respective parties who shall promptly meet, in person, in an effort to resolve the dispute; (3) If those persons cannot or do not resolve the dispute, then the parties shall each appoint a person from the highest tier of managerial responsibility within each respective party, who shall then promptly meet, in person, in an effort to resolve the dispute. The parties agree that this is a contract for goods and services within the meaning provided by Chapter 271, TEX. LOCAL GOV'T CODE.

EXECUTED on the dates indicated below but deemed to be effective as of the 1st day of January, 2020 (the "Effective Date").

CITY:

EMPLOYEE:

Scott LeMay
Mayor

John Sholden
Municipal Judge

Date: _____

Date: _____

EMPLOYMENT AGREEMENT

This Employment Agreement (“Agreement”) is made and entered into as of the Effective Date (as defined below) by and between the City of Garland, Texas (the “City”) and Natalie S. Banuelos (“Employee”).

1. Duties and Scope of Employment.

(A) *Position and Duties.* For the term of her employment under this Agreement, the City agrees to employ the Employee as a judge of the Garland Municipal Court reporting directly to the City Council. Employee shall have such duties, powers, authority, responsibilities, and obligations as provided by Article IV, Section 5 of the Charter of the City of Garland, Texas. Employee shall perform all such duties incident to her position diligently, to the best of her ability, and with the highest degree of good faith and loyalty to the principles governing judges within the State.

(B) *Obligations to the City.* During her employment under this Agreement, Employee shall devote her full time and energy to her service to the City and shall not be engaged in any outside practice of law or other activity without the express consent of the City Council, provided that Employee may engage in charitable, religious or community activities so long as no such activity is undertaken that may create a conflict of interest with the duties of impartiality and fairness attendant to the position of judge, as solely determined by the City Council. Employee shall abide by the City Council’s policies and rules regarding her employment during the term of her employment.

2. Term of Employment; Review.

(A) Unless sooner terminated in accordance with the provisions of Section 4 of this Agreement, the City agrees to employ the Employee, and Employee agrees to continue in employment with the City, as a municipal judge beginning on the Effective Date and continuing through December 31, 2021.

(B) The City Council shall annually review and evaluate the performance of Employee during the term of this Agreement in accordance with the City Council’s policies on the review of its appointed employees.

3. Compensation; Benefits; Expenses.

(A) *Compensation.* For the services rendered by Employee during the term of this Agreement, Employee shall be entitled to the following:

- (1) A salary, payable bi-weekly or in accordance with a schedule generally applicable to other City employees, at the annual rate of \$130,000.00;
- (2) Deferred compensation in the amount of \$1,200.00 annually payable to a “Section 457” or other deferred compensation plan offered through the City to non-civil service employees; and

- (3) A non-recurring, one-time remuneration of \$5,000.00 payable as a lump sum following one year of satisfactory performance.

The sum of the amounts described in Section 3(A)(1) and 3(A)(2), along with the benefits that Employee may receive as pay under Section 3(B) less Employees' costs of participation in such benefits, shall hereinafter be referred to as the "Base Salary". By way of example, Employee may be entitled to stability pay as a benefit, which should be included as Base Salary, and if receiving health insurance benefits, would be obligated to pay the Employee's share of those benefits, which should be deducted from Base Salary.

(B) *Benefits.* Employee shall be allowed to participate in all City health, welfare, retirement, savings, and other employee benefit and fringe benefit plans on the same basis as that offered or provided to other full-time non-civil service City employees subject to the terms and conditions generally applicable to other non-executive-level City employees who participate in such plans.

(C) *Professional Development and Dues.* The City agrees to budget for and pay, on behalf of Employee, all professional fees, dues, and seminar/conference registrations costs together with the costs and expenses incurred (consistent with City travel and reimbursement policies) necessary for the Employee to maintain her license to practice law, to serve as a judge of a municipal court of record, and such other professional development of Employee that may be in the best interests of the City.

(D) *Expenses.* Employee shall be paid a monthly cell phone stipend and shall be entitled to reimbursement for other incurred or out-of-pocket expenses in accordance with generally applicable City policies governing the reimbursement of employee expenses.

(F) *Vacation, Sick Leave, and Time Off.* Employee shall be entitled to such vacation and sick leave as generally applies under City policy to employees of similar seniority.

4. Termination.

(A) The City may terminate Employee's employment either for Good Cause or at will and without Good Cause at any time. In the event the Employee is terminated without Good Cause or this Agreement is not renewed at the end of its term without Good Cause, the City agrees to pay Employee severance pay in the amount of six months of Employee's annual "Base Salary" then in effect. For purposes of this Agreement, the City shall have "Good Cause" to terminate Employee's employment if:

- (1) The Employee willfully fails to substantially and materially perform her duties hereunder and such failure is not cured or discontinued within a reasonable period of time, not to exceed 30 days, after the Employee receives written notice from the City specifying the grounds for such failure;
- (2) The Employee commits an act of dishonesty, disloyalty or other conflict of interest

intended to result in personal enrichment at the expense of the City or the Employee is convicted of any felony;

(3) The Employee is unable to practice law within the State of Texas; or

(4) For other incompetency, misconduct, malfeasance, or for a disability that cannot be lawfully accommodated.

(B) The severance pay provided in this Section is expressly conditioned on Employee's execution of an appropriate release of all claims, known or unknown, that Employee may then have or contemplate and the submission of a written resignation from the office of municipal judge. The failure to submit such resignation shall be deemed misconduct under the provisions of Article IV, Section 8 of the Garland City Charter and a waiver of any right to severance pay under the provisions of this Section 4.

(C) If the City at any time reduces the salary, compensation, or other benefits of the Employee in a greater percentage than an applicable across-the-board reduction for all City employees, or if the City refuses, within thirty days of written notice from Employee of the specifics of non-compliance, to comply with any other provision of this Agreement that benefits the Employee, then the Employee may deem her employment terminated without Good Cause and shall be entitled to severance pay as provided in and conditioned by this Section 4.

(D) Employee may resign or terminate this Agreement at will by providing not less than thirty days written notice to the City. If the Employee voluntarily resigns her position during the term of this Agreement, Employee shall not be entitled to severance pay as provided by this Section 4.

5. Notices. Any notice required or desired to be given from one party to the other party to this Agreement shall be in writing and shall be given and shall be deemed to have been served and received (whether actually received or not) if (i) delivered in person; (ii) deposited in an official depository under the regular care and custody of the United States Postal Service located within the confines of the United States of America and sent by certified mail, return receipt requested, and addressed to such party at the address specified; or (iii) delivered to such party by courier receipted delivery. Either party may designate another address within the confines of the continental United States of America for notice, but until written notice of such change is actually received by the other party, the last address of such party designated for notice shall remain such party's address for notice.

6. Attorney's Fees. Should either party to this Agreement commence legal proceedings against the other to enforce the terms and provisions of this Agreement, the party losing in such legal proceedings shall pay the reasonable attorneys' fees and expenses (including, but not limited to expert witness fees and deposition expenses) of the party prevailing in such legal proceedings.

7. No Assignment. Neither party shall have the right to assign that party's interest in this Agreement without the prior written consent of the other party. This Agreement is personal to Employee alone.

8. Severability. If any term or provision of this Agreement is held to be illegal, invalid or unenforceable, the legality, validity or enforceability of the remaining terms or provisions of this Agreement shall not be affected thereby, and in lieu of each such illegal, invalid or unenforceable term or provision, there shall be added automatically to this Agreement a legal, valid or enforceable term or provision as similar as possible to the term or provision declared illegal, invalid or unenforceable.

9. Waiver. Either City or Employee shall have the right to waive any requirement contained in this Agreement, which is intended for the waiving party's benefit, but, except as otherwise provided herein, such waiver shall be effective only if in writing executed by the party for whose benefit such requirement is intended. No waiver of any breach or violation of any term of this Agreement shall be deemed or construed to constitute a waiver of any other breach or violation, whether concurrent or subsequent, and whether of the same or of a different type of breach or violation.

10. Governing Law; Venue. This Agreement and all of the transactions contemplated herein shall be governed by and construed in accordance with the laws of the State of Texas. The provisions and obligations of this Agreement are performable in Dallas County, Texas such that exclusive venue for any action arising out of this Agreement shall be in Dallas County, Texas.

11. Paragraph Headings; Construction. The paragraph headings contained in this Agreement are for convenience only and shall in no way enlarge or limit the scope or meaning of the various and several paragraphs hereof. Both parties have participated in the negotiation and preparation of this Agreement and this Agreement shall not be construed either more or less strongly against or for either party.

12. Binding Effect. Except as limited herein, the terms and provisions of this Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, devisees, personal and legal representatives, successors and assigns.

13. Gender. Within this Agreement, words of any gender shall be held and construed to include any other gender, and words in the singular number shall be held and construed to include the plural, unless the context otherwise requires.

14. Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, and all of which shall constitute but one and the same instrument.

15. Computation of Deadlines. If any deadline contained herein ends on a Saturday, Sunday or a legal holiday recognized by the Texas Supreme Court, such deadline shall automatically be extended to the next day that is not a Saturday, Sunday or legal holiday.

16. Dispute Resolution; Enforcement of Contract. In accordance with the provisions of Subchapter I, Chapter 271, TEX. LOCAL GOV'T CODE, the parties agree that, prior to instituting any lawsuit or other proceeding arising from a dispute under this Agreement, the parties will first attempt to resolve the dispute by taking the following steps: (1) A written notice substantially

describing the nature of the dispute shall be delivered by the dissatisfied party to the other party, which notice shall request a written response to be delivered to the dissatisfied party not less than five days after receipt of the notice of dispute; (2) If the response does not reasonably resolve the dispute, in the opinion of the dissatisfied party, the dissatisfied party shall give notice to that effect to the other party whereupon each party shall appoint a person having authority over the activities of the respective parties who shall promptly meet, in person, in an effort to resolve the dispute; (3) If those persons cannot or do not resolve the dispute, then the parties shall each appoint a person from the highest tier of managerial responsibility within each respective party, who shall then promptly meet, in person, in an effort to resolve the dispute. The parties agree that this is a contract for goods and services within the meaning provided by Chapter 271, TEX. LOCAL GOV'T CODE.

EXECUTED on the dates indicated below but deemed to be effective as of the 13th day of January, 2020 (the "Effective Date").

CITY:

EMPLOYEE:

Scott LeMay
Mayor

Natalie S. Banuelos
Municipal Judge

Date: _____

Date: _____



GARLAND PLANNING REPORT

City Council Regular Session Agenda

8. a.

Meeting Date: 01/07/2020

Item Title: Z 19-37 Bill Swisher - Zoning (District 3)

Submitted By: Kira Wauwie, Principal Development Planner

REQUEST

Approval of a Zoning Change from Community Retail (CR) District to a Planned Development (PD) District for Community Retail Uses; Indoor Automobile Sales, New or Used; Motorcycle/ATV Sales (New and Used – Indoors Only); and Pawn Shop Use.

OWNER

American Pawn & Jewelry, Inc.

PLAN COMMISSION RECOMMENDATION

On December 9, 2019 the Plan Commission, by a vote of eight (8) to zero (0), recommended approval of a Zoning Change from Community Retail (CR) District to a Planned Development (PD) District for Community Retail Uses; Indoor Automobile Sales, New or Used; Motorcycle/ATV Sales (New and Used – Indoors Only); and Pawn Shop Use, with the condition that the following uses be prohibited: Outdoor Display or Storage; Commercial Blood, Plasma, Tissue and Cell Collection Center; and Automobile Repair, Minor.

STAFF RECOMMENDATION

Approval of a Zoning Change from Community Retail (CR) District to a Planned Development (PD) District for Community Retail Uses; Indoor Automobile Sales, New or Used; Motorcycle/ATV Sales (New and Used – Indoors Only); and Pawn Shop Use.

BACKGROUND

The applicant proposes to add indoor automobile and motorcycle/ATV sales to an existing pawn shop business. All operations would be conducted inside the existing building.

SITE DATA

The site contains approximately 2.83 acres with approximately 144 lineal feet of frontage along the east-bound service road of I-30, which is used as the main access point to and from the property. The property is improved with an existing building and its associated parking and loading areas. The building consists of two stories: a 43,276 square-foot first floor and a 3,987 square-foot second floor.

USE OF PROPERTY UNDER CURRENT ZONING

The subject site is currently zoned Community Retail (CR) District, which is intended to accommodate a variety of retail, service, and business establishments. The district may be used as a transition district between lower intensity retail or office uses and more intense uses. A CR District is generally appropriate along major transportation corridors but is generally not appropriate in proximity to low-density residential districts without significant buffering and screening features. An example of allowed use in a CR District is a retail shopping area that may be large in scale with very limited or no outside storage. Traffic generated by uses in a CR District must be focused onto the major thoroughfare network.

The application request would allow CR District uses per the Garland Development Code (GDC), and continue the operation of an existing pawn shop with the addition of indoor automobile, motorcycle, and ATV sales.

CONSIDERATIONS

1. Pawn Shop use was permitted by right on the site under the General Business (GB) District which was in effect in 1985. A Certificate of Occupancy was issued in 1991 for the Pawn Shop. Subsequently, the site was zoned Freeway (FW) District which did not permit Pawn Shop use. In 2015 the Garland Development Code was adopted along with a revised Zoning Map which designated the site for Community Retail (CR) District which does not permit Pawn Shop use.
2. Automotive uses permitted by the existing CR District zoning include Automobile Leasing/Rental and Minor Automobile Repair. A Specific Use Provision is required for Boat Sales, Leasing & Repair (outside storage), Automated/Rollover Car Wash, Full Service/Detail Car Wash, and Personal Watercraft Sales, Leasing & Repair (new and used). The proposal would be restricted to the identified indoor activities and limited to automobiles, motorcycles, and ATV's (all-terrain vehicles). Automobile Sales, New or Used and Motorcycle/ATV Sales uses are not allowed in the CR District. The application indicates the vehicles would be "unique and classic vehicles".
3. The Planned Development (PD) District would permit Community Retail uses, Pawn Shop use and the indoor sales of automobiles, motorcycles, and ATV's (all-terrain vehicles).
4. The site plan (Exhibit C in Detail Plan item) shows existing pavement and eighty-three (83) parking spaces on site, and nine (9) parking spaces off-site. The GDC requires 189 parking spaces for Pawn Shop Use based on the square footage provided. However, no expansion of the building is proposed and there are no changes proposed to the existing parking count. There have been no documented complaints or concerns regarding insufficient parking for the existing site and its use. It is not anticipated that the proposal would result in insufficient parking.
5. Neither a building expansion nor a parking lot expansion is being proposed with this request. Landscaping and screening compliance is not triggered by this request.
6. The existing site improvements include building signs attached to the building facade and a free-standing pylon sign. The application does not include new or revised signage.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommends Community Centers for the subject property. Community Centers are areas with compact development, primarily non-residential, serving a collection of neighborhoods. This type of development consists of a mix of uses, including retail, services, office use, multi-family residential, and entertainment. Furthermore, the I-30 Corridor Catalyst Area Plan, adopted in 2017, recognizes this site for Community Centers.

The proposed use is consistent with commercial operations within the Community Center land use designation.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

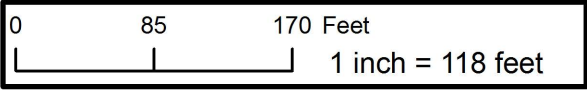
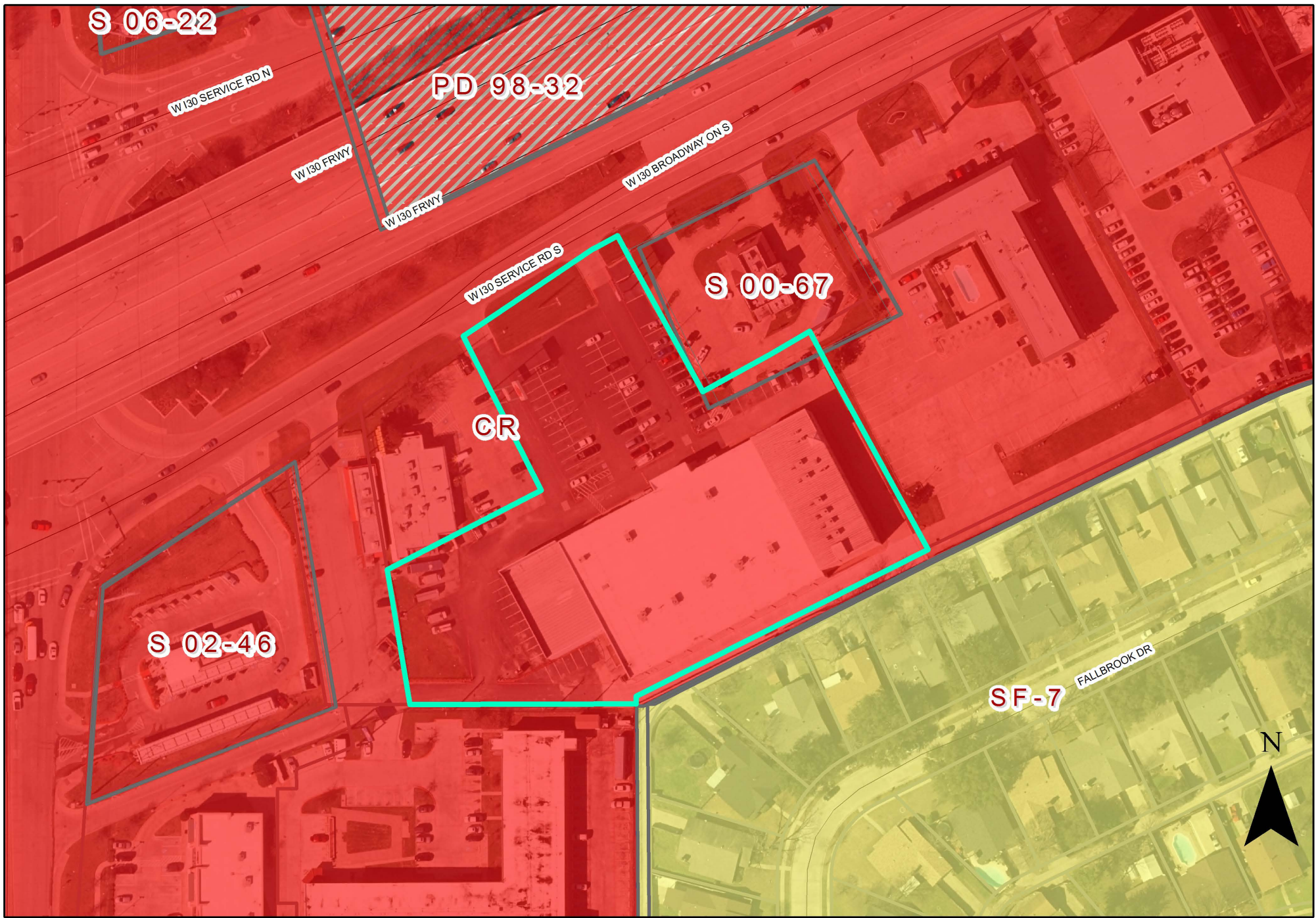
The property to the north, east, west, and southwest are zoned Community Retail (CR) District and PD 98-32 for Community Retail (CR) District Uses; these properties include restaurants, car wash, hotel/motel, and retail uses. The properties to the south are zoned Single-Family-7 (SF-7) District and are improved with detached single-family dwellings. The proposed use is compatible with the surrounding area and uses.

Attachments

Z 19-37 Bill Swisher Attachments

Z 19-37 Bill Swisher Responses

Z 19-37 Staff Presentation



Zoning Map Z 19-37

 INDICATES AREA OF REQUEST

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 19-37

484 West I-30 Freeway

- I. Statement of Purpose:** The purpose of this Planned Development (PD) is to allow Community Retail Uses; Indoor Automobile Sales, New or Used; Motorcycle/ATV Sales, New or Used; and Pawn Shop Uses.
- II. Statement of Effect:** This Planned Development shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations of the Community Retail (CR) District as set forth in the Garland Development Code, Ordinance 6773, are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. Development Plan:**
- A. Detail Plan: Development shall conform to the Detail Plan set forth in Exhibit C.
- V. Specific Regulations:**
- A. Permitted Uses:
- i. The following uses are permitted:
 - 1. Community Retail (CR) District Uses, as listed and regulated by the Garland Development Code;
 - 2. Automobile Sales, New or Used (indoors);
 - 3. Motorcycle/ATV Sales (New and Used - Indoors Only); and
 - 4. Pawn Shop.
 - ii. The following uses are prohibited:
 - 1. Uses not listed in V.A.i. above,
 - 2. Outdoor Display or Storage,
 - 3. Commercial Blood, Plasma, Tissue and Cell Collection Center, and
 - 4. Automobile Repair, Minor.
- B. Site Layout: The site shall be in conformance with the site layout in Exhibit C.

REPORT & MINUTES

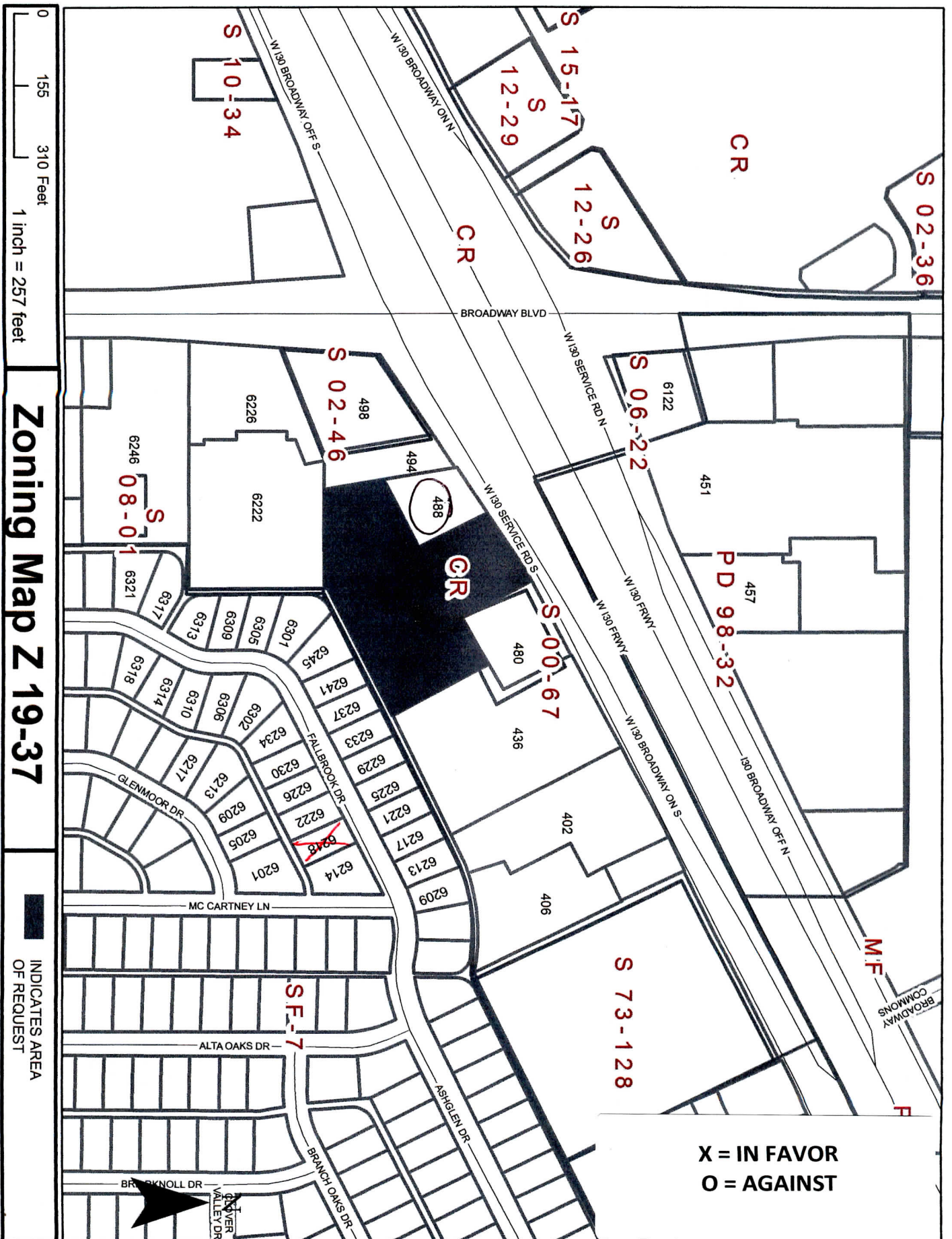
P.C. Meeting, December 9, 2019

Consideration of the application of **Bill Swisher**, requesting approval of a Zoning Change from Community Retail (CR) District to a Planned Development (PD) District for Community Retail Uses; Indoor Automobile Sales, New or Used; Motorcycle/ATV Sales (New and Used - Indoors Only); and Pawn Shop Use. This property is located at 484 West I-30 Freeway. (District 3) (File Z 19-37 - Zoning)

The applicant, Bill Swisher, 4422 Scenic Circle, Garland, Texas, presented an overview of the request and remained available for questions. There were no questions of this applicant.

Commissioner Dalton spoke in support of the request.

Motion was made by Commissioner Edwards to close the public hearing and **approve** the request per staff recommendation with the condition of no Outside Displays or Storage permitted, and removal of Commercial Blood, Plasma, Tissue and Cell Collection Center Use, and Automobile Repair, Minor Use. Seconded by Commissioner O'Hara. **Motion carried: 8 Ayes, 0 Nays.**





CITY OF GARLAND
PLANNING DEPARTMENT
P.O. BOX 469002
GARLAND, TX 75046-9002

November 27, 2019

HEARING DATE/TIME: Plan Commission: December 9, 2019 – 7:00 PM

APPLICANT: Bill Swisher

File: Z 19-37

Dear Property Owner:

A public hearing will be held by the Plan Commission of the City of Garland, Texas, at 7:00 P.M. Monday, December 9, 2019, in the Council Chambers of the William E. Dollar Municipal Building (City Hall), 200 North Fifth Street, to consider the application of **Bill Swisher**, requesting approval of 1) a Zoning Change from Community Retail (CR) District to a Planned Development (PD) District for Community Retail Uses; Indoor Automobile Sales, New or Used; Motorcycle/ATV Sales, New or Used; and Pawn Shop Use; and 2) a Detail Plan. The property is shown on the enclosed sketch and is described as follows:

BEING all of Lot 3, Block 1, of the Oaks Interstate No. 4 Addition, an addition to the City of Garland, recorded in Volume 80003, Page 931, of the Deed Records of Dallas County, Texas. **This property is located at 484 West I-30 Freeway. (District 3)**

Note: The applicant proposes to add automobile and motorcycle/ATV sales to an existing pawn shop business. All operations would be conducted inside an existing building.

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return that section using any of the following methods: mail to City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002; fax to 972-205-2474; deliver to the Planning Department at 800 Main Street, Garland TX; or email Planning@Garlandtx.gov. It is important that your response include your property address, your name, and mailing address. Should you have any questions, please contact Kira Wauwie at 972-205-2456.

Para Español, por favor contactar a Josue De La Vega 972-205-2833

(Please Check One Below)

☒ I am in favor of the request.

☐ I am opposed to the request.

November 27, 2019

Z 19-37

Page 2 of 2

Please include any comments you wish to provide supporting your position in the space provided below.

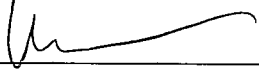
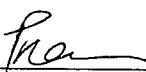
(Please complete the following information)

Your Property Address

Joe DUNCAN (BAKER) RIBBS
Printed Name

488 West IH 30 GARLAND TX 75043
Address City, State Zip

The above statements reflect my (our) opinion regarding the proposed request(s).

 
Signature Title

Date: 12/2/19



GARLAND

CITY OF GARLAND
PLANNING DEPARTMENT
P.O. BOX 469002
GARLAND, TX 75046-9002

November 27, 2019

HEARING DATE/TIME: Plan Commission: December 9, 2019 – 7:00 PM

APPLICANT: Bill Swisher

File: Z 19-37

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(Please Check One Below)

☐ I am in favor of the request.

☒ I am opposed to the request.

November 27, 2019

Z 19-37

Page 2 of 2

Please include
provide

on in the space

Your Property

Printed Name

Address

The above st

Signature

Date:

Zip

request(s).

70469002

Barland TX 75046

City of Barland
Planning Dept 469002
P.O. Box 469002

6218 Fairbree Dr.

02 DEC 2019 PM 4 L

DALLAS TX 750



924 Craig Dr
Mesquite TX 75189

George Varopoulos

Z 19-37

Approval of a Zoning Change from Community Retail (CR) District to a Planned Development (PD) District for Community Retail Uses; Indoor Automobile Sales, New or Used; Motorcycle/ATV Sales, New or Used; and Pawn Shop Use.

Approval of a Detail Plan.

**City Council Meeting
January 7, 2019**



GARLAND

TEXAS MADE HERE

Case Information

Location: 484 West I-30 Freeway

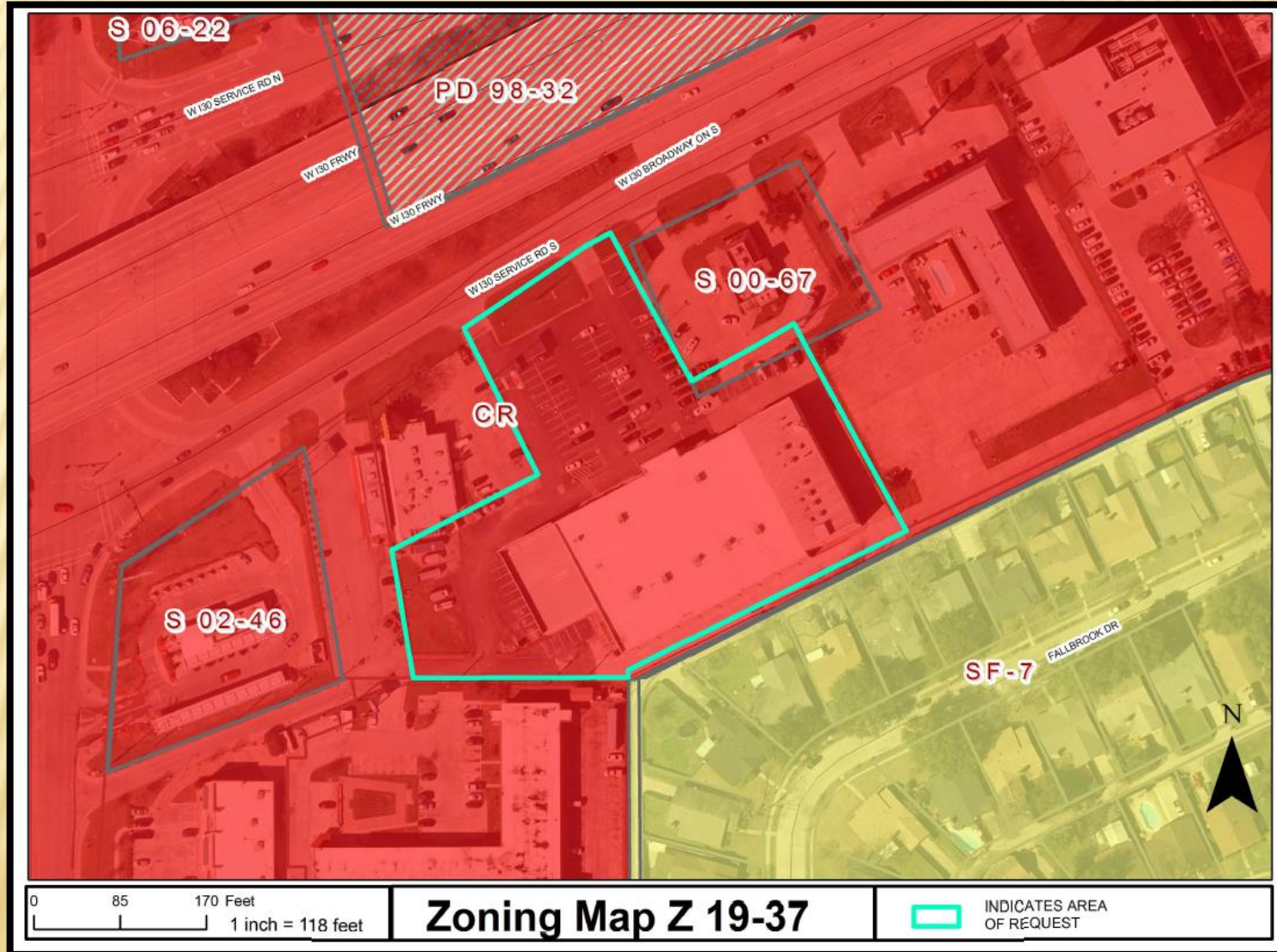
Applicant: Bill Swisher

Owner: American Pawn & Jewelry, Inc.

Acreage: 2.83 acres

Zoning: Community Retail (CR) District

Location Map



Considerations

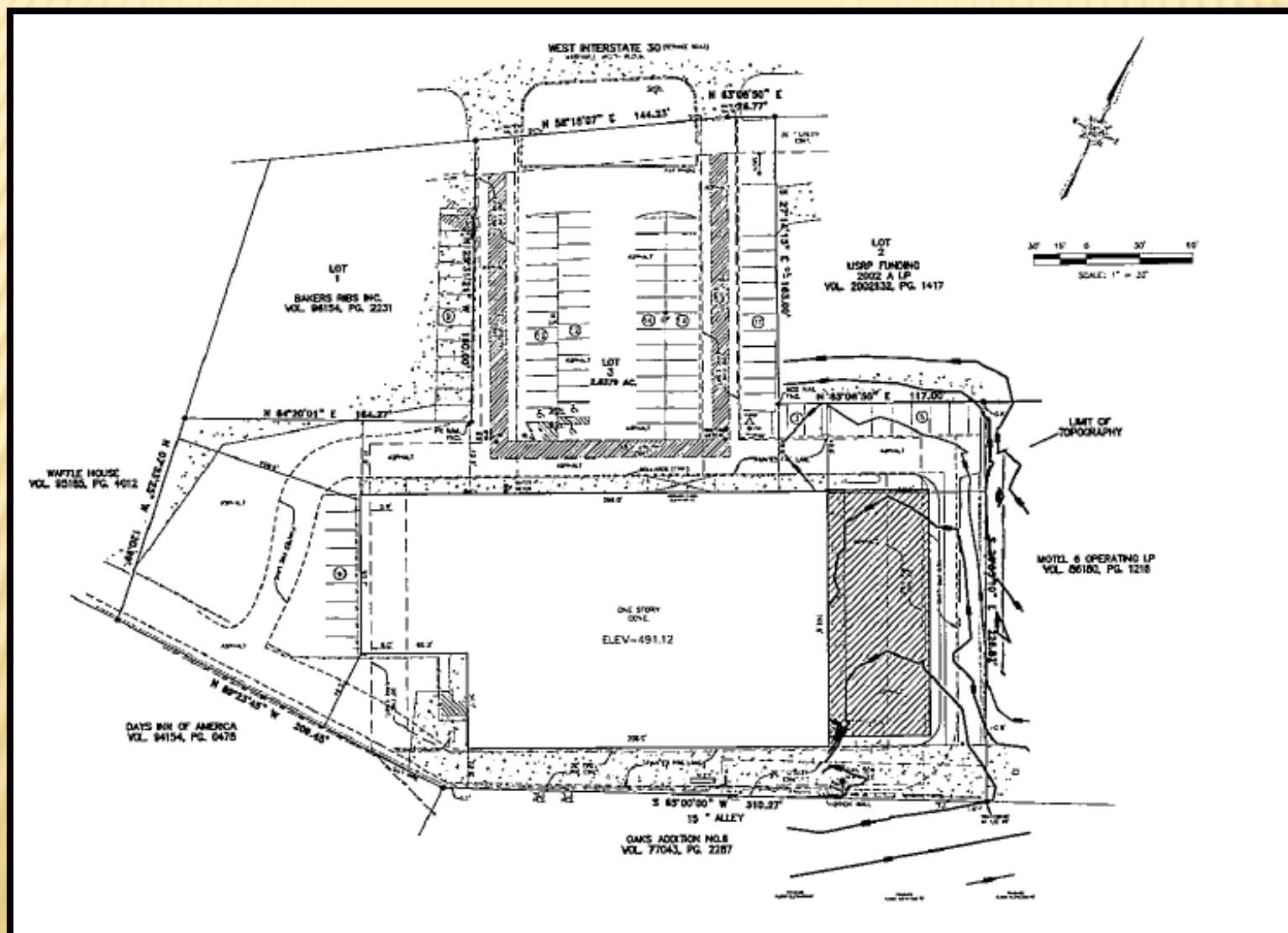
- **Community Retail (CR) Zoned Property**
- **Allows retail, office, restaurant, personal service, and similar uses**
- **Existing pawn shop use**
- **Propose to add:**
 - Automobile sales
 - Motorcycle sales
 - ATV sales
 - Limited to indoor activity



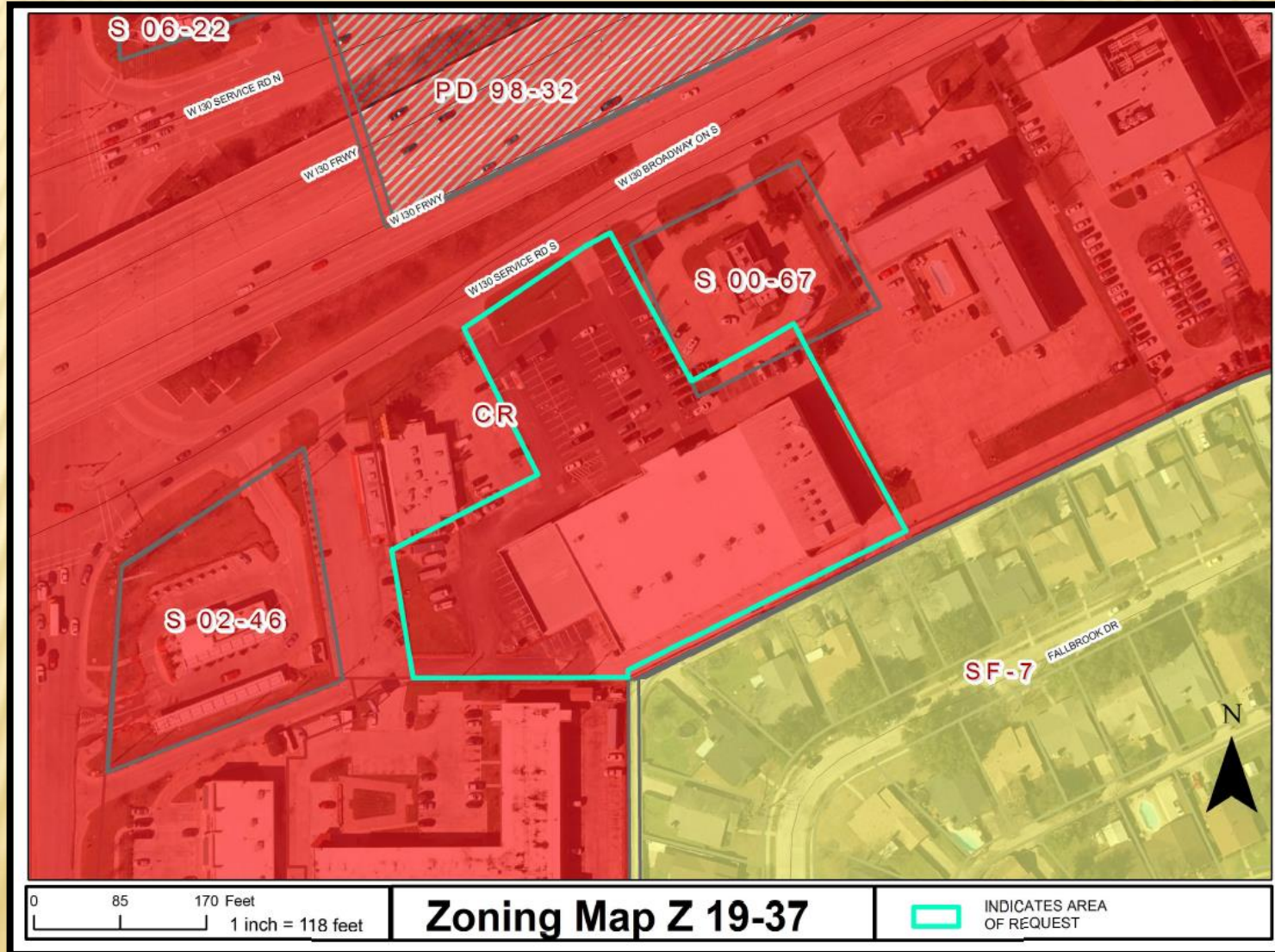
GARLAND

TEXAS MADE HERE

Site Plan



Location Map



Photos



View of the adjacent property and subject site from the frontage road looking southwest



View of subject site from the north



View of properties located to the west of the subject property



View of properties to the south of the subject site



GARLAND PLANNING REPORT

City Council Regular Session Agenda

8. b.

Meeting Date: 01/07/2020

Item Title: Z 19-37 Bill Swisher - Detail Plan (District 3)

Submitted By: Kira Wauwie, Principal Development Planner

REQUEST

Approval of a Detail Plan for Community Retail Uses; Indoor Automobile Sales, New or Used; Motorcycle/ATV Sales (New and Used – Indoors Only); and Pawn Shop Use.

OWNER

American Pawn & Jewelry, Inc.

PLAN COMMISSION RECOMMENDATION

On December 9, 2019 the Plan Commission, by a vote of eight (8) to zero (0), recommended approval of a Detail Plan for Community Retail Uses; Indoor Automobile Sales, New or Used; Motorcycle/ATV Sales (New and Used – Indoors Only).

STAFF RECOMMENDATION

Approval of a Detail Plan for Community Retail Uses; Indoor Automobile Sales, New or Used; Motorcycle/ATV Sales (New and Used – Indoors Only); and Pawn Shop Use.

BACKGROUND

The applicant proposes to add indoor automobile and motorcycle/ATV sales to an existing pawn shop business. All operations would be conducted inside the existing building.

SITE DATA

The site contains approximately 2.83 acres with approximately 144 lineal feet of frontage along the east-bound service road of I-30, which is used as the main access point to and from the property. The property is improved with an existing building and its associated parking and loading areas. The building consists of two stories: a 43,276 square-foot first floor and a 3,987 square-foot second floor.

USE OF PROPERTY UNDER CURRENT ZONING

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The application request would allow CR District uses per the Garland Development Code (GDC), and continue the operation of an existing pawn shop with the addition of indoor automobile, motorcycle, and ATV sales.

CONSIDERATIONS

1. Pawn Shop use was permitted by right on the site under the General Business (GB) District which was in effect in 1985. A Certificate of Occupancy was issued in 1991 for the Pawn Shop. Subsequently, the site was zoned Freeway (FW) District which did not permit Pawn Shop use. In 2015 the Garland Development Code was adopted along with a revised Zoning Map which designated the site for Community Retail (CR) District which does not permit Pawn Shop use.
2. Automotive uses permitted by the existing CR District zoning include Automobile Leasing/Rental and Minor Automobile Repair. A Specific Use Provision is required for Boat Sales, Leasing & Repair (outside storage), Automated/Rollover Car Wash, Full Service/Detail Car Wash, and Personal Watercraft Sales, Leasing & Repair (new and used). The proposal would be restricted to the identified indoor activities and limited to automobiles, motorcycles, and ATV's (all-terrain vehicles). Automobile Sales, New or Used and Motorcycle/ATV Sales uses are not allowed in the CR District. The application indicates the vehicles would be "unique and classic vehicles".
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4. The site plan (Exhibit C) shows existing pavement and eighty-three (83) parking spaces on site, and nine (9) parking spaces off-site. The GDC requires 189 parking spaces for Pawn Shop Use based on the square footage provided. However, no expansion of the building is proposed and there are no changes proposed to the existing parking count. There have been no documented complaints or concerns regarding insufficient parking for the existing site and its use. It is not anticipated that the proposal would result in insufficient parking.
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COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommends Community Centers for the subject property. Community Centers are areas with compact development, primarily non-residential, serving a collection of neighborhoods. This type of development consists of a mix of uses, including retail, services, office use, multi-family residential, and entertainment. Furthermore, the I-30 Corridor Catalyst Area Plan, adopted in 2017, recognizes this site for Community Centers.

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COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

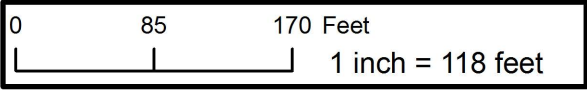
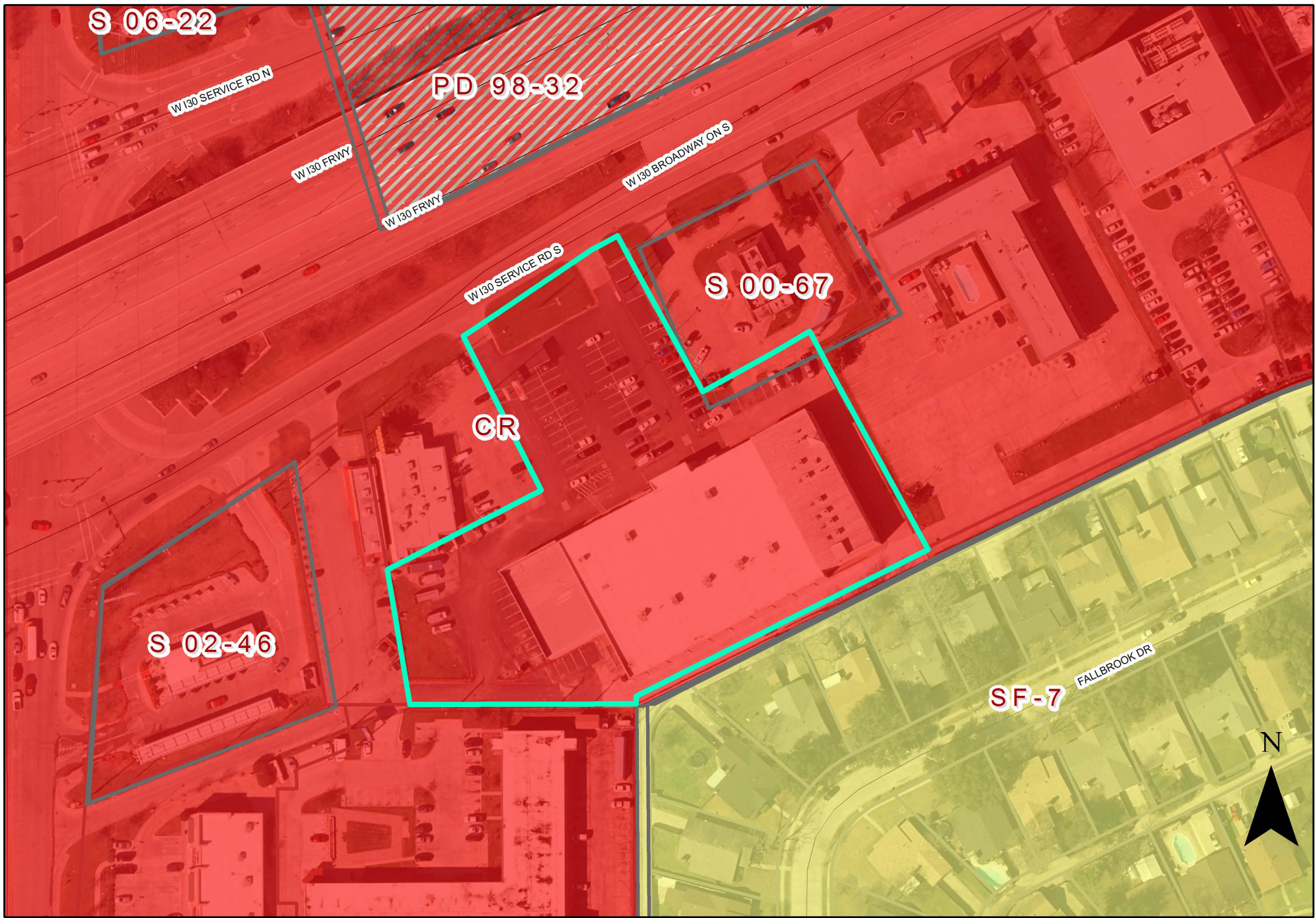
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Attachments

Z 19-37 Bill Swisher Attachments and Exhibits

Z 19-37 Bill Swisher Responses

Z 19-37 Staff Presentation



Zoning Map Z 19-37

 INDICATES AREA OF REQUEST

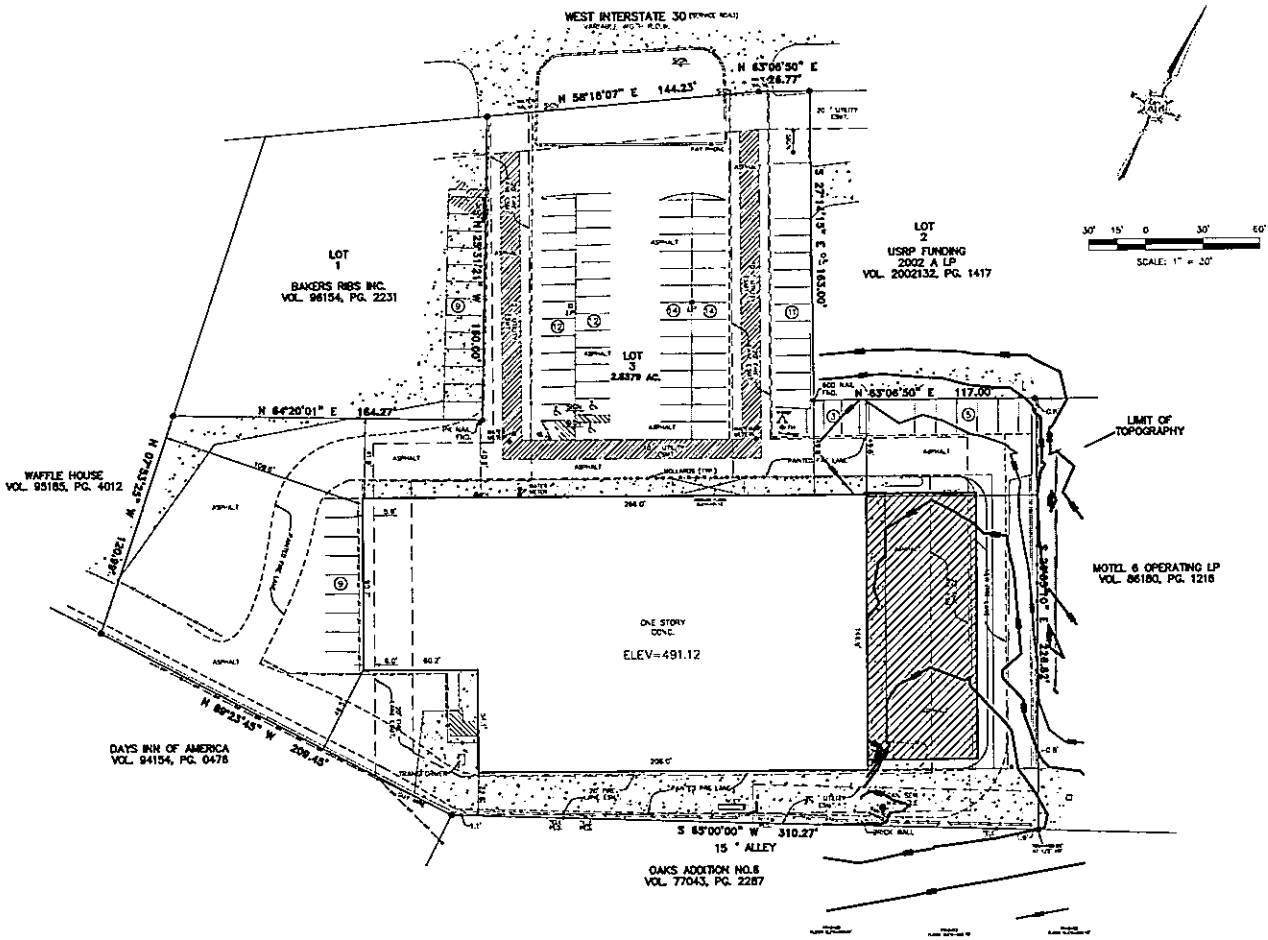


EXHIBIT C

SITE LAYOUT	
AMERICAN PAWN	
484 W. INTERSTATE 30 LOT 3, 2.84 ACRES OAKS ADDITION NO. 4 City of Garland, Dallas County, Texas	
DESIGNED BY MONK CONSULTING ENGINEERS 1300 W. State Street, Garland, Texas 75042 972 275-1763 Fax 972 272-0701	
© 2019 Monk Consulting Engineers, Inc., All Rights Reserved	
PROJECT NO:	MSC-2019-07583
DATE:	09/01
11/13/18	1"=20'

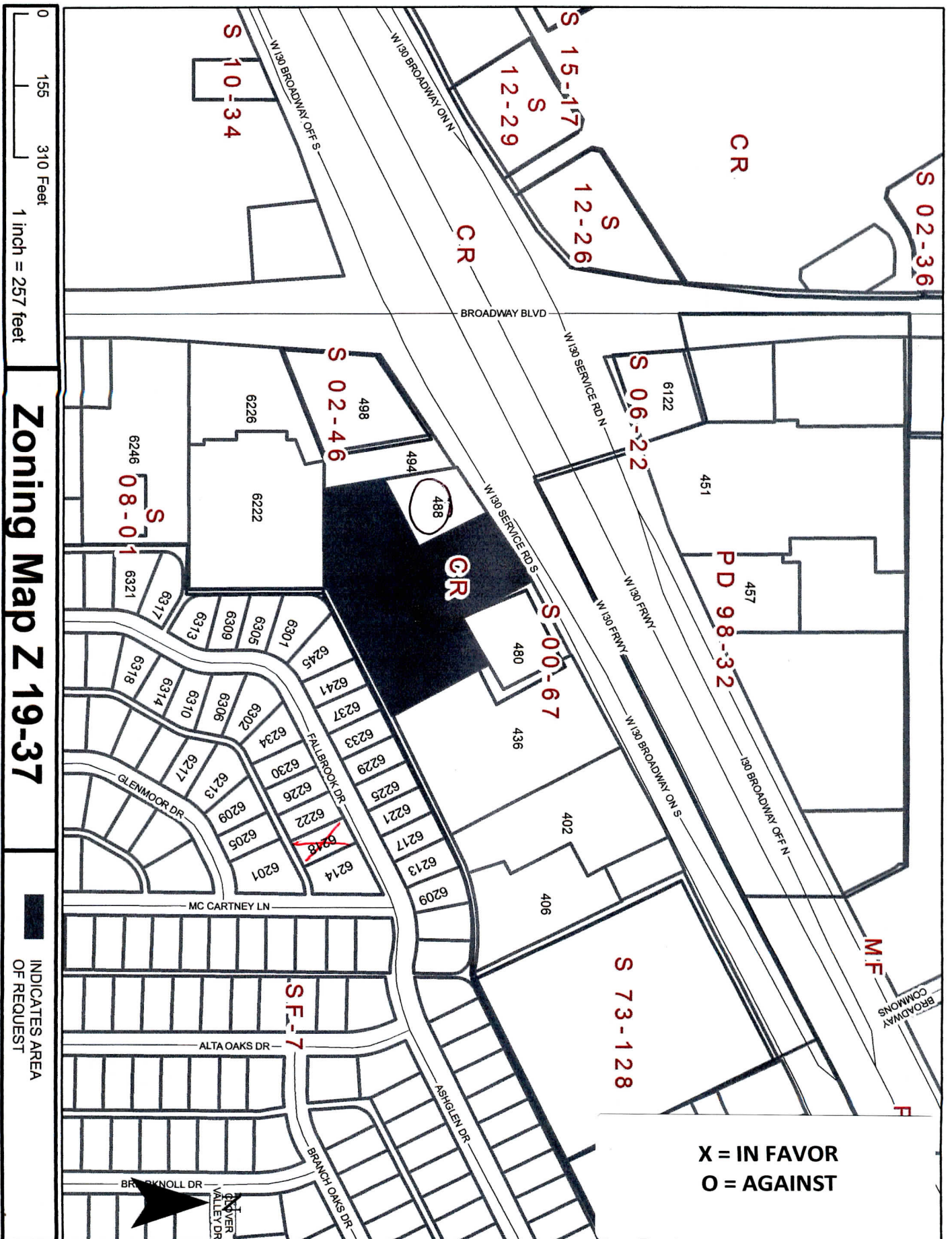
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REPORT & MINUTES

P.C. Meeting, December 9, 2019

Consideration of the application of **Bill Swisher**, requesting approval of a Detail Plan for Indoor Automobile Sales, New or Used; Motorcycle/ATV Sales (New and Used - Indoors Only); and Pawn Shop Use. This property is located at 484 West I-30 Freeway. (District 3) (File Z 19-37 – Detail Plan)

Motion was made by Commissioner Edwards to close the public hearing and **approve** the request per staff recommendation. Seconded by Commissioner O'Hara. **Motion carried: 8 Ayes, 0 Nays.**





CITY OF GARLAND
PLANNING DEPARTMENT
P.O. BOX 469002
GARLAND, TX 75046-9002

November 27, 2019

HEARING DATE/TIME: Plan Commission: December 9, 2019 – 7:00 PM

APPLICANT: Bill Swisher

File: Z 19-37

Dear Property Owner:

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BEING all of Lot 3, Block 1, of the Oaks Interstate No. 4 Addition, an addition to the City of Garland, recorded in Volume 80003, Page 931, of the Deed Records of Dallas County, Texas. **This property is located at 484 West I-30 Freeway. (District 3)**

Note: The applicant proposes to add automobile and motorcycle/ATV sales to an existing pawn shop business. All operations would be conducted inside an existing building.

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return that section using any of the following methods: mail to City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002; fax to 972-205-2474; deliver to the Planning Department at 800 Main Street, Garland TX; or email Planning@Garlandtx.gov. It is important that your response include your property address, your name, and mailing address. Should you have any questions, please contact Kira Wauwie at 972-205-2456.

Para Español, por favor contactar a Josue De La Vega 972-205-2833

(Please Check One Below)

☒ I am in favor of the request.

☐ I am opposed to the request.

November 27, 2019

Z 19-37

Page 2 of 2

Please include any comments you wish to provide supporting your position in the space provided below.

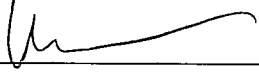
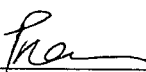
(Please complete the following information)

Your Property Address

Joe DUNCAN (BAKER) RIBBS
Printed Name

488 West IH 30 GALLAND TX 75043
Address City, State Zip

The above statements reflect my (our) opinion regarding the proposed request(s).

 
Signature Title

Date: 12/2/19



GARLAND

CITY OF GARLAND
PLANNING DEPARTMENT
P.O. BOX 469002
GARLAND, TX 75046-9002

November 27, 2019

HEARING DATE/TIME: Plan Commission: December 9, 2019 – 7:00 PM

APPLICANT: Bill Swisher

File: Z 19-37

Dear Property Owner:

A public hearing will be held by the Plan Commission of the City of Garland, Texas, at 7:00 P.M. Monday, December 9, 2019, in the Council Chambers of the William E. Dollar Municipal Building (City Hall), 200 North Fifth Street, to consider the application of **Bill Swisher**, requesting approval of 1) a Zoning Change from Community Retail (CR) District to a Planned Development (PD) District for Community Retail Uses; Indoor Automobile Sales, New or Used; Motorcycle/ATV Sales, New or Used; and Pawn Shop Use; and 2) a Detail Plan. The property is shown on the enclosed sketch and is described as follows:

BEING all of Lot 3, Block 1, of the Oaks Interstate No. 4 Addition, an addition to the City of Garland, recorded in Volume 80003, Page 931, of the Deed Records of Dallas County, Texas. **This property is located at 484 West I-30 Freeway. (District 3)**

Note: The applicant proposes to add automobile and motorcycle/ATV sales to an existing pawn shop business. All operations would be conducted inside an existing building.

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Para Español, por favor contactar a Josue De La Vega 972-205-2833

(Please Check One Below)

☐ I am in favor of the request.

☒ I am opposed to the request.

November 27, 2019

Z 19-37

Page 2 of 2

Please include
provide

on in the space

Your Property

Printed Name

Address

The above st

Signature

Date:

Zip

request(s).

70469002

Barland TX 75046

City of Barland
Planning Dept 469002
P.O. Box 469002

6218 Fairbree Dr.

02 DEC 2019 PM 4 L

DALLAS TX 750



924 Craig Dr
Mesquite TX 75189

George Varopoulos

Z 19-37

Approval of a Zoning Change from Community Retail (CR) District to a Planned Development (PD) District for Community Retail Uses; Indoor Automobile Sales, New or Used; Motorcycle/ATV Sales, New or Used; and Pawn Shop Use.

Approval of a Detail Plan.

**City Council Meeting
January 7, 2019**



GARLAND

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Case Information

Location: 484 West I-30 Freeway

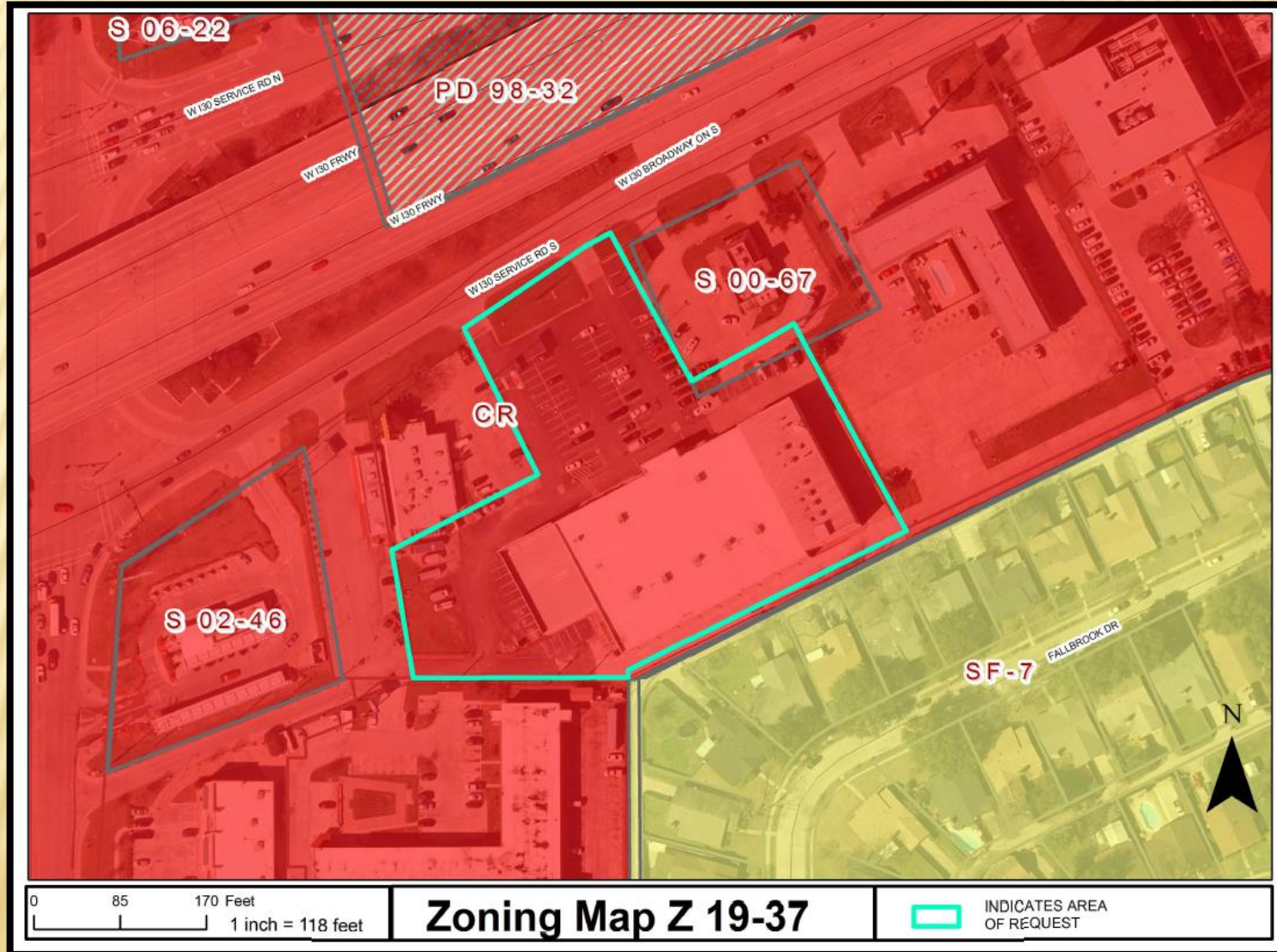
Applicant: Bill Swisher

Owner: American Pawn & Jewelry, Inc.

Acreage: 2.83 acres

Zoning: Community Retail (CR) District

Location Map



Considerations

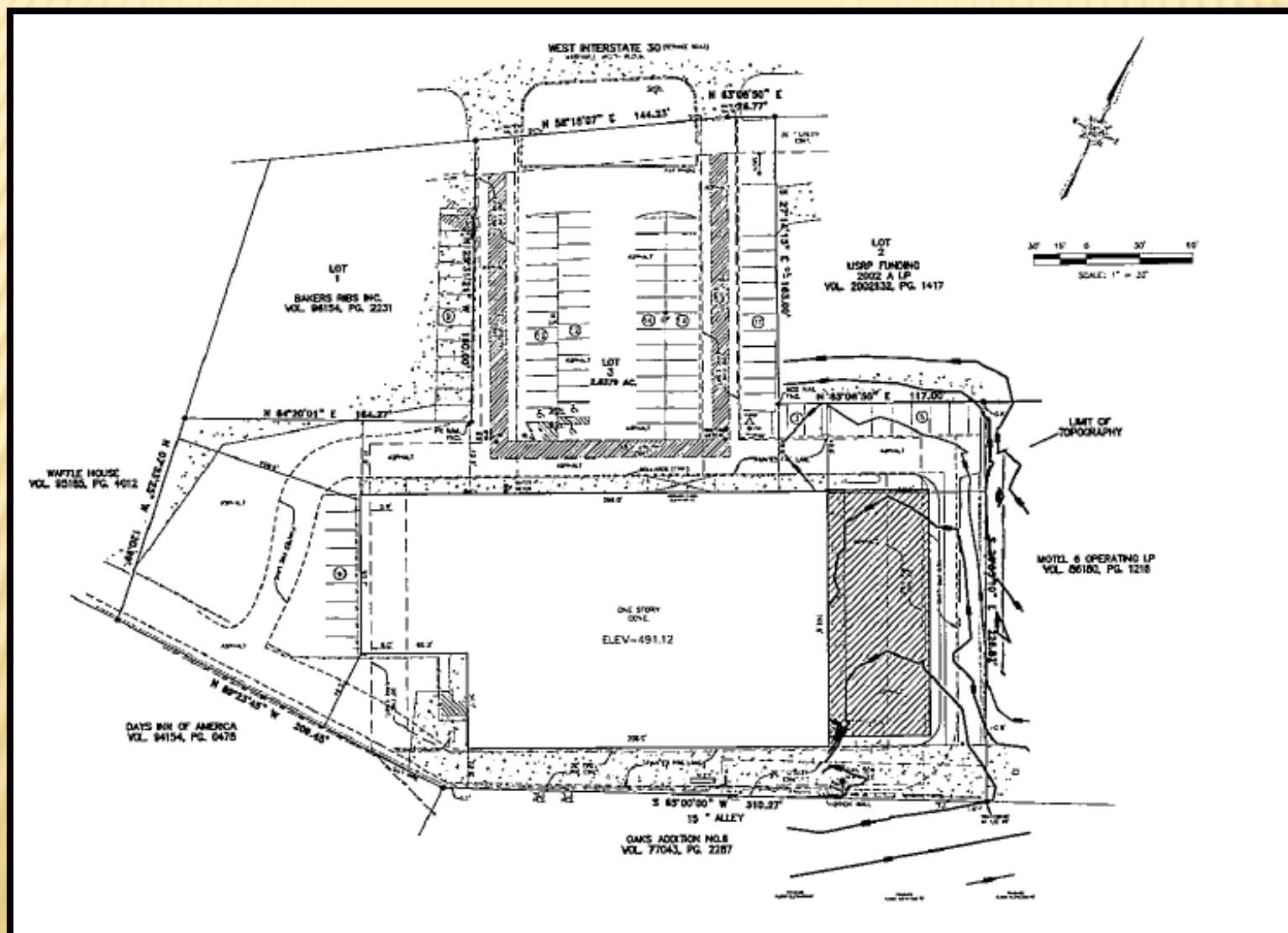
- **Community Retail (CR) Zoned Property**
- **Allows retail, office, restaurant, personal service, and similar uses**
- **Existing pawn shop use**
- **Propose to add:**
 - Automobile sales
 - Motorcycle sales
 - ATV sales
 - Limited to indoor activity



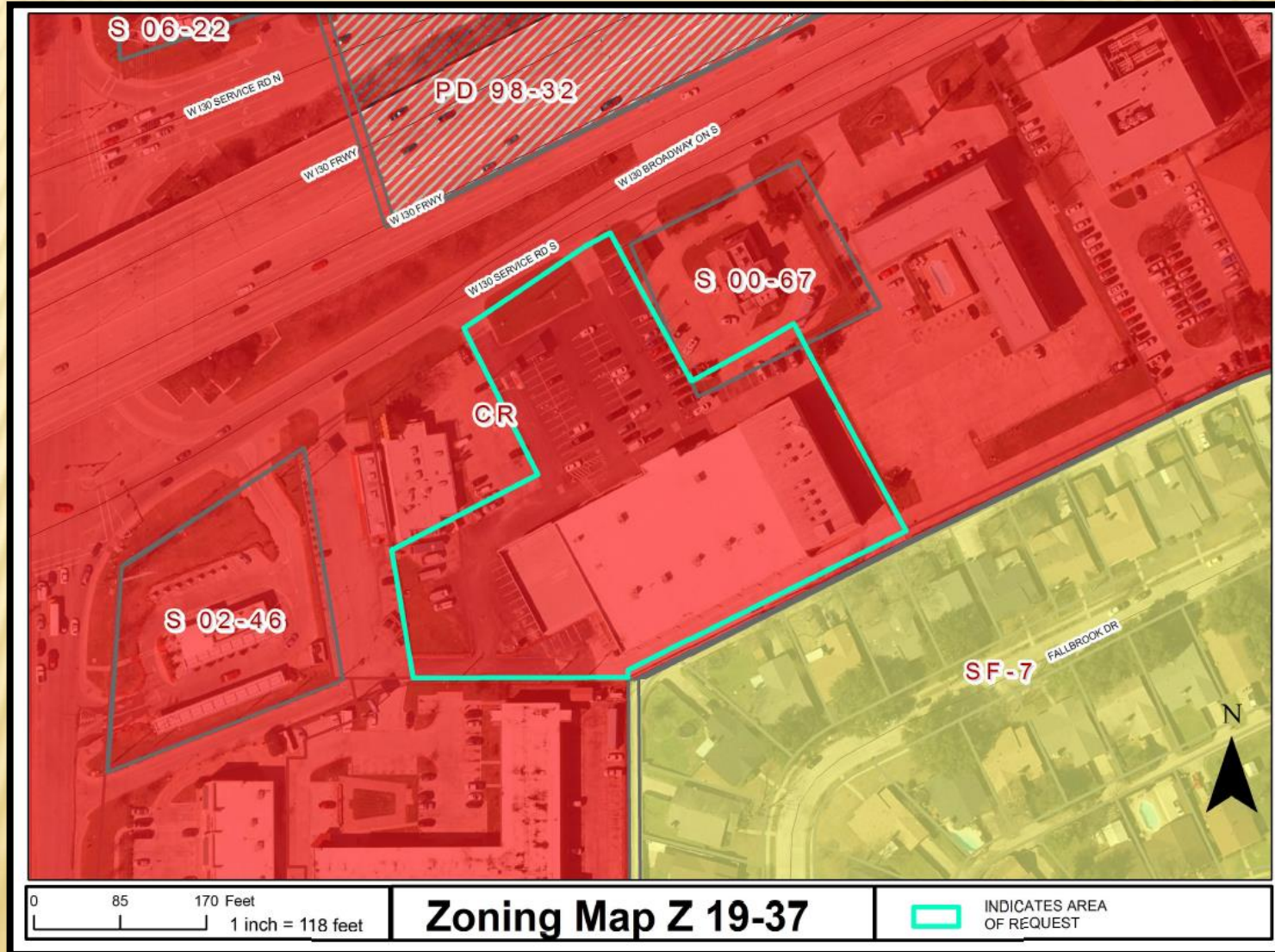
GARLAND

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Site Plan



Location Map



Photos



View of the adjacent property and subject site from the frontage road looking southwest



View of subject site from the north



View of properties located to the west of the subject property



View the properties to the south of the the subject site



GARLAND PLANNING REPORT

City Council Regular Session Agenda

8. c.

Meeting Date: 01/07/2020

Item Title: BW 19-03 Afreen Lakhani (District 2)

Submitted By: Will Guerin, Planning Director

REQUEST

Variance to reduce the minimum separation requirement between an establishment that sells or serves alcoholic beverages and a school.

OWNER

DK Lakhani, LLC.

BACKGROUND

Chapter 2, Article 5, Section 2.55(A) of the Garland Development Code (GDC) states that an establishment that sells or serves alcoholic beverages may not be located nearer than 300 feet of a church, public school or public hospital. However, Section 2.55(C) allows for a variance process through the City Council. The applicant requests a variance to allow the sales of beer and wine for off-premise consumption at an existing convenience store [On a Run Foods] located at 723 East Miller Road. There is an existing public school [Hillside Academy for Excellence] southeast of the subject property, across the intersection of Miller Road and Dairy Road, approximately 167 feet away. In order to receive permits through the Texas Alcoholic Beverage Commission (TABC), the City of Garland must first give approval.

This case was postponed during the December 17, 2019 City Council to the January 7, 2020 City Council meeting to allow the City Attorney's Office time to draft a resolution requiring the beer and wine sales to be limited to one business at this location. A draft resolution is attached.

SITE DATA

The subject property contains approximately 0.48 acres and fronts approximately 180 feet along Miller Road and approximately 117 feet along Dairy Road. The subject property is zoned Community Retail (CR) District. The property also has a previous Specific Use Provision approval [S 10-17] for Fuel Pumps, Retail; however, there are no longer fuel pumps on the subject site.

CONSIDERATIONS

1. On the subject property sits a multi-tenant commercial building. The applicant wishes to sell beer and wine from the existing convenience store located at 723 East Miller Road. Beer and wine are currently sold at 715 East Miller Road [Sam's Beer and Wine] within the same building. As mentioned above, a draft resolution from the City Attorney's Office is attached which limits beer and wine sales to one location within the existing building.
2. As mentioned above, Chapter 2, Article 5, Section 2.55(A) of the Garland Development Code (GDC) states that an establishment that sells or serves alcoholic beverages may not be located nearer than 300 feet to a church, public school or public hospital. There is an existing public school [Hillside Academy for Excellence] less than 300 feet from the subject property. Per the GDC guidelines, the measurement between public schools and alcohol-selling establishments is in a direct line from property line to property line; the subject property and the school property are approximately 167 feet apart.
3. Chapter 2, Article 5, Section 2.55(C) of the Garland Development Code (GDC) states that "The City Council may grant a variance to the distance regulations provided by this Section if the City Council determines that enforcement of those regulations in a particular instance is not in the best interest of the public, constitutes waste or inefficient use of land or other resources, creates an undue hardship on an applicant for a license or permit, does not serve its intended purpose, is not effective or necessary, or for any other reason the City Council, after consideration of the health, safety and welfare of the public and the equities of the situation, determines is in the best interest of the community."

Attachments

BW 19-03 Resolution
BW 19-03 Location Map
BW 19-03 Responses

RESOLUTION NO.

A RESOLUTION AUTHORIZING A CONDITIONAL VARIANCE TO ALLOW THE SALE OF BEER AND WINE FOR OFF-PREMISE CONSUMPTION AT A CONVENIENCE STORE LOCATED AT 723 EAST MILLER ROAD, WITHIN 300 FEET OF A PUBLIC SCHOOL; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the property owner of 723 East Miller Road, D.K. Lakhani, LLC ("Applicant"), applied for a variance to allow the sale of beer and wine for off-premise consumption at the convenience store located on the northwest corner of East Miller Road and Dairy Road ("Subject Property");

WHEREAS, on December 17, 2019, the City Council held a public hearing to consider evidence and testimony related to the application for a variance;

WHEREAS, during the public hearing of December 17, 2019, Applicant presented evidence or testimony that demonstrated:

- (A) a multi-tenant commercial building is situated on the Subject Property;
- (B) there is an existing convenience store, Sam's Beer and Wine, located within the same building as the Subject Property, which currently sells beer and wine for off-premise consumption; and
- (C) The multi-tenant building is currently subdivided into three individual retail spaces (collectively, "Premises") and Applicant may combine the three individual spaces into one large tract.
- (D) Until the individual tracts are combined into a single tract, Applicant would allow the sale of alcoholic beverages at only one location within the multi-tenant building if the variance is granted;

WHEREAS, during the public hearing, Applicant acknowledged and agreed that if City Council granted the variance it would be subject to and conditioned upon only one location upon the Premises selling alcoholic beverages; and

WEHREAS, after considering evidence and testimony presented at the public hearing, including Applicant's agreement to the aforementioned conditions, City Council determined that the enforcement of Section 2.55(A) of the GDC requiring a minimum of distance of 300 feet from a school to an establishment that sells or serves alcoholic beverages, in this particular instance is not effective or necessary to serve its intended purpose;

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

Section 1

That the Applicant is hereby granted a variance for the sale of beer and wine for off-premise consumption upon the Premises, subject to the condition that alcohol may be sold at only one retail location within the multi-tenant building or upon the Premises.

Section 2

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

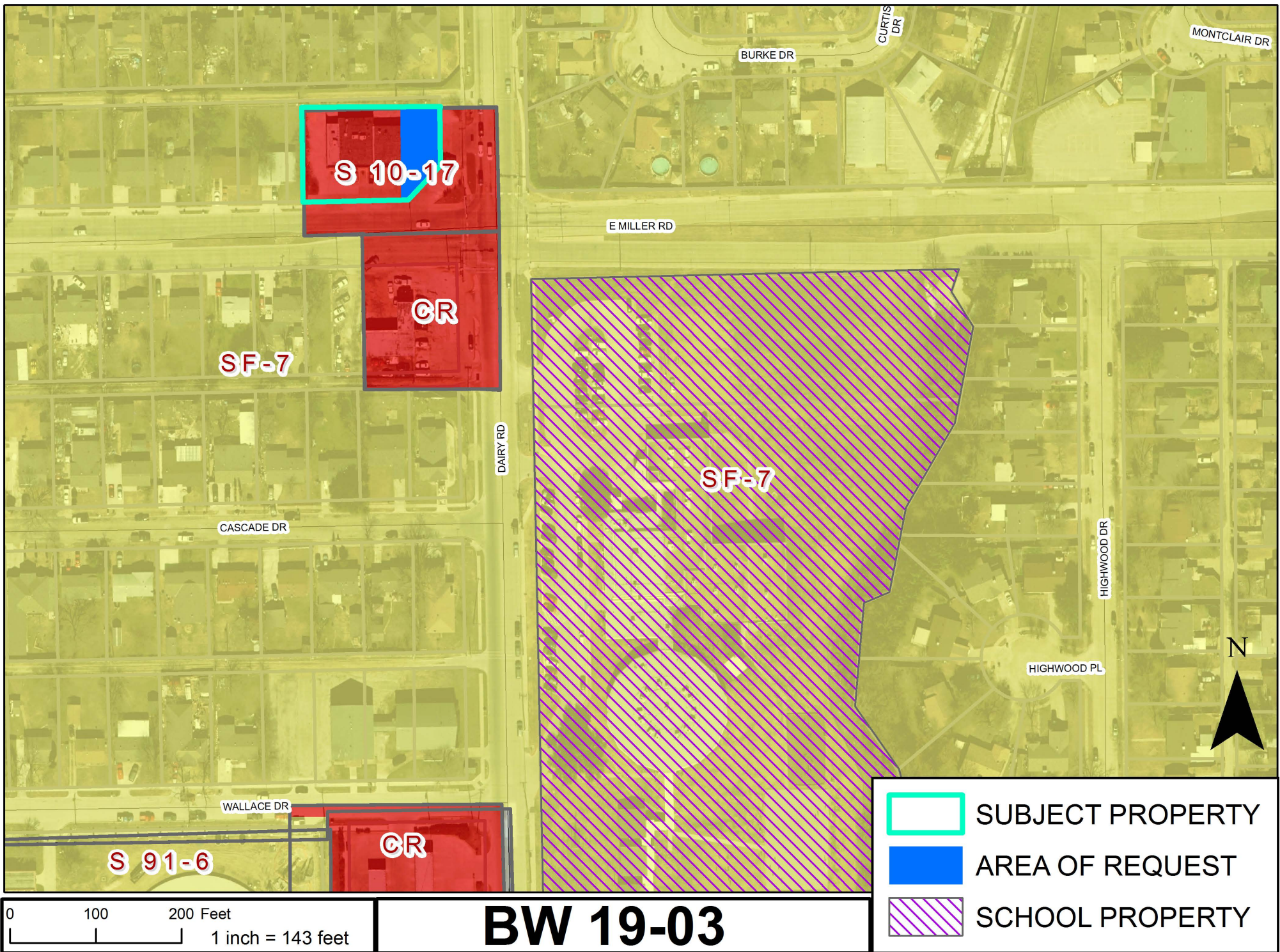
PASSED AND APPROVED this the ____ day of _____, 2020.

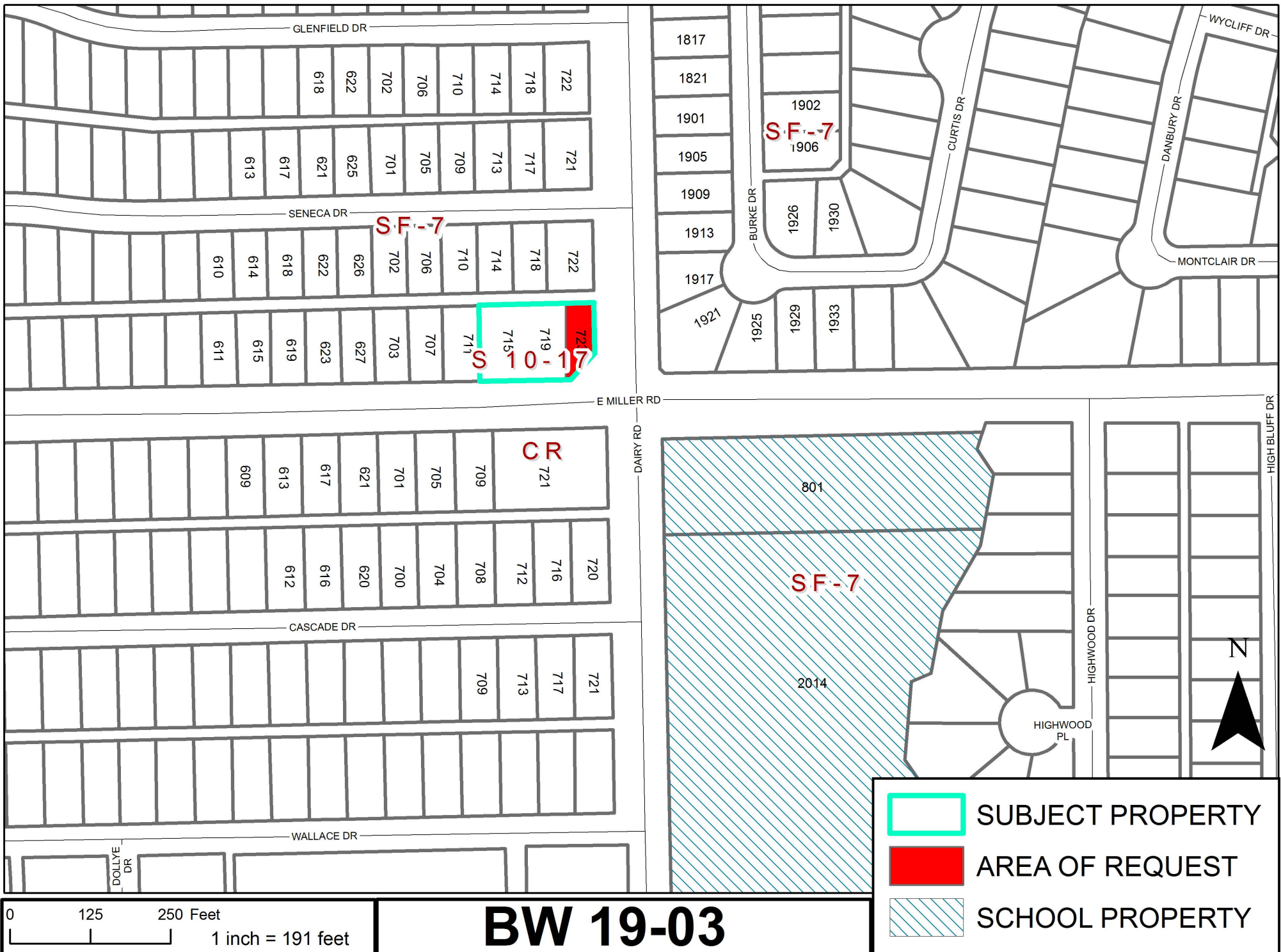
CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary





We did not receive any responses for this case.



GARLAND PLANNING REPORT

City Council Regular Session Agenda

8. d.

Meeting Date: 01/07/2020

Item Title: BW 19-04 Masterplan (District 1)

Submitted By: Will Guerin, Planning Director

REQUEST

Variance to reduce the minimum separation requirement between an establishment that sells or serves alcoholic beverages and a school.

OWNER

H&L Hospitality, LLC

BACKGROUND

Chapter 2, Article 5, Section 2.55(A) of the Garland Development Code (GDC) states that an establishment that sells or serves alcoholic beverages may not be located nearer than 300 feet of a church, public school or public hospital. However, Section 2.55(C) allows for a variance process through the City Council. The applicant requests a variance to allow the sales of alcoholic beverages at an existing hotel [Hilton Tru] located at 5055 North President George Bush Turnpike. There are two existing public schools [Naaman Forest High School and Gilbreath-Reed Career and Technical Center] less than 300 feet from the subject property. In order to receive permits through the Texas Alcoholic Beverage Commission (TABC), the City of Garland must first give approval.

SITE DATA

The subject property contains approximately 2.388 acres in area, with approximately 265 lineal feet of frontage along Naaman Forest Boulevard and 330 lineal feet of frontage along Elliott Avenue. The subject property is zoned Planned Development (PD) 16-05, with a Specific Use Provision for Hotel, Limited Service.

CONSIDERATIONS

1. On the subject property is an existing limited service hotel. The applicant intends to sell beer and wine to hotel guests from a small convenience area within the hotel that also includes other sundries such as snacks, non-alcoholic drinks, and toiletries.
2. As mentioned above, Chapter 2, Article 5, Section 2.55(A) of the Garland Development Code (GDC) states that an establishment that sells or serves alcoholic beverages may not be located nearer than 300 feet to a church, public school or public hospital. There are

two existing public schools [Naaman Forest High School and Gilbreath-Reed Career and Technical Center] less than 300 feet from the subject property. Per the GDC guidelines, the measurement between public schools and alcohol-selling establishments is in a direct line from property line to property line. The Naaman Forest High School property is approximately 95 feet away, while the Gilbreath-Reed Career and Technical Center property is approximately 70 feet away. The Garland Independent School District's Curtis Culwell Center is also located near the subject property; however, the use is a conference/event center, and a previous variance was issued by the City Council to allow the Culwell Center to sell alcoholic beverages.

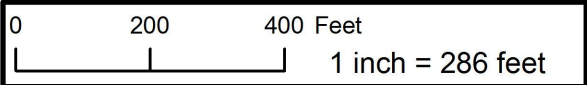
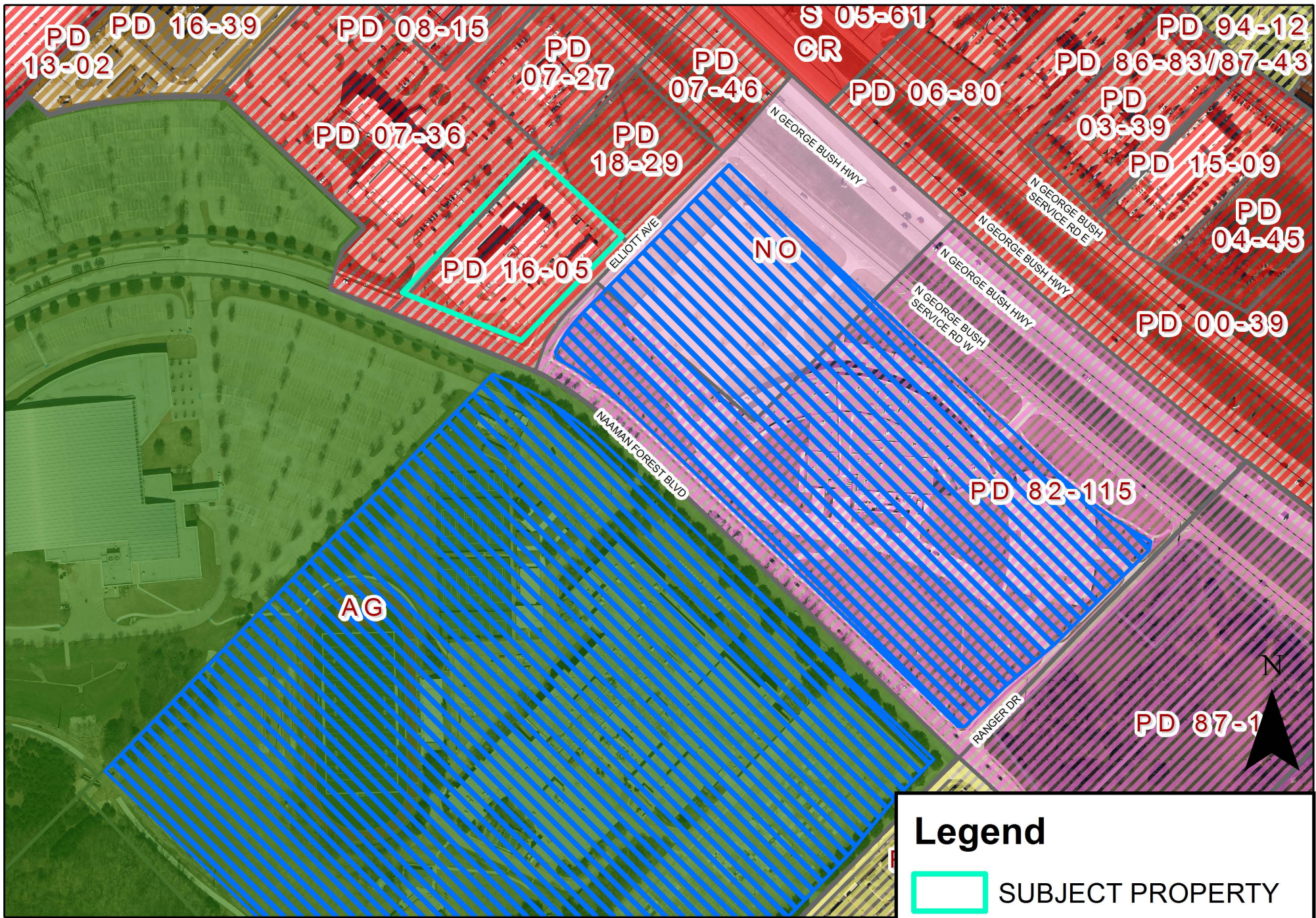
3. Chapter 2, Article 5, Section 2.55(C) of the Garland Development Code (GDC) states that "The City Council may grant a variance to the distance regulations provided by this Section if the City Council determines that enforcement of those regulations in a particular instance is not in the best interest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

Attachments

BW 19-04 Location Map

BW 19-04 Responses

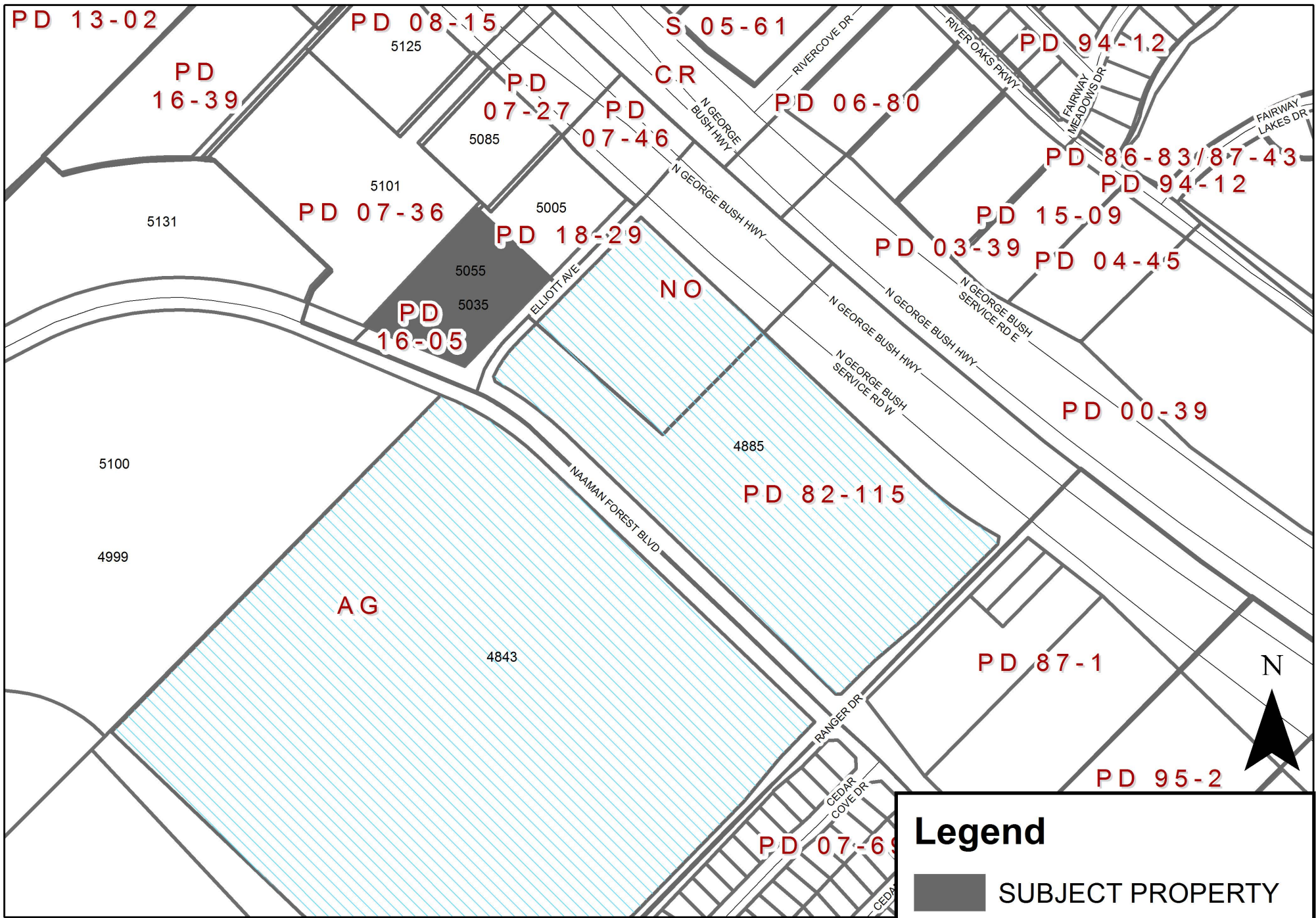
BW 19-04 Staff Presentation



BW 19-04

Legend

-  SUBJECT PROPERTY
-  SCHOOL PROPERTIES



0 250 500 Feet
1 inch = 336 feet

BW 19-04

Legend

-  SUBJECT PROPERTY
-  SCHOOL PROPERTIES

We did not receive any responses for this case.

BW 19-04

Approval of a variance to Section 2.55 of the Garland Development Code regarding the distance to a church, public school, or public hospital from an establishment that sells or serves alcoholic beverages.

**City Council Meeting
January 7, 2019**



GARLAND

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Case Information

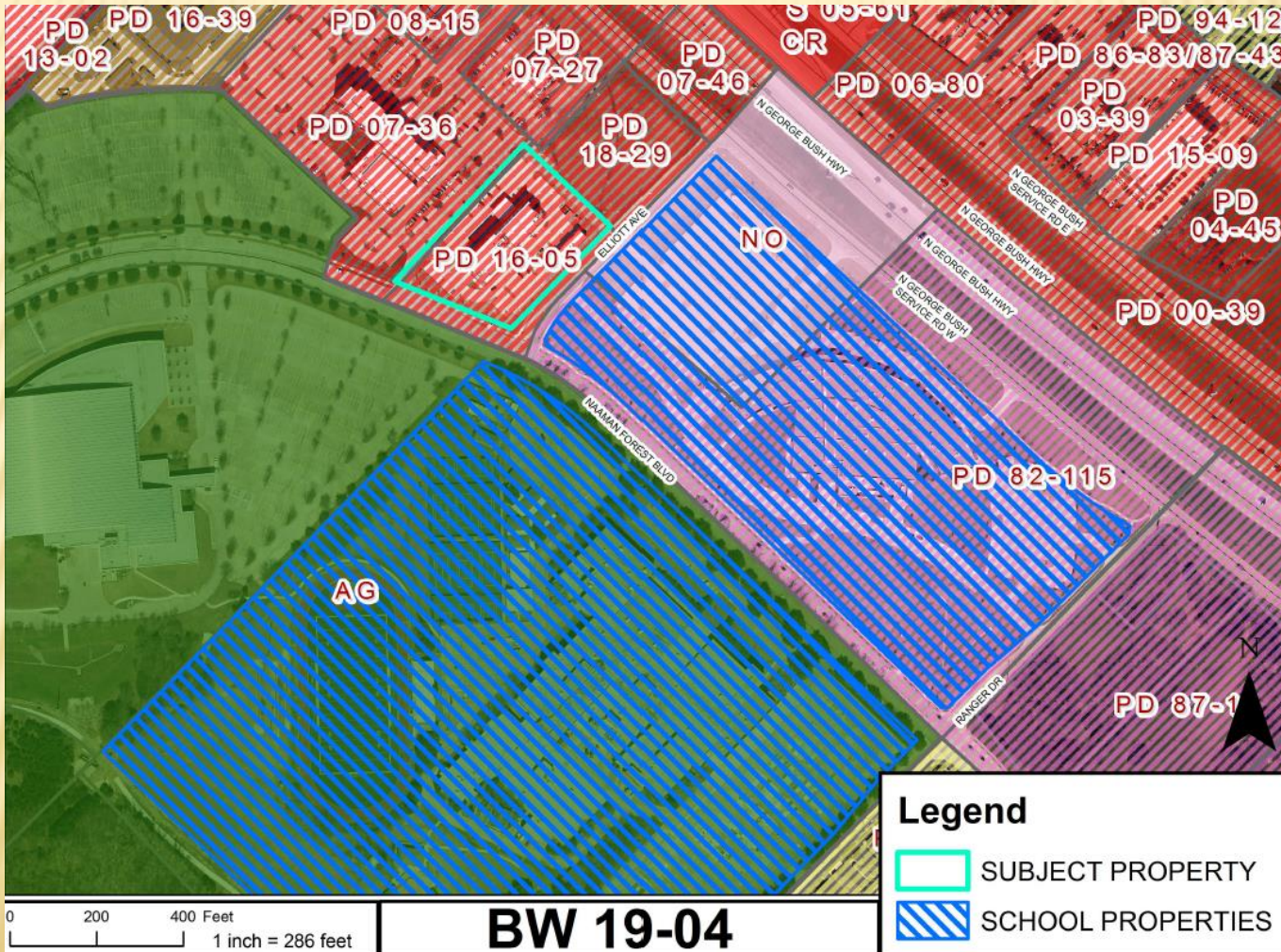
Location: 5055 N. PGBT

Applicant: Masterplan

Owner: H&L Hospitality, LLC

Zoning: Planned Development (PD) 16-05

Location Map

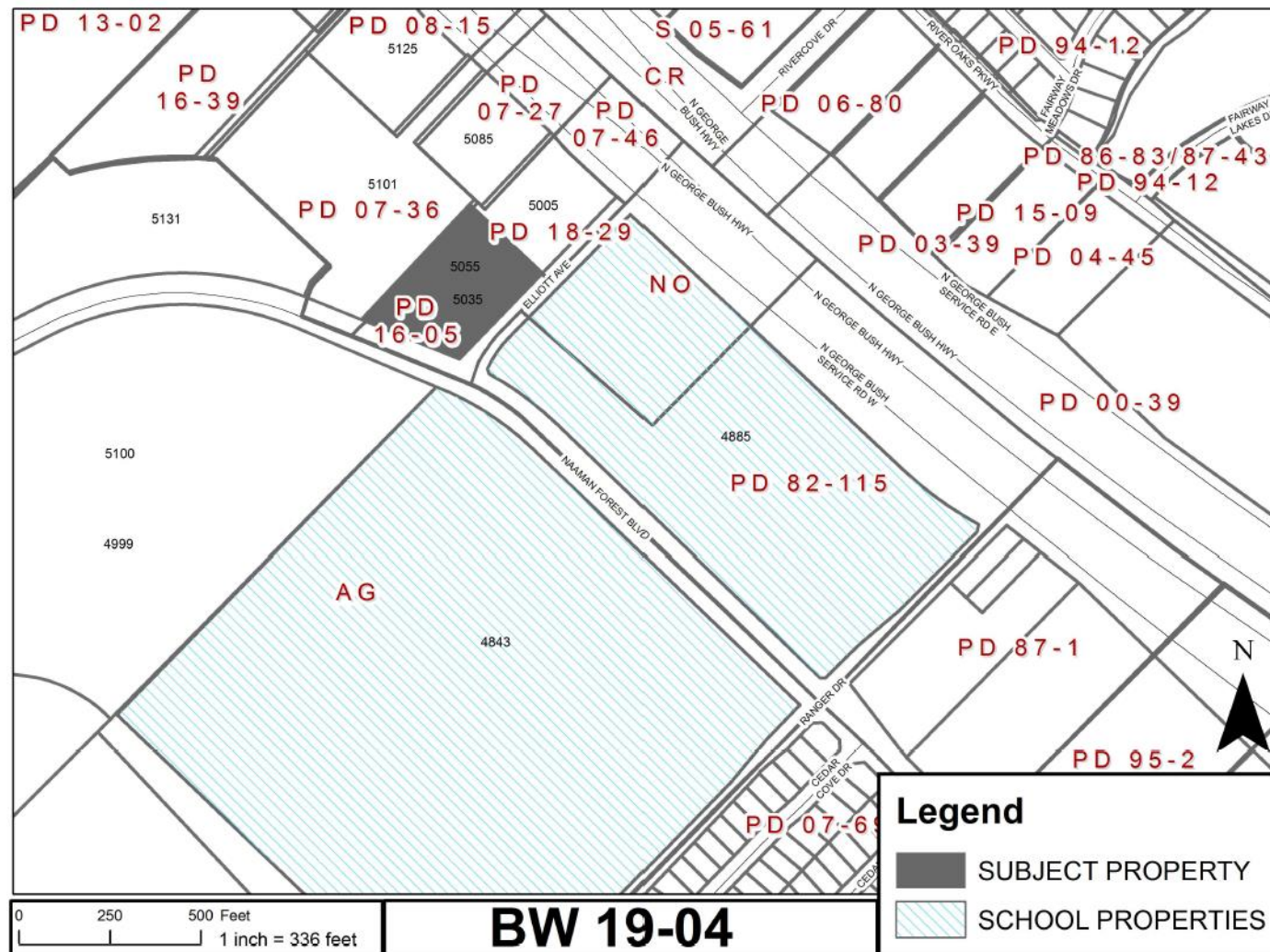


BW 19-04



GARLAND
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Location Map





GARLAND

City Council Regular Session Agenda

Meeting Date: 01/07/2020

Item Title: Board and Commission Appointment

Submitted By: Courtney Vanover, Department Coordinator I, City Secretary

Summary:

Council Member Jerry Nickerson

- Joffrin Mathew Alexander - TIF Downtown Board
-

Attachments

Joffrin Mathew Alexander



GARLAND

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**CITY OF GARLAND
RECEIVED
DEC 16 2019**

CITY SECRETARY

Application for City of Garland Boards/Commissions/Committees

Return completed application to: City Secretary's Office, 200 North Fifth Street, Garland, Texas 75040

Please Type or Print Clearly:

Date: 12/14/2019

Name: Joffrin Mathew Alexander

Phone: [REDACTED]

(Home)

Address: 1513 Lakeland Park Dr.

Phone: [REDACTED]

Other

City, State, Zip: Garland, TX 75043

Email: [REDACTED]

Resident of Garland for 25 years

Resident of Texas for 29 years

✓ Dallas County Voter Registration Number [REDACTED]

Garland City Council District Number 3

Have you ever been convicted of a felony? ☐ Yes ☒ No

Have you ever been convicted of a Class A misdemeanor? ☐ Yes ☒ No

Please list any experience that qualifies you to serve in the areas you have indicated.

Expirience Leading Teams, delivering large groups and different stakeholders through conflict resolution in

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

N/A

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

Volunteer at Ronald McDonald House, Volunteer at St. Gregorios Orthodox Church, Assisting and organz

What is your educational background?

BS Management Information Systems; Currently pursuing a Masters Degree of Computer Science at Univ

What is your occupational experience?

Information Security Engineer - Blue Cross Blue Shield Texas

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

Signature of Applicant

Board or Commission of first, second, and third choice:

- | | | |
|---|---|--|
| ☐ Board of Adjustment | ☐ Garland Cultural Arts Commission | ☐ Parks and Recreation Board |
| ☐ Building and Fire Codes Board | ☐ Garland Youth Council * | ☐ Plan Commission |
| ☐ Citizens Environmental and Neighborhood Advisory Committee | ☐ Property Standards Board | ☐ Plumbing and Mechanical Codes Board |
| ☐ Community Multicultural Commission | ☐ Library Board | ☐ Senior Citizens Advisory Committee |
| ☐ Electrical Board | | |

* Garland Youth Council has a separate application

Downtown TIF Board

FOR OFFICE USE ONLY

Ad Valorem Tax Status
Utility Account Status

Current ☒
Current ☒

Past Due ☐
Past Due ☐

Date Appointed

Appointed By

Date Notified

CSO Suit/Claim Filed
Clerk Signature & Date

Yes ☐ No ☒

12-16