



GARLAND

AGENDA

CITY COUNCIL WORK SESSION

City of Garland

Work Session Room, City Hall

William E. Dollar Municipal Building

200 North Fifth Street

Garland, Texas

Monday, October 21, 2019

6:00 p.m.

DEFINITIONS:

Written Briefing: Items that generally do not require a presentation or discussion by the staff or Council. On these items the staff is seeking direction from the Council or providing information in a written format.

Verbal Briefing: These items do not require written background information or are an update on items previously discussed by the Council.

Regular Item: These items generally require discussion between the Council and staff, boards, commissions, or consultants. These items are often accompanied by a formal presentation followed by discussion.

[Public comment will not be accepted during Work Session
unless Council determines otherwise.]

NOTICE: The City Council may recess from the open session and convene in a closed executive session if the discussion of any of the listed agenda items concerns one or more of the following matters:

(1) Pending/contemplated litigation, settlement offer(s), and matters concerning privileged and unprivileged client information deemed confidential by Rule 1.05 of the Texas Disciplinary Rules of Professional Conduct. Sec. 551.071, Tex. Gov't Code.

(2) The purchase, exchange, lease or value of real property, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Sec. 551.072, Tex. Gov't Code.

(3) A contract for a prospective gift or donation to the City, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Sec. 551.073, Tex. Gov't Code.

(4) Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint against an officer or employee. Sec. 551.074, Tex. Gov't Code.

(5) The deployment, or specific occasions for implementation of security personnel or devices. Sec. 551.076, Tex. Gov't Code.

(6) Discussions or deliberations regarding commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the territory of the City and with which the City is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect of the sort described in this provision. Sec. 551.087, Tex. Gov't Code.

(7) Discussions, deliberations, votes, or other final action on matters related to the City's competitive activity, including information that would, if disclosed, give advantage to competitors or prospective competitors and is reasonably related to one or more of the following categories of information:

- generation unit specific and portfolio fixed and variable costs, including forecasts of those costs, capital improvement plans for generation units, and generation unit operating characteristics and outage scheduling;
- bidding and pricing information for purchased power, generation and fuel, and Electric Reliability Council of Texas bids, prices, offers, and related services and strategies;
- effective fuel and purchased power agreements and fuel transportation arrangements and contracts;
- risk management information, contracts, and strategies, including fuel hedging and storage;
- plans, studies, proposals, and analyses for system improvements, additions, or sales, other than transmission and distribution system improvements inside the service area for which the public power utility is the sole certificated retail provider; and
- customer billing, contract, and usage information, electric power pricing information, system load characteristics, and electric power marketing analyses and strategies. Sec. 551.086; Tex. Gov't Code; Sec. 552.133, Tex. Gov't Code]

1. Consider the Consent Agenda

A member of the City Council may ask for discussion or further information on an item posted as a consent agenda item on the next Regular Meeting of the City Council. The Council Member may also ask that an item on the posted consent agenda be pulled from the consent agenda and considered for a vote separate from consent agenda items on the regular agenda. All discussions or deliberations on this portion of the work session agenda are limited to posted agenda items and may not include a new or unposted subject matter.

2. Written Briefings:

a. Consider Garland Cultural Arts Commission Inc. Hotel Occupancy Tax Revenue Budget, Sub-Grant Recipients, and Authorize Execution of the Hotel Occupancy Tax Program Management Agreement

Council is requested to approve the 2019-2020 GCACI budget, the list of sub-grant recipients and authorize the City's execution of the agreement. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the October 22, 2019 Regular Meeting.

b. Census 2020 Resolution and Inter-Local Agreement

Council is requested to approve a resolution and authorize the City Manager to enter into an inter-local agreement supporting the partnership with Dallas County and the Community Multicultural Commission's role as the Census 2020 Complete Count Committee.

c. Strategic Project Portfolio Update

Council is receiving an update on the Strategic Project Portfolio. The summary report shows the status and condition of projects through the end of September 2019.

d. Southgate Elementary Parking Restrictions

Council is requested to consider parking restrictions on Charleston Drive in front of Southgate Elementary. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the October 22, 2019 Regular Meeting.

e. Weaver Elementary Parking Restrictions

Council is requested to consider parking restrictions on Mars Dr. in front of Weaver Elementary. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the October 22, 2019 Regular Meeting.

f. Transfer of Community Development Block Grant Funding

Council is requested to approve the transfer of Community Development Block Grant funding of \$63,179 left over from the Carver Senior Community Center Program to the Vietnamese Community Center Phase II Program. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the November 5, 2019 Regular Meeting.

g. Boards and Commissions Quarterly Report

In January of 2018, Council requested that a quarterly report from Boards and Commissions be submitted for their review. Attached is the report for the period July 1 - September 30, 2019.

h. Franchise Ordinance for Atmos Energy Corporation, Mid-Tex Division

Council is requested to consider approving a franchise agreement with Atmos Energy Corporation, Mid-Tex Division. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the November 5, 2019 Regular Meeting.

i. Use of Narcotic Seizure Funding for Police Shooting Range Repairs

Council is requested to approve the use of narcotic seizure funding for repairs to the bullet trap system at the Police Shooting Range. Unless otherwise directed by Council, this item is included for formal consideration at the October 22, 2019 Regular Meeting.

3. Verbal Briefings:

a. PRCAD Master Plan Draft Report

Council is requested to consider the PRCAD Master Plan Draft Report.

b. Update on D.R. Horton Tract

D.R. Horton owns a large tract that is outside of, and adjacent to, Garland's southern City limit. They anticipate developing the tract and have requested that water and sanitary sewer utilities be provided through City of Garland facilities. The Council had previously been briefed on this issue. An update will be provided on current negotiations.

c. Provide Framework for Citizen Input at Work Sessions

At the request of Mayor Scott LeMay, Council is asked to consider the impact of a new law, enacted as HB 2840 during the last legislative session, that allows for citizen input at any open meeting of a governmental body regarding an item on the agenda.

d. City Marshal Parking Enforcement Program and Related Ordinances

Neighborhood parking has been a persistent problem throughout the City for many years. The Office of the City Attorney and Office of the City Marshal have been tasked with designing and implementing a civil parking enforcement program because the current criminal parking enforcement is difficult and often unworkable.

4. Discuss Appointments to Boards and Commissions

Deputy Mayor Pro Tem Robert Vera

- Patricia Hanson - TIF 3 Medical District

5. Announce Future Agenda Items

A member of the City Council, with a second by another member, or the Mayor alone, may ask that an item be placed on a future agenda of the City Council or a committee of the City Council. No substantive discussion of that item will take place at this time.

6. Council will move into Executive Session

**EXECUTIVE SESSION
AGENDA**

NOTICE: The City Council may recess from the open session and convene in a closed executive session if the discussion of any of the listed agenda items concerns one or more of the following matters:

The City Council will adjourn into executive session pursuant to Sections 551.071, 551.072, and 551.074 of the Texas Government Code to deliberate or discuss the following:

1. personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee relating to the judges of the Garland Municipal Court;
2. the purchase, exchange, lease or value of real property and pending or contemplated litigation or other attorney-client matters deemed confidential by law relating thereto regarding property for fire stations, libraries, and other public purposes;
3. attorney-client matters deemed confidential by law in regards to places of worship in single-family zoning districts;

7. Adjourn



GARLAND POLICY REPORT

City Council Work Session Agenda

2. a.

Meeting Date: October 21, 2019

Item Title: Consider Garland Cultural Arts Commission Inc. Hotel Occupancy Tax Revenue Budget, Sub-grant Recipients, and Authorize Execution of the Hotel Occupancy Tax Program Management Agreement

Submitted By: Andy Hesser, Managing Director

Council Goal: Financially Stable Government with Tax Base that Supports Community Needs

ISSUE

Staff is seeking Council approval of the 2019-2020 budget of the Garland Cultural Arts Commission, Inc. (GCACI), sub-grant recipients, and authorization of the City Manager's execution of the "Hotel Occupancy Tax Program Management Agreement" between the City of Garland and the GCACI.

OPTIONS

1. Council may follow staff's recommendation to approve the 2019-2020 GCACI budget, the list of sub-grant recipients, and authorize the City's execution of the agreement;
2. Return the item to staff for further review and discussion;
3. Do not approve the 2019-2020 GCACI budget, list of sub-grant recipients, nor authorize execution of the agreement, thereby canceling the \$160,368 in revenues, which support cultural arts in Garland.

RECOMMENDATION

Unless otherwise directed by Council, this item will be scheduled for formal consideration at the October 22, 2019 Regular Meeting.

BACKGROUND

In February 1986, the Garland City Council created the nine-member Garland Cultural Arts Commission to serve as a liaison between the City and all community based arts related programs, and historical organizations. The Commission's primary goal is to increase the visibility of the arts and promote an active and diverse arts culture in Garland.

In 1987, the Commission created the private non-profit Garland Cultural Arts Commission Inc. (GCACI) to pursue various sources of revenue, contributions, and support in order to grow a cultural arts grant program to provide funding assistance to meritorious arts and historical groups.

The GCACI administers this grant program, funded primarily through revenues received from Hotel Occupancy Tax funds. Since the program's inception in 1987, grant funds have contributed over \$1.8 million towards the advancement of local cultural arts organizations. GCACI's extensive promotional efforts have been the foundation for building Garland's cultural tourism, which attracts thousands of arts patrons from throughout North Texas to Garland's arts facilities and activities.

CONSIDERATION

The attached "Hotel Occupancy Tax Program Management Agreement" in the amount of \$160,368.00 provides the GCACI with fifteen percent of the hotel occupancy tax net revenue from Quarter 3 of 2017 thru Quarter 2 of 2018. As a provision of this agreement, the GCACI annually adopts a budget which details the proposed expenditures of the revenues provided by this program. The attached Exhibits A and B are the GCACI budget, and list of GCACI sub-grant recipients approved October 1, 2019, by the GCACI for this 2019-2020 fiscal year.

Attachments

Exhibit A - 2019-20 GCACI Budget
Exhibit B - 2019-20 Subgrant Recipients
Exhibit C - GCACI HOT Agreement

EXHIBIT A

GARLAND CULTURAL ARTS COMMISSION, INC. (GCACI) PROPOSED 2019 – 2020 BUDGET HOTEL OCCUPANCY TAX REVENUES

REVENUES:

\$160,368.00 Hotel Occupancy Tax Revenues

EXPENDITURES:

\$ 123,000.00 GCACI Grant Program for Arts & Cultural Arts Organizations
\$ 4,400.00 Annual High School Senior Juried Visual Arts Competition/GISD
\$ 10,301.00 “Arts In Action” Newsletter & Event Advertising
\$ 12,667.00 Reimbursement to COG for Vision of the Arts Sculpture *
\$ 10,000.00 Public Art Grants for Downtown and other Garland locations

\$160,368.00 Total Expenditures

*As of 6/2019, GCAC, Inc. has reimbursed the City of Garland \$137,667. toward the \$213,667. revised total of the amended Agreement for the Vision of the Arts sculpture.

\$76,000 remains to be paid over a period of 6 years at \$12,667.00 a year.

EXHIBIT B

GARLAND CULTURAL ARTS COMMISSION, INC. 2019-20 SUBGRANT RECIPIENTS

GARLAND ARTS GROUPS – MAJOR

Garland Civic Theatre - \$26,500

Garland Summer Musicals - \$29,500

Garland Symphony Orchestra - \$28,000

GARLAND/GISD Residential Area – MINOR

Achievement Center of Texas - \$4,500

Breitling Youth Theater - \$5,500

CORP - \$8,000

Friends of Garland's Magic Eleventh St. - \$3,000

Garland Landmark Society - \$3,000

OTHER

DBC Nutcracker - \$15,000

EXHIBIT C

GARLAND CULTURAL ARTS COMMISSION, INC. (GCACI) HOTEL OCCUPANCY TAX PROGRAM MANAGEMENT AGREEMENT

This Hotel Occupancy Tax Program Management Agreement (this “Agreement”) is made and entered into by and between the City of Garland, Texas, a Texas home-rule municipality (the “City”) and the Garland Cultural Arts Commission, Inc., a non-profit corporation organized under the laws of Texas (“GCACI”).

WHEREAS, Chapter 351, TEXAS TAX CODE authorizes a municipality that levies and collects a hotel occupancy tax to expend a portion of the revenues from such tax for the encouragement, promotion, improvement and application of the arts, and for certain historical preservation and restoration projects, activities and related promotions; and

WHEREAS, Sec. 351.101(c), TEX. TAX CODE, authorizes the governing body of a municipality to delegate by contract the management or supervision of programs and activities funded with revenue from the hotel occupancy tax authorized by Chapter 351, Texas Tax Code; and

WHEREAS, GCACI has agreed to manage and supervise various programs and activities relating to the encouragement, promotion, improvement and application of the arts;

NOW, THEREFORE, in consideration of the following mutual covenants and promises, the City and GCACI agree as follows:

Section 1. General Responsibilities of the GCACI. GCACI shall develop, operate, and administer: (i) programs and activities for the encouragement, promotion, improvement, and application of cultural arts within the City and at City facilities; and (ii) projects, activities, advertising and promotional programs for historical restoration and preservation. A detailed, written description of all such programs, activities, projects, advertisements, and promotions (collectively referred to as the “Program”) shall be provided to the City Manager annually upon renewal of this Agreement and shall be updated not less than quarterly as part of the periodic reporting required by Section 4 of this Agreement.

Section 2. Hotel Occupancy Tax Revenues. In consideration of GCACI’s development, operation, and administration of the Program, the City shall pay to GCACI \$160,368.00 . In no event shall the payment under this Agreement exceed the amount City may lawfully allocate under Sec. 351.103(c) or fifteen percent (15%) of the hotel occupancy tax revenue actually received in hand by the City for the applicable fiscal quarter(s) used to calculate the amount. The City shall remit payment of Program funds to GCACI on or before October 30, 2019. GCACI shall maintain all revenues received by the City under this Agreement in a separate account established for that purpose and may not commingle that revenue with any other money.

Section 3. Budget. GCACI shall annually prepare and submit to the City a budget detailing all proposed uses and expenditures of the revenues to be provided to the GCACI

under this Agreement, including any and all proposed uses and expenditures of revenues intended to be granted by GCACI to subgrantees. If approved by the City Council of the City, the budget shall be made a part of this Agreement as Exhibit “A”, and all of GCACI expenditures of revenues received by the City under this Agreement shall be made in accordance with the approved budget.

Section 4. Limitation on Expenditures; Periodic Reporting.

- (A) For the purposes of this agreement, “convention center facilities” means facilities that are primarily used to host conventions and meetings. The term means civic centers, civic center buildings, auditoriums, exhibition halls, and coliseums that are owned by the City or that are managed in whole or part by the City.
- (B) Revenue from hotel occupancy taxes paid to GCACI by the City under this Agreement shall be used only to promote tourism and the convention and hotel industry, and that use is limited to the following:
 - (1) the acquisition of sites for and the construction, improvement, enlarging, equipping, repairing, operation, and maintenance of convention center facilities or visitor information centers, or both;
 - (2) the furnishing of facilities, personnel, and materials for the registration of convention delegates or registrants;
 - (3) advertising and conducting solicitations and promotional programs to attract tourists and convention delegates or registrants to the City;
 - (4) The encouragement, promotion, improvement, and application of the arts, including instrumental and vocal music, dance, drama, folk art, creating writing, architecture, design and allied fields, painting, sculpture, photography, graphic and craft arts, motion pictures, radio, television, tape and sound recording, and other arts related to the presentation, performance, execution, and exhibition of these major art forms.
 - (5) Historical restoration and preservation projects or activities or advertising and conducting solicitations and promotional programs to encourage tourists and convention delegates to visit preserved historic sites or museums:
 - (a) at or in the immediate vicinity of convention center facilities or visitor information centers; or
 - (b) located elsewhere in the City or its vicinity that would be frequented by tourists and convention delegates; and
 - (6) Any other related purpose authorized by Chapter 351, TEX. TAX CODE, as may be amended from time to time.
- (C) None of the hotel occupancy tax revenues provided to GCACI under this Agreement may be spent for:

- (1) travel for a person to attend an event or conduct an activity, the primary purpose of which is not directly related to the promotion of tourism and the convention and hotel industry or the performance of the person's job in an efficient and professional manner; or
 - (2) programs, activities, or any other use located outside the territorial limits of the City of Garland.
- (D) GCACI shall provide a written report to the City Council, through the City Manager no less than quarterly each City fiscal year listing the expenditures made by the GCACI with and or the hotel occupancy tax revenue provided to GCACI under this Agreement. Additionally, on an annual basis, GCACI shall send to the City Manager a written report showing the activities conducted under the GCACI program for the preceding year. The report shall also indicate cumulative expenses and revenues for the preceding year. Financial reports shall show the relationship of actual expenses to the authorized budgeted expenses shown in the budget.
- (E) In addition to making, submitting, and filing the report in the manner described above, GCACI, if requested by the City shall make an oral presentation of such report at a regular City Council meeting. Minutes and financial reports shall be sent to the City Manager and City's Internal Audit Department after each quarterly meeting.
- (F) Subgrants. GCACI may by written contract make subgrants of Program funds for the encouragement, promotion, improvement, and application of the arts, to another person, entity or private organization. Prior to making subgrants of Program funds to third-parties, GCACI must include the proposed subgrant, including detailing the identity of the subgrantee and all proposed uses of the Program funds, in the budget required by above Section 3 and approved by the City Council. Written contracts between GCACI and subgrantees shall require that the subgrantee:
 - (1) restrict the use of Program funds to the program or activity expressly identified in the approved budget;
 - (2) at least annually make periodic reports to the governing body of its expenditures of Program funds;
 - (3) make any and all records of these expenditures available for review by the City; and
 - (4) return to GCACI any and all Program funds not spent within the budget year in which the funds were granted.

Section 5. Responsibility for Funds; Audit of the GCACI.

- (A) GCACI acknowledges that the approval by the City Council of the annual budget of the GCACI for the functions and activities to be undertaken by GCACI pursuant to this Agreement creates a fiduciary duty in the GCACI with respect to the revenue provided by the hotel occupancy taxes that are made available to GCACI under this Agreement.

(B) GCACI shall maintain complete and accurate financial records of all expenditures of revenues provided to GCACI by the City under this Agreement. GCACI shall make all such books and records fully, completely and promptly available to the City through which an operational audit of all funds and activities of the Program may be made by the Internal Auditor of the City.

Section 6. Prohibition on Discrimination. GCACI shall not discriminate against any person in the development, operation or administration of any aspect of the Program on the basis of race, creed, sex, national origin or handicapped status.

Section 7. Termination. Either party may terminate this Agreement, at will and without cause, by giving written notice of termination to the other party not less than thirty-days prior to the date of termination. Upon the termination of this contract, either due to the expiration of the stated term hereof or due to the exercises by either party of the above described right of termination, any balance of funds in the account established for the GCACI program, as well as any equipment or other party which has been purchased from those accounts or transferred from the City shall belong to and be returned to the City. This provision shall not prevent the City and the GCACI from agreeing to use any such fund balance for the continuation of the GCACI program in the event the parties enter into another subsequent contract. The City shall not be responsible for any obligations made outside the contract period.

Section 8. 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 to the address set forth below; (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 hereinafter specified; or (iii) delivered to such party by a 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.

Section 9. 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.

Section 10. 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 provision 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.

Section 11. Waiver. Either City or GCACI shall have the right to waive any requirement contained in this Agreement, which 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 waive of any other breach or violation, whether concurrent or subsequent, and whether of the same or of a different type of breach or violation.

Section 12. 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.

Section 13. 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.

Section 14. 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.

Section 15. 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.

Section 16. 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.

Section 17. Exhibits. All exhibits to this Agreement are incorporated herein by reference for all purposes wherever reference is made to the same.

Section 18. 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.

Section 19. Entire Agreement. It is understood and agreed that this Agreement contains the entire agreement between the parties and supersedes any and all prior agreements, arrangements or understandings between the parties relating to the subject matter. No oral understandings, statements, promises or inducements contrary to the terms of this Agreement exist. This Agreement cannot be changed or terminated orally and no written modification of this Agreement shall be effective unless executed by both parties.

Section 20. Relationship of Parties; No Third-Party Beneficiaries. Nothing contained in this Agreement shall be deemed or construed by the parties hereto or by any third party to create the relationship of principal and agent or of partnership, joint venture, or employment, it being expressly understood and agreed that no provision contained in this Agreement nor any act or acts of the parties hereto shall be deemed to create any relationship between the parties other than the relationship of independent parties

contracting with each other solely for the purpose of effecting the provisions of this Agreement. Neither party has the authority to enter into contracts or to assume any obligation for the other, nor to make warranties or representations on behalf of the other except in accordance with the express terms of this Agreement or as otherwise authorized in writing by the other. There are no third-party beneficiaries to this Agreement and no third-party beneficiaries are intended by implication or otherwise.

Section 21. Dispute Resolution. 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 5 days after receipt of the notice of dispute. (2) If 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.

Section 22. No Waiver of Immunity or Defense. No party, by execution of this Agreement, waives nor shall be deemed to have waived any immunity or defense that would otherwise be available to it including, without limitation, immunity from liability and suit for damages to one another or to any third-party except as otherwise provided by law.

EXECUTED on the dates indicated below but deemed to be effective as of the _____ day of _____, 2019.

GARLAND CULTURAL ARTS COMMISSION, INC.

DeAnne Driver, Chairman

CITY OF GARLAND, TEXAS

Bryan Bradford, City Manager



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Work Session Agenda

2. b.

Meeting Date: October 21, 2019

Item Title: Census 2020 Resolution and ILA

Submitted By: Rene Dowl, City Secretary

Summary of Request/Problem

Council is requested to approve a resolution and authorizing the City Manager to enter into an inter-local agreement supporting the partnership with Dallas County and the Community Multicultural Commission's role as the Census 2020 Complete Count Committee to fund countywide Census activities.

Recommendation/Action Requested and Justification

Approve a resolution and enter into an inter-local agreement with Dallas County in support of Census 2020.

Attachments

Dallas County ILA Resolution

Dallas County ILA

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH DALLAS COUNTY TO PARTICIPATE IN A 2020 CENSUS PARTICIPATION PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1

That the City Council hereby authorizes the City Manager to enter into an interlocal agreement, which is attached hereto as Exhibit A and incorporated herein by reference, with Dallas County to participate in a 2020 census participation program.

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 _____, 2019.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

**INTERLOCAL AGREEMENT
BETWEEN
CITY OF GARLAND
AND
DALLAS COUNTY, TEXAS**

This agreement is made this 22nd day of October, 2019 between the City of Garland and Dallas County, Texas.

Pursuant to the authority granted by the "Texas Interlocal Cooperation Act," Chapter 791 Texas Government Code providing for the cooperation between local governmental bodies, the parties hereto, in consideration of the premises and mutual promises contained herein, agree as follows:

WHEREAS, the contract is made under the authority of Chapter 791 of the Texas Government Code; and,

WHEREAS, the parties, in performing governmental functions or in paying for the performance of governmental functions hereunder shall make that performance or those payments from current revenues legally available to that party;

WHEREAS, the governing bodies of each party find that the subject of this contract is necessary for the benefit of the public and that each party has the legal authority to perform and to provide the governmental function or service which is the subject matter of this contract; furthermore, the governing bodies find that the performance of this contract is in the common interest of both parties; and that the division of cost fairly compensates the performing party for the services under this contract.

WHEREAS, this agreement is authorized by the City of Garland by Resolution No. _____, dated October 22, 2019.

I.

Dallas County and City of Garland mutually desire to organize, educate and activate residents, in historically underrepresented communities that are at risk of being disproportionately undercounted, regarding the importance of participating in the 2020 Census. This partnership is intended to provide resources, connections, and relationships in order to increase engagement and participation among historically underrepresented and undercounted communities in Dallas County.

II.

Dallas County intends to utilize a regional census fund to empower organizations and coalitions that work specifically with historically undercounted communities to engage, educate and activate residents. The regional census fund shall be funded by Dallas County and municipalities within Dallas County, including City of Garland.

III.

City of Garland shall contribute Twenty Thousand and No/100 Dollars (\$20,000.00) to the regional census fund, which will be utilized by Dallas County. Dallas County commits that, at a minimum, at least the amount of funds provided to this endeavor by City of Garland toward the regional census fund shall be spent within the borders of City of Garland.

IV.

This agreement shall take effect upon execution by both signatories.

V.

This agreement shall be in effect from the date of execution until the 2020 Census is completed.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed by their authorized officers the day and year first above written.

CITY OF GARLAND

COUNTY OF DALLAS, TEXAS

BY: Bryan L. Bradford
City Manager

BY: Clay Jenkins
County Judge

DATE: _____

RECOMMENDED:

BY: Charles Reed
Assistant County Administrator for
Governmental Affairs

APPROVED AS TO FORM*:

JOHN CREUZOT
DALLAS COUNTY DISTRICT ATTORNEY

BY: Chong Choe
Assistant District Attorney

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



GARLAND POLICY REPORT

City Council Work Session Agenda

2. c.

Meeting Date: October 21, 2019
Item Title: Strategic Project Portfolio Update
Submitted By: Mitch Bates, Deputy City Manager
Strategic Focus Areas: Growing Economic Base
Commercially Thriving Downtown
Well-Maintained City Infrastructure
Enhanced Quality of Life through Amenities, Arts, and Events
Safe Community
Vibrant Neighborhoods and Commercial Centers
Reliable, Cost Efficient Utility Services
Customer-Focused City Services
Sound Governance and Finances
Future-Focused City Organization

ISSUE

Council is receiving an update on the Strategic Project Portfolio. The summary report shows the status and condition of projects through the end of September 2019.

CONSIDERATION

1. This update is for informational purposes only.
 2. Council Members should direct questions about a specific project to the Executive Contact listed for the project.
 3. Upon request, a project-specific briefing can be scheduled for a future Work Session, providing the Executive Contact and/or Project Manager an opportunity to brief the Council in more detail on a specific project.
-

Attachments

Strategic Project Portfolio - CC Status Update - September 2019

STRATEGIC PROJECT PORTFOLIO

2019

Status Update (Projected as of September 30, 2019)

Project Name	Project Condition	Targeted Start Date	Targeted Completion Date	Executive Contact
Growing Economic Base				
<u>Complete</u>				
Prepare HyperMart Site for Future Redevelopment	Complete	November 2017	October 2018	Neill, Robby
<u>In Progress - Underway</u>				
Redevelopment of Former HyperMart Site (Ongoing)	Ongoing		Ongoing	Bradford, Bryan
Market Rosehill / I-30 to the Development Community (Ongoing)	Ongoing		Ongoing	Bradford, Bryan
TIF 3 - Project Plan and Funding Strategy	Major Variance	April 2018	January 2020	Watson, Matthew
Implementation of Catalyst Study - Rosehill/I-30	On Target	December 2017	December 2020	Bradford, Bryan
South Garland Avenue Catalyst Area Plan	On-Hold/Re-evaluated	December 2017	To Be Determined	Bradford, Bryan
<u>Scheduled - Up Next</u>				
Lavon Drive - Trees and Landscaping Enhancements	On Target	June 2020	To Be Determined	Hesser, Andy
<u>Future - To Be Scheduled</u>				
TIF 3 - Expand Zone Boundaries	To Be Determined	To Be Determined	To Be Determined	Watson, Matthew
Shiloh / Walnut TIA - Update Redevelopment Plan	To Be Determined	To Be Determined	To Be Determined	Bradford, Bryan
Commercially Thriving Downtown				
<u>Complete</u>				
Recruit and Hire Downtown Coordinator	Complete	May 2018	October 2018	King, Becky
Downtown Infrastructure Assessment	Complete	September 2017	May 2019	Baker, John
<u>In Progress - Underway</u>				
Walnut Street Pedestrian Corridor (Heritage Crossing)	Major Variance	March 2013	April 2020	Hesser, Andy
Wayfinding Program (including Downtown Gateways)	Minor Variance	November 2013	December 2019	Bradford, Bryan
Downtown Square Redesign (Conceptual Design Phase)	On Target	May 2019	April 2020	Bates, Mitch
Implement Downtown Façade Improvement Grant Program	On Target	December 2018	July 2020	King, Becky
<u>Future - To Be Scheduled</u>				
Austin Streetscapes (Sixth to Glenbrook)	To Be Determined	To Be Determined	To Be Determined	Neill, Robby
Improved Public Parking in Downtown	To Be Determined	To Be Determined	To Be Determined	Baker, John

Project Name	Project Condition	Targeted Start Date	Targeted Completion Date	Executive Contact
Well-Maintained City Infrastructure				
<u>Complete</u>				
Operationalize Additional \$5.0 million in Funding for Streets	Complete	October 2017	September 2018	Baker, John
Project Management Process Improvements - Engineering Department	Complete		November 2018	Baker, John
Develop Bond Program for Infrastructure, Facilities, Parks	Complete	November 2017	February 2019	Baker, John
<u>In Progress - Underway</u>				
Establish Program Management Function for Implementation of 2019 Bond Program	Minor Variance	October 2018	December 2019	Baker, John
Enhanced Quality of Life through Amenities, Arts, and Events				
<u>Complete</u>				
Reorganize Events Staff and CVB Funding	Complete	March 2018	October 2018	Bates, Mitch
Dog Park (Design Phase)	Complete	July 2013	May 2019	Hesser, Andy
<u>In Progress - Underway</u>				
Update the Long-term Master Plan for Parks and Recreation	Minor Variance	October 2017	October 2019	Hesser, Andy
Develop and Adopt City Council Events Policies	On Target	March 2018	October 2019	Hesser, Andy
Update the Long-term Master Plan for the Library System	Minor Variance	March 2018	November 2019	King, Becky
Redevelopment of Rick Oden Park (Conceptual Master Plan)	On Target	May 2019	November 2019	Hesser, Andy
Winters Park/Spring Creek Greenbelt Trail (Construction Phase)	Minor Variance	March 2018	December 2019	Hesser, Andy
Dog Park (Construction Phase)	On Target	July 2019	January 2020	Hesser, Andy
Skate Park (Design Phase)	Major Variance	April 2017	February 2020	Hesser, Andy
Develop a Master Plan for Aquatics Facilities	On Target	July 2019	June 2020	Hesser, Andy
Trails Master Plan (Bicycle and Pedestrian)	Major Variance	November 2018	November 2020	Hesser, Andy
Duck Creek Bikeway Trail Connections	On Target	June 2020	September 2021	Baker, John
<u>Scheduled - Up Next</u>				
Skate Park (Construction Phase)	On Target	February 2020	To Be Determined	Hesser, Andy
<u>Future - To Be Scheduled</u>				
Review of Sports Associations' Policies - Parks Department	To Be Determined	To Be Determined	To Be Determined	Hesser, Andy
Safe Community				
<u>Complete</u>				
Promote/Install 10-year Sealed Battery Smoke Detectors (Pilot Program)	Complete	January 2018	January 2019	Lee, Mark
Assess Injury Prevention Program Needs in the Community	Complete	May 2018	January 2019	Lee, Mark
Establish Continuity of Governance Plan	Complete	March 2018	August 2019	King, Becky
<u>In Progress - Underway</u>				
Develop New Deployment Model for Fire Service Levels	Minor Variance	May 2018	November 2019	Lee, Mark

Project Name	Project Condition	Targeted Start Date	Targeted Completion Date	Executive Contact
Vibrant Neighborhoods and Commercial Centers				
<u>Complete</u>				
Reorganization of Building Inspections and Code Compliance	Complete	April 2018	September 2018	Olk, Jim
Where the Heart Is Program - Gatewood Neighborhood	Complete	October 2017	October 2018	King, Becky
Evaluate an After-Hours Code Enforcement Program	Complete	April 2019	July 2019	Olk, Jim
<u>In Progress - Underway</u>				
Implement Home Improvement Incentive Grant Program	Minor Variance	November 2018	November 2019	King, Becky
Reliable, Cost Efficient Utility Services				
<u>Complete</u>				
Update the Cost of Service Rate Model for Water and Sewer	Complete	December 2018	August 2019	Baker, John
<u>In Progress - Underway</u>				
Cypress Cove (Ongoing)	Ongoing	August 2018	Ongoing	Baker, John
Customer-Focused City Services				
<u>Complete</u>				
Library Patron Self-Service - Radio-Frequency Identification (RFID)	Complete	January 2016	December 2018	King, Becky
Alarm Permits - ePermitting Process	Complete	July 2017	February 2019	Bryan, Jeff
Building Permits - ePermitting Process	Complete	September 2015	April 2019	Olk, Jim
Optimization of City Website	Complete	January 2018	June 2019	White, Dorothy
<u>In Progress - Underway</u>				
Digital Government Portal - Expanded Permits and Inspections	On Target	July 2019	December 2019	Niekamp, Steven
Land Development Process - ePlan Submittal/Review	On Hold/Re-evaluated	January 2017	To Be Determined	Baker, John
<u>Future - To Be Scheduled</u>				
Digital Government Portal - Phase 2	To Be Determined	To Be Determined	To Be Determined	Niekamp, Steven
Digital Government Portal - Phase 3	To Be Determined	To Be Determined	To Be Determined	Niekamp, Steven
Sound Governance and Finances				
<u>Complete</u>				
Approve Process for Boards and Commissions (Expenditures, Funding, and Term Limits) (from City Council)	Complete	September 2017	October 2018	Dowl, Rene
<u>In Progress - Underway</u>				
Changes to GDC Based on Issues Discovered After Adoption (Ongoing)	Ongoing	June 2015	Ongoing	Bradford, Bryan
Establish a Contract Management Function	On Target	April 2019	January 2020	Watson, Matthew

Project Name	Project Condition	Targeted Start Date	Targeted Completion Date	Executive Contact
Future-Focused City Organization				
<u>Complete</u>				
Develop Youth Police Academy	Complete	September 2018	September 2018	Bryan, Jeff
Establish City-wide On-line and Classroom (LMS) - pilot project	Complete	January 2018	January 2019	Smith, Kristen
Expand Diversity and Youth Outreach	Complete	May 2018	January 2019	Smith, Kristen
Replace Budgeting and Forecasting System - (research phase)	Complete	August 2018	May 2019	Niekamp, Steven
<u>In Progress - Underway</u>				
Replace Budgeting and Forecasting System - (implementation phase)	On Target	June 2019	January 2020	Young, Ron
<u>Future - To Be Scheduled</u>				
Develop a 5-Year Succession Plan for Key Positions	To Be Determined	To Be Determined	To Be Determined	Bradford, Bryan



GARLAND POLICY REPORT

City Council Work Session Agenda

2. d.

Meeting Date: October 21, 2019
Item Title: Southgate Elementary Parking Restrictions
Submitted By: Paul Luedtke, Transportation Director
Strategic Focus Areas: Safe Community

ISSUE

Increasing congestion on Charleston Drive in front of Southgate Elementary has resulted in the need for parking restrictions to improve traffic flow.

RECOMMENDATION

Restrict motorists from parking on the east side of Charleston Drive from Mayfield Avenue to a point 441 feet north of Mayfield Avenue. This restriction would allow marked public school buses or marked transit vehicles for child care center to utilize as a bus loading zone.

On September 5, 2019 city staff met at the school with the principal and the school resource officer. Concensus was reached that this parking prohibition would be the best solution. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the October 22, 2019 Regular Meeting.

BACKGROUND

Staff was requested to review the parking issues on Charleston Drive and Mayfield Avenue related to difficulty in maneuverability through the streets.

Upon observation on several occasions, the parking was determined to cause problems for school buses and child care center vehicles during the morning and afternoon pick-up times.

CONSIDERATION

Parking restrictions could force existing parking to seek other undesirable locations.

Attachments

Charleston Parking Restriction Ordinance

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 33, "TRANSPORTATION", OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1

That Sec. 33.46 (B) of Chapter 33, "Transportation" of the Code of Ordinances of the City of Garland, Texas, is hereby amended by the deletion of the following:

<u>"Street</u>	<u>Extent</u>	<u>Side</u>
Charleston Drive	From Mayfield Avenue to a point 160 feet north.	East"

Section 2

That Sec. 33.46, of Chapter 33, "Transportation" of the Code of Ordinances of the City of Garland, Texas, is hereby amended by the addition of a new Section "(G)" to read as follows:

"(G) Between 6:30 a.m. and 8:30 a.m. and between 2:30 p.m. and 4:30 p.m. school days only, when signs are erected giving notice thereof, no person shall stop, stand or park a vehicle other than a marked public school bus or a marked transit vehicle for a Child Care Center as defined in Section 22.160 in a bus loading zone.

<u>Street</u>	<u>Extent</u>	<u>Side</u>
Charleston Drive	From Mayfield Avenue to a point 441 feet north of Mayfield Avenue	East"

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 the Code of Ordinances of the City of Garland, 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 Section 10.06 of the Code of Ordinances of the City of Garland, Texas.

Section 6

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

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

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

PUBLISHED:



GARLAND POLICY REPORT

City Council Work Session Agenda

2. e.

Meeting Date: October 21, 2019
Item Title: Weaver Elementary Parking Restrictions
Submitted By: Paul Luedtke, Transportation Director
Strategic Focus Areas: Safe Community

ISSUE

Increasing congestion on Mars Dr. in front of Weaver Elementary has resulted in the need for parking restrictions to improve traffic flow.

RECOMMENDATION

Restrict motorists from parking on the east side of Mars Drive from Pleasant Valley Road to Sunset Drive. On September 18th, 2019 city staff met at the school with the principal, and the school resource officer. Consensus was reached that this parking prohibition would be the best solution. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the October 22, 2019 Regular Meeting.

BACKGROUND

Staff was requested to review the parking issues on Mars Drive and Pleasant Valley Road related to difficulty in maneuverability through the streets. Upon observation on several occasions, the parking was determined to cause problems for school buses and child care center vehicles during the morning and afternoon pick-up times.

CONSIDERATION

Parking restrictions could force existing parking to seek other undesirable locations.

Attachments

Weaver
Weaver

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 33, TRANSPORTATION, OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS RELATING TO LOADING ZONES; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1

That Section 33.52(E) of Chapter 33, "Transportation", of the Code of Ordinances, City of Garland, Texas, is hereby amended by the addition of the following:

<u>Street</u>	<u>Extent</u>	<u>Side</u>
Mars Drive	From Pleasant Valley Road to Sunset Drive	East

Section 2

That Section 33.46(C) of Chapter 33, "Transportation", of the Code of Ordinances, City of Garland, Texas, is hereby amended by the deletion of the following and denoting the street/extent/side as "Reserved":

<u>Street</u>	<u>Extent</u>	<u>Side</u>
Mars Drive	Pleasant Valley Road to 240ft north of Pleasant Valley Road	East

Section 3

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

Section 3

That Chapter 33, ATransportation@, 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 ____th day of _____, 2019.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

PUBLISHED:

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 33, TRANSPORTATION, OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS RELATING TO LOADING ZONES; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1

That Section 33.52(E) of Chapter 33, "Transportation", of the Code of Ordinances, City of Garland, Texas, is hereby amended by the addition of the following:

<u>Street</u>	<u>Extent</u>	<u>Side</u>
Mars Drive	From Pleasant Valley Road to Sunset Drive	East

Section 2

That Section 33.46(C) of Chapter 33, "Transportation", of the Code of Ordinances, City of Garland, Texas, is hereby amended by the deletion of the following and denoting the street/extent/side as "Reserved":

<u>Street</u>	<u>Extent</u>	<u>Side</u>
Mars Drive	Pleasant Valley Road to 240ft north of Pleasant Valley Road	East

Section 3

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

Section 3

That Chapter 33, ATransportation@, 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 ____th day of _____, 2019.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

PUBLISHED:



GARLAND POLICY REPORT

City Council Work Session Agenda

2. f.

Meeting Date: October 21, 2019

Item Title: Transfer of Community Development Block Grant Funding

Submitted By: Mona Woodard, Neighborhood Services Administrator

Strategic Focus Areas:

ISSUE

Transfer of Community Development Block Grant funding of \$63,179 left over from the Carver Senior Community Center Program to the Vietnamese Community Center Phase III Program.

OPTIONS

1. Approve the transfer of CDBG funding.
2. Not approve the transfer of CDBG funding.

RECOMMENDATION

Staff recommends Council approval of the transfer of \$63,179 from the Carver Senior Community Center Program to the Vietnamese Community Center Program.

Unless otherwise directed by Council, this item will be scheduled for formal consideration at the November 5, 2019 Regular Meeting.

BACKGROUND

Construction price quotes exceeded original estimates for the proposed scope of work. Additional funding is needed to move forward with planned upgrades to the Vietnamese Community Center for the purpose of bringing the restroom facilities within compliance of the American with Disabilities Act.



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Work Session Agenda

2. g.

Meeting Date: October 21, 2019

Item Title: Boards and Commissions Quarterly Report

Submitted By: Rene Dowl, City Secretary

Summary of Request/Problem

In January of 2018, Council requested that a quarterly report from Boards and Commissions be submitted for their review. Attached is the report for the period July 1 - September 30, 2019.

Recommendation/Action Requested and Justification

Information only.

Attachments

BOA Report
CMC Report
Downtown TIF Report
ECAB Quarter 2 Report
ECAB Quarter 3 Report
GCAC Report
GCAC-GCACI Minutes
GEDA Report
GHFDC Report
GYC Report
GYC Roster
I-30 TIF Report
Library Report
Parks Report
Plan Commission Report
PSB Report
SCAC Report
TIF Zone 3 Report
USB Report
Master Attendance 2018-19

Master Attendance Report 2019-20

Board and Commission Report

Quarterly Report

BOARD: Board of Adjustment

DATE: 10/6/19

Board Summary

Nine (9) requests were brought before the Board during the reporting period.

1. One fence height variance; increase non-residential fencing in required front yard to 10 feet. Variance was granted;
2. One over parking of restaurant by 58%. Variance was approved;
3. One accessory building constructed in the required side yard setback. Variance was approved;
4. One fence height variance; increase residential fencing in the required front yard to 6 feet on a key lot. Variance was approved;
5. One request to reduce the required setback along LBJ Freeway from 20 feet to 10 feet for a new commercial building. Variance was approved;
6. Increase height allowance from 8' to 14' on a front entry porte cochere. Variance was approved;
7. One request to maintain an illegally constructed carport in the required front and side yards of a residential property. Variance was denied
8. One request to reduce the required side yard setback from 25' to 15'8" for the construction of a new residential home. Variance request approved; and
9. One request for a homeowner to convert an existing single car garage into habitable space. The variance was approved with the provision that the homeowner extend the existing driveway to accommodate two (2) off street parking spaces.

Attendance	Jerry DeFeo and Bruce Astin were both absent in June. No meeting was held in July. Bruce Bishop and Jason Lain were both absent in August. All nine (9) Board Members were present for the September meeting.
Funding Requests	None
Annual Report to Council	None

Request for Policy Decisions	None
Council Notes	
Recap of Quarter 3	Annual elections were held in accordance with the Boards Rules and Procedures at the September 18, 2019 meeting (the first meeting held after September 1 of each year). These elections provided John McDonald the Chairman position with Bruce Bishop as Vice Chair and Bruce Astin as 2nd Vice Chair. Additionally, at the August 21, 2019 meeting the Board was provided information on House Bills 2439 and 2497 and their impact on the Boards operating procedures and items allowed to be taken under consideration. This meeting also required an update to the existing Rules and Procedures that are in the process of being forwarded to Council for approval (as required by the new House Bill).

Contact Information

BOARD CHAIRPERSON: John McDonald

OFFICE PHONE: 972-530-8931 (home number)

MOBILE PHONE: 469-531-1349

EMAIL: christamcdonald1@verizon.net

STAFF LIAISON: Jim Olk

OFFICE PHONE: ext. 2304

MOBILE PHONE: 214-850-5077

EMAIL: jolk@garlandtx.gov

Board and Commission Report

Quarterly Report

BOARD: Community Multicultural Commission

DATE: 9/30/19

Board Summary

The Community Multicultural Commission convened on the following dates:

July 18
August 15
September 19.

Attendance	Included in the Boards and Commissions Master Attendance Report
Funding Requests	\$65 for banquet ticket (Chris Alvarez) Garland Association For Hispanic Affairs \$1808.02 Census marketing materials / giveaway items
Annual Report to Council	CMC presented an annual report to the Council July 15.

Request for Policy Decisions	In September there was a request to the City Manager Bradford to participate in the county-wide Census initiative. A resolution and ILA will be presented to Council for consideration on October 21.
Council Notes	
Recap of Quarter 3	CMC participated in the following events: Asian Soccer Tournament / Asian Night Market Hosted a Community Conversation NAACP Back to School Health Fair / NAACP Brunch Backpack Drive – Hollabaugh Recreation Center Literacy for Life Citywide Children's Festival

Contact Information

BOARD CHAIRPERSON: Jennifer Nguyen

OFFICE PHONE:

MOBILE PHONE: 214-274-4128

EMAIL: jennifer.nguyen50@gmail.com

STAFF LIAISON: René Dowl

OFFICE PHONE: 972-205-2404

MOBILE PHONE: 214-504-5547

EMAIL: rdowl@garlandtx.gov

Board and Commission Report

Quarterly Report

BOARD: Downtown and Forest/Jupiter TIF

DATE: 10/21/19

Board Summary

The primary purpose of the Downtown and Forest/Jupiter TIF Board is to make recommendations to City Council related to the Downtown and Forest/Jupiter TIF Zones Project and Financing Plan. Funds flowing into the Downtown and Forest/Jupiter TIF Fund may only be disbursed according to a Council approved Project and Financing Plan.

Attendance	August 7th Meeting: Cary Hudson, Marie Purser, Joseph Schroeder, Kathleen Hansrote, Allan Stafford, Rick Lossenberg.
Funding Requests	An additional \$35,000 of funding was requested and approved by City Council in the FY 2019-20 Budget to establish a three month Downtown restroom pilot program to study the effectiveness of a possible long-term solution. The funding for this item came from the Downtown TIF Fund Balance.
Annual Report to Council	The Next TIF Board meeting will be held on October 16, 2019. Any further recommendations for projects and/or funding will be brought forward to City Council before January 2020.

Request for Policy Decisions	None
Council Notes	None
Recap of Quarter 3	The TIF Board met on August 7, 2019 to discuss new projects and funding request to present to the City Council. The 6.5 cent tax rate increase and 10% increase in the tax base in the zone is expected to provide additional funding for the TIF zone. Three specific projects were discussed including a pilot program for Downtown Restrooms, a Business Grant Program, and Forest/Jupiter area projects. The Board brought forward the request for a pilot program for Downtown restrooms in the amount of \$35,000 which was funded by City Council during the FY 2019-20 Budget process.

Contact Information

BOARD CHAIRPERSON: Joseph Shroeder

OFFICE PHONE: 214-738-3969

MOBILE PHONE:

EMAIL: jpauljones@gmail.com

STAFF LIAISON: Matt Watson

OFFICE PHONE: 972-205-2355

MOBILE PHONE: 713-252-3537

EMAIL: mwatson@garlandtx.gov

Board and Commission Report

Quarterly Report

BOARD: Environmental and Community Board

DATE: 9/25/19

Board Summary

ECAB convened for three regular meetings during the reporting period of April 1, 2019 - June 30, 2019: April 10, May 9, and June 12.

Attendance	April 10, 2019 - Present: Jim Dobbins, John Ball, Bob Bruns, Dennis Garcia, Betty Roberts, Caleb Ernst, Reba Collins, Ken Risser. Absent: Jason Collard. May 8, 2019 - Present: Jim Dobbins, John Ball, Bob Bruns, Dennis Garcia, Betty Roberts, Caleb Ernst, Reba Collins, Jason Collard, Ken Risser. June 12, 2019 - Present: Jim Dobbins, John Ball, Bob Bruns, Betty Roberts, Caleb Ernst, Reba Collins, Jason Collard, Ken Risser. Absent: Dennis Garcia.
Funding Requests	None.
Annual Report to Council	None

Request for Policy Decisions	None.
Council Notes	N/A
Recap of Quarter 3	N/A

Contact Information

BOARD CHAIRPERSON: Reba Collins, District 7

OFFICE PHONE:

MOBILE PHONE: 972-742-0312

EMAIL: rcollins20@verizon.net

STAFF LIAISON: Uriel Villalpando, EWS Director

OFFICE PHONE: 972-205-3424

MOBILE PHONE: 214-228-5248

EMAIL: UVillalp@garlandtx.gov

Board and Commission Report

Quarterly Report

BOARD: Environmental and Community Board

DATE: 9/25/19

Board Summary

ECAB convened for three regular meetings during the reporting period of July 1, 2019 - September 30, 2019: July 10, August 14, and September 11.

Attendance	July 10, 2019 - Present: John Ball, Bob Bruns, Dennis Garcia, Betty Roberts, Caleb Ernst, Reba Collins, Ken Risser. Absent: Jim Dobbins, Jason Collard. August 14, 2019 - Present: Jim Dobbins, John Ball, Bob Bruns, Dennis Garcia, Betty Roberts, Caleb Ernst, Reba Collins, Robert Kaaa, Ken Risser. September 11, 2019 - Present: Jim Dobbins, John Ball, Bob Bruns, Dennis Garcia, Betty Roberts, Caleb Ernst, Reba Collins, Robert Kaaa. Absent: Ken Risser.
Funding Requests	None
Annual Report to Council	None

Request for Policy Decisions	None
Council Notes	N/A
Recap of Quarter <u>3</u>	N/A

Contact Information

BOARD CHAIRPERSON: Reba Collins, District 7

OFFICE PHONE:

MOBILE PHONE: 972-742-0312

EMAIL: rcollins20@verizon.net

STAFF LIAISON: Uriel Villalpando, EWS Director

OFFICE PHONE: 972-205-3424

MOBILE PHONE: 214-228-5248

EMAIL: UVillalp@garlandtx.gov

Board and Commission Report

Quarterly Report

BOARD: Garland Cultural Arts Commission

DATE: 10/1/19

Board Summary

Attached are the approved minutes from Garland Cultural Arts Commission and Garland Cultural Arts Commission, Inc.'s April 16, 2019 meetings, which were approved at their quarterly meeting held July 16, 2019. At the July 16 meeting, Craig Wright, Treasurer, went over the Financial Statements for the three months ending June 30, 2019 which were prepared by Clopton & Company, LLC.

The Garland Cultural Arts Commission, Inc. announced the 2019-20 Grant Program for local arts groups, historic preservation organizations, and other artistic entities. Applications were available to be picked up beginning Thursday, Aug. 1 at the Granville Arts Center. Applications were available through Thursday, Sept. 19. Completed applications were accepted until 4 p.m. Friday, Sept. 20. Interviews were held with the applicants on Thursday, Sept. 26 at the Granville Arts Center. The Grant meeting will be held on October 1, 2019 following the quarterly GCAC and GCACI meetings.

Attendance	July 16, 2019 Quarterly Meeting 7 Members and 3 Staff present 2 Member absent
Funding Requests	\$32.97 was the total for refreshments for the quarterly meeting.
Annual Report to Council	The Garland Cultural Arts Commission presented its 2018 Annual Report to the Council on July 9.

Request for Policy Decisions	No requests at this time.
Council Notes	
Recap of Quarter 3	

Contact Information

BOARD CHAIRPERSON: DeAnne Driver

OFFICE PHONE: 972-271-1115

MOBILE PHONE: 972-271-1115

EMAIL: sddriver@tx.rr.com

STAFF LIAISON: Patty Granville

OFFICE PHONE: 972-205-2789

MOBILE PHONE: 214-803-4448

EMAIL: pgranvil@garlandtx.gov



GARLAND

PARKS, RECREATION & CULTURAL ARTS

MEMORANDUM

DATE: July 17, 2019
TO: Bryan Bradford, City Manager
FROM: Patty Granville, Director of Cultural Facilities (? *t2J*)
RE: **Garland Cultural Arts Commission**

The City's agreement with Garland Cultural Arts Commission, Inc. asks for a quarterly written report to the City Council, through the City Manager. This report will be submitted to the City Secretary by October 1, 2019. Attached are approved minutes from Garland Cultural Arts Commission and Garland Cultural Arts Commission, Inc.'s April 16, 2019 meetings, which were approved at their quarterly meeting, held July 16, 2019.

At the July 16, 2019 meeting, Craig Wright, Treasurer, went over the Financial Statements for the three months ending June 30, 2019 which were prepared by Clopton & Company, LLC.

Please advise if further information is needed.

Thank you.



GARLAND

MINUTES

The Garland Cultural Arts Commission of the City of Garland convened in regular session at 4:00 p.m. on Tuesday, April 16, 2019, in the Council Work Session Room of City Hall, 200 North Fifth Street, Garland, Texas, with the following members:

Present: Joann Traylor
DeAnne Driver
Reta Day
Craig Wright
Karla Pajot
Sheri Stevens
Steven Phelps
Devon Miller

Absent: Blanca Sanchez

Staff Present: Debbie McAnally, Granville Arts Center Business Manager
Patty Granville, Granville Arts Center Director
Raycheal Shaheed, Granville Arts Center Administrative Assistant

Attendees: Harlan Seagren, GCAC Visual Arts Committee Chair
Letecia McNatt, Downtown Projects Coordinator
Scott Bollinger, Office of Neighborhood Vitality

1. **APPROVAL OF MINUTES**

Approval of Minutes for the January 22, 2019 meeting

There being no additions or corrections to the minutes from the regular meeting held January 22, 2019, **Motion** was made by Sheri Stevens, seconded by Joann Traylor, to accept the minutes as submitted. **Motion carried** - unanimous.

2. **ITEMS FOR INDIVIDUAL CONSIDERATION**

A. Discuss Future Needs Assessment Plan

Patty Granville spoke on the proposed Needs Assessment Plan for the Garland Culultural Arts Commission. This has been suggested by a Councilman so that plans can be made for the future of the GCAC. Patty explained the difference in a Needs

Assessment Plan compared to a Master Plan. This will be addressed in the proposed budget.

B. Report from Letecia McNatt, Downtown Projects Coordinator, Downtown Development Office

Letecia McNatt gave an overview of the downtown projects currently underway and those planned for the future. There are three focus area: support to local businesses, infrastructure assessment, and marketing. The topics she spoke on included downtown parking, Square redesign, 506 Art (formerly 506 Main), and interactive play on the Downtown Square. One upcoming event the GCAC was invited to participate in is the Downtown Wine Walk being held on Saturday, May 18th from 3:30 p.m. to 7 p.m. This will include wine tastings, an interactive mural and Art vendors on the square. Steven Phelps will be involved in the graphic design and the Commissioners were asked to help in the art area.

C. Report from Scott Bollinger, Comprehensive Planning Administrator, Office of Neighborhood Vitality, on Oates Road Mural

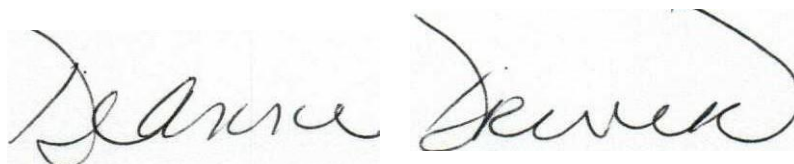
Scott Bollinger gave an overview of "Where the Heart Is," a collaboration of residents with their neighbors, City staff, local businesses, schools, nonprofits, elected officials, community centers and places of worship to create a neighborhood-devised action plan. Each year the program will look at different areas, depending on neighborhood desires. The goal is to build a community among neighbors, stimulate home improvements, and bring all together to identify what projects or changes they want to see happen around them. This year, the Gatewood neighborhood will be working on Saturday, April 27 to complete a mural on a prepared wall located at Duckcreek and Oates.

D. Monthly Reports for Granville Arts Center for the months of January, February and March, 2019 (including The Atrium and Plaza Theatre)

Included in the Director's Report were monthly reports for January, February and March, 2019. Patty Granville reported that all venues are doing well and we are off to another great start. Factors contributing to the success this year include the National Dance Competitions and Indian Arangetrams.

3. **ADJOURN**

There being no further business to come before the Commission, **Motion** was made by Karla Pajot, seconded by Sheri Stevens, to adjourn. **Motion** carried - unanimous.

A handwritten signature in black ink, appearing to read "Karla Pajot", written on a light-colored background.

The Garland Cultural Arts Commission, Inc. met in regular session following the meeting of the Garland Cultural Arts Commission on Tuesday, April 16 , 2019, in the Council Work Session Room of City Hall.

Members Present: DeAnne Driver, Chairman
Sheri Stevens, Vice Chairman
Craig Wright, Treasurer
Reta Day
Karla Pajot
Devon Miller
Steven Phelps
Joann Traylor

Members Absent: Blanca Sanchez

Staff Present: Patty Granville, GAC Director
Debbie McAnally, GAC Business Manager
Raycheal Shaheed, GAC Administrative Assistant

Attendees: Harlan Seagren, Visual Arts Committee Chairman

1. Roll Call

The meeting was called to order by Chairman Driver.

2. Approval of the Minutes

There being no additions or corrections to the minutes from the regular meeting held January 22, 2019, **Motion** was made by Sheri Stevens, seconded by Devon Miller , to accept the minutes as submitted. **Motion carried** - unanimous .

3. Treasurer' s Report

The financial report, prepared by Cathy Clopton, CPA, Clopton & Company, LLC, for the period ending March 31, 2019, was given by Craig Wright, Treasurer.

The Commission discussed the activities and the interactive mural that will be painted at the Wine Walk in Downtown Garland on May 1gth. Steven Phelps will be coordinating the mural design. Patty Granville is checking into the costs of six panels for the event that the GCACI may want to purchase. The panels will allow murals to rotate out for other designs. A proposed mural was also discussed that will be painted on a side wall of Roach Feed and Seed. The Commission may want to partner with Robert Smith on this project. Once costs are in, Patty will email to the Commissioners to vote on.

Patty reported that at this time, the mural guidelines have not been established. The Art Committee came up with a draft, but this will be revisited at a later date. The Commission also discussed the need for policies on future events such as the Wine Walk be written.

4. Appointment of Grant Review Committee

A committee was appointed by Chairman Driver to review and update the grant application for the upcoming 2019-2020 program. The committee will be made up of Chairman Driver, Reta Day, Devon Miller, and Karla Pajot. The review committee will on Tuesday, June 11 at 4pm in the Granville Arts Center meeting room. All Commissioners were invited to attend.

5. Invoice of Sculpture Billing

Patty Granville met with an Internal Audit staff member to discuss annual payments to the City of Garland for repayment of the sculpture. It was suggested that an invoice be sent each January to the Garland Cultural Arts Commission, Inc. from the Finance Department. The annual payment to the City is \$12,667.00. The 2019 payment was made in January, leaving a balance of \$76,000.

6. Communications and Enclosures

Included in the Agenda was a thank you card from the Garland Chamber of Commerce for membership renewal.

7. Adjourn

There being no further business on the agenda, **Motion** was made by Sheri Stevens, seconded by Devon Miller that the meeting adjourn. **Motion carried** - unanimous.

APPROVED BY:



Anne Driver
Anne Driver, Chairman

GARLAND CULTURAL ART CO M M IO ' I C.

FI A CIAL TATE IE T

JUNE 30, 2019

CLOPTON & COMPANY, LLC

Certified Public Accountants

Management is responsible for the accompanying financial statement of Garland Cultural Arts Commission, Inc., which comprise the statement of assets, liabilities, and fund balance as of June 30, 2019 and the related statement of receipt and disbursement for the period ended June 30, 2019 in accordance with the income tax basis of accounting, and for determining that the income tax basis of accounting is an acceptable financial reporting framework. We have performed a compilation engagement in accordance with Statement on Standards for Accounting and Review Services promulgated by the Accounting and Review Service Committee of the AICPA. We did not audit or review the financial statement nor were we required to perform any procedure to verify the accuracy or completeness of the information provided by management. Accordingly, we do not express an opinion, a conclusion, nor provide any form of assurance on the financial statements.

The financial statement are prepared in accordance with the income tax basis of accounting, which is a basis of accounting other than accounting principles generally accepted in the United States of America.

Management has elected to omit substantially all the disclosures ordinarily included in financial statements prepared in accordance with the income tax basis of accounting. If the omitted disclosures were included in the financial statements, they might influence the user's conclusion about the company's assets, liabilities, equity, revenue, and expense. Accordingly, the financial statement are not designed for those who are not informed about such matters.



Clopton & Company, LLC
Clopton & Company, LLC

Garland, Texas

July 8, 2019

Garland Cultural Arts Commission , Inc.
Statement of Assets, Liabilities & Fund Balance
June 30, 20H

	<u>Jun 30, 19</u>
ASSETS	
Current Assets	
Checking /Savings	
Chase Operating	14 ,671.01
Chase Sculpture	<u>7,029.28</u>
Total Checking /Saving!	<u>21,700.29</u>
Total Current Assets	<u>21,700.29</u>
TOTAL ASSETI:	<u>21,700.29</u>
LIABILITIES & EQUITI	
Equity	
Fund Balance-Unrestricted	18,845.17
Net Income	<u>2,855.12</u>
Total Equity	<u>21,700.29</u>
TOTAL LIABILITIES & EQUITt	<u>21,700.29</u>

See accompanying accountants' repor1

Garland Cultural Arts Commission, Inc.
Statement of Receipts & Disbursements
For the Three Months and Nine Months Ended June 30, 201

	<u>Apr - Jun 19</u>	<u>Oct '18 - Jun 19</u>
Ordinary Income/Expense		
Income		
Grant Income	0.00	152,551.00
Newsletter Sponsorships	0.00	1,600.00
Art Sculpture Donations	0.00	300.00
Miscellaneous Income	0.00	152.00
	<u>0.00</u>	<u>154,611.00</u>
Total Income	0.00	154,611.00
Gross Profit	0.00	154,611.00
Expense		
Accounting & Legal	400.00	600.00
Art Sculpture	0.00	12,667.00
Awards	0.00	4,211.00
Dues & Membership	0.00	550.00
Grants	0.00	119,800.00
Meetings & Conference	0.00	2,445.72
Mural	1,800.00	1,800.00
Newsletters	9,682.16	9,682.16
	<u>11,882.16</u>	<u>151,751.88</u>
Total Expense	11,882.16	151,751.88
Net Ordinary Income	(11,882.16)	2,855.12
Net Income	(11,882.16)	2,855.12

See accompanying accountants' report

Garland Cultural Arts Commission, Inc.
General Ledger
As of June 30, 2019

Date	Num	Name	Memo	Debit	Credit	Balance
Chase Operating						9,970.17
10/01/2018	3202	Clopton & Comp...			200.00	9,770.17
10/05/2018			Do Bandera	400.00		10,170.17
10/15/2018		City of Garland		152,555.00		162,725.17
10/17/2018	3206	Garland sympho...			26,000.00	136,725.17
10/17/2018	3205	Garland Summer ...			27,500.00	109,225.17
10/17/2018	3210	Company of Row...			7,000.00	102,225.17
10/17/2018	3207	Achievement Cen...			5,000.00	97,229.17
10/17/2018	3211	Friends of Magic ...	1/2 of grant		1,120.00	96,109.17
10/17/2018	3213	Lake Cities Chor...			1,500.00	94,609.17
10/17/2018	3209	Breitling Youth T...			2,500.00	92,109.17
10/17/2018	3204	Garland Civic Thr...			25,500.00	66,609.17
10/17/2018	3215	Texas Winds Mu...			00.00	65,809.17
10/17/2018	3212	Garland Landmar...			2,864.00	62,945.17
10/17/2018	3214	Dallas Ballet			14,890.00	48,045.17
10/17/2018	3208	Alpine Dancers			1,500.00	46,549.17
10/19/2018			Texas Brand ...	400.00		46,949.17
10/31/2018			Garland Const...	400.00		47,349.17
11/27/2018			Deposit	552.00		47,901.17
01/15/2019	3216	Garland Chamber...			150.00	47,751.17
01/15/2019	3203	Browning Trophies	engrave plates		10.00	47,741.17
01/18/2019	3217	Garland Chamber...			150.00	47,591.17
01/21/2019	3219	Breitling Youth T...			2,500.00	45,091.17
01/21/2019	3220	City of Garland			12,667.00	32,424.17
01/22/2019	321	Friends of Magic ...	1/2 of grant		1,120.00	31,304.17
02/15/2019	3221	Garland Chamber...			550.00	30,754.17
02/18/2019	3222	Browning Trophie			301.00	30,453.17
03/18/2019	3223	Stephanie Nunez	BO Show		100.00	30,353.17
03/18/2019	3224	Reveida Cabello	1st B&W Draw		175.00	30,178.17
03/18/2019	3225	Jelmifer Lopez	2nd B&W		125.00	30,053.17
03/18/2019	3226	McKayla Moncri...	3rd B&W		100.00	29,953.17
03/18/2019	3227	Imey Quintana	4th B&W		75.00	29,878.17
03/18/2019	3228	Stephanie [Nunez	1st Draw Color		175.00	29,703.17
03/18/2019	3229	Tatum Villareal	2nd Draw Color		125.00	29,578.17
03/18/2019	3230	Reveida Cabello	3rd Draw Color		100.00	29,478.17
03/18/2019	3231	Ivy Ly	4th Draw Color		75.00	29,403.17
03/18/2019	3232	Adriana Cortez	1st painting		175.00	29,228.17
03/18/2019	3233	Coco Ezebuego-...	2nd painting		125.00	29,103.17
03/18/2019	3234	Susan Montes	3rd painting		100.00	29,003.17
03/18/2019	3235	Julian Lepeda	4th painting		75.00	28,928.17
03/18/2019	3236	Morgan Towusend	1st sculpt		175.00	28,753.17
03/18/2019	3237	DeYonte Gaines	2nd sculpt		125.00	28,628.17
03/18/2019	323	Angel Gutierrez	3rd sculpt		100.00	28,528.17
03/18/2019	3239	Ashley Bollman	4th sculpt		75.00	28,453.17
03/18/2019	3240	Harley Ganstek	1st		175.00	28,278.17
03/18/2019	3241	Morgan Towlison	2nd		125.00	28,153.17
03/18/2019	3242	Charles Ballew	3rd		100.00	28,053.17
03/18/2019	3243	Aliza Dun	4th		75.00	27,978.17

Garland Cultural Arts Commission, Inc.

General Ledger

As of June 30, 2019

Date	Num	Name	Account	Debit	Credit	Balance
03/18/2019	3244	Jennifer Lopez	1st multi-media		175.00	27,803.17
03/18/2019	3245	Kyle Penner	2nd multi-media		125.00	27,678.17
03/18/2019	3246	Kyle Penner	3rd multi-media		100.00	27,578.17
03/18/2019	3247	Jake Gartrell	4th multi-media		75.00	27,503.17
03/18/2019	3248	Breanna Reynolds	1st ceramic sculpture		175.00	27,328.17
03/18/2019	3249	Maya Fir	2nd ceramic sculpture		125.00	27,203.17
03/18/2019	3250	Elise Butcher	3rd ceramic sculpture		100.00	27,103.17
03/18/2019	3251	Maya Fir	4th ceramic sculpture		75.00	27,028.17
03/18/2019	3252	Paige Castleman	1st ceramic sculpture		175.00	26,853.17
03/18/2019	3253	Stephanie Nunez	2nd ceramic sculpture		125.00	26,728.17
03/18/2019	3254	Devonte Gaines	3rd ceramic sculpture		100.00	26,628.17
03/18/2019	3255	Michelle Moreno	4th ceramic sculpture		75.00	26,553.17
04/04/2019	3256	Clopton & Comp...	4Q18		200.00	26,353.17
04/05/2019	3257	Clopton & Comp...	1Q19		200.00	26,153.17
05/08/2019	3258	Executive Press			4,707.55	21,445.62
05/11/2019	3259	Cullin Lassiter	1/3 cost		1,500.00	19,945.62
05/11/2019	3260	Cullin Lassiter	Install panels L		300.00	19,645.62
06/27/2019	3261	Executive Press			4,974.61	14,671.01
Total Change Operating				154,311.00	149,610.16	14,671.01
Chase Sculpture						8,875.00
10/01/2018	1741	Louie Salazar	Install plaque/...		750.00	8,125.00
10/02/2018	1742	Guess Who's Co...	Sculpture Rec...		1,087.50	7,037.50
10/07/2018	1743	Deanne Driver	Reimbursement ...		308.22	6,729.28
01/14/2019			Nameplate for...	300.00		7,029.28
Total Chase Sculpture				300.00	2,145.72	7,029.28
Fund Balance-Unrestricted						-29,851.17
12/31/2018	RES...		To close out ...	11,000.00		-18,851.17
Total Fund Balance -Unrestricted				11,000.00	0.00	-18,851.17
Fund Balance-Sculpture						11,006.00
12/31/2018	RES...		To close out s...		11,000.00	0.00
Total Fund Balance-Sculpture				0.00	11,000.00	0.00
Grant Income						0.00
10/15/2018		City of Garland			152,555.00	-152,555.00
Total Grant Income				0.00	152,555.00	-152,555.00
Newsletter Sponsorship						0.00
10/05/2018			Dos Banderas		400.00	-400.00
10/19/2018			Texas Brand ...		400.00	-800.00
10/31/2018			Garland Const...		400.00	-1,200.00
11/27/2018			Atmos Energy		400.00	-1,600.00

Garland Cultural Art Commission, Inc.

General Ledger

As of Jun 30, 2019

Date	Num	Name	Memo	Debit	Credit	Balance
Total	ewsletter	ponsor hips		0.00	1,600.00	-1,600.00
Art sculpture Donation s						0.00
01/14/2019			ameplate for...		300.00	-300.00
Total Art Sculpture	Donation			0.00	300.00	-300.00
Miscellaneous Income						0.00
11/27/2018			GSM reimb fo...		152.00	-152.00
Total Mi cellaneous	Income			0.00	152.00	-152.00
Accounting & Legal						0.00
10/01/2018	3202	Clopton & Comp...		200.00		200.00
04/04/2019	3256	Clopton & Comp...	4Q 18	200.00		400.00
04/05/2019	3257	Clopton & Comp...	1Q19	200.00		600.00
Total Accounting	& Legal			600.00	0.00	600.00
Art sculpture						0.00
01/21/2019	3220	City of Garland		12,667.00		12,667.00
Total Art Sculpture				12,667.00	0.00	12,667.00
Awards						0.00
01/15/2019	3203	Browning Trophies	engra, e plates	10.00		10.00
02/18/2019	3222	Brmm ing Trophies		301.00		311.00
03/18/2019	3223	tephanie runez	BO how	100.00		411.00
03/18/2019	3224	eveida Cabello	1 t B&W Draw	175.00		586.00
03/18/2019	3225	Jel1nifor Lopez	2nd B&W	125.00		711.00
03/18/2019	3226	McKayla Moncri...	3rd B&W	100.00		811.00
03/18/2019	3227	imey Quintana	4th B&W	75.00		886.00
03/18/2019	3228	tephanie runez	1 t Draw Color	175.00		1,061.00
03/18/2019	3229	Tatum Villareal	2nd Draw Color	125.00		1,186.00
03/18/2019	3230	eveida Cabello	3rd Draw Color	100.00		1,286.00
03/18/2019	3231	Ivy Ly	4th Draw Color	75.00		1,361.00
03/18/2019	3232	Adriana Cortez	1st painting	175.00		1,536.00
03/18/2019	3233	Coco Ezebuego...	2nd painting	125.00		1,661.00
03/18/2019	3234	Susan Monte	3rd painting	100.00		1,761.00
03/18/2019	3235	Julian Lepeda	4th painting	75.00		1,836.00
03/18/2019	3236	Morgan Townsend	1 t culpt	175.00		2,011.00
03/18/2019	3237	Devonte Gaines	2nd Sculpt	125.00		2,136.00
03/18/2019	3238	Angd Gutierrez	3rd culpt	100.00		2,236.00
03/18/2019	3239	Ashley Bollman	4th culpt	75.00		2,311.00
03/18/2019	3240	Harley Ganstek	1st	175.00		2,486.00
03/18/2019	3241	Morgan Townsend	2nd	125.00		2,611.00
03/18/2019	3242	Charles Ballew	3rd	100.00		2,711.00
03/18/2019	3243	Aliza Dun	4th	75.00		2,786.00
03/18/2019	3244	Jewlifor Lopez	1st multi-media	175.00		2,961.00
03/18/2019	3245	Kyle Penner	2nd multi-media	125.00		3,086.00

Garland Cultural Arts Commission, Inc.

General Ledger

As of June 30, 2019

Date	Num	Name	Item	Debit	Credit	Balance
03/18/2019	3246	Kyle Penner	3rd multi-media	100.00		3,186.00
03/18/2019	3247	Jake Gartrell	4th multi-media	75.00		3,261.00
03/18/2019	324	B reanna Reynolds	1 t ceramic sc...	175.00		3,436.00
03/18/2019	3249	Maya Fir	2nd ceramic s...	125.00		3,561.00
03/18/2019	3250	Elise Butcher	3rd ceramic sc..	100.00		3,661.00
03/18/2019	3251	Maya Fir	4th ceramic c..	75.00		3,736.00
03/18/2019	3252	Paige Castleman	1st ceramic ve..	175.00		3,911.00
03/18/2019	3253	Stephanie Nunez	2nd ceramic "...	125.00		4,036.00
03/18/2019	3254	Devonte Gaines	3rd ceramic ve..	100.00		4,136.00
03/18/2019	3255	Michelle Moreno	4th ceramic ve..	75.00		4,211.00
Total Awards				4,211.00	0.00	4,211.00
Dues & Memberships						0.00
02/15/2019	3221	Garland Chamber...		550.00		550.00
Total Dues & Memberships				550.00	0.00	550.00
Grants						0.00
10/17/2018	3206	Garland Sympho...		26,000.00		26,000.00
10/17/2018	3205	Garland Summer ...		27,500.00		53,500.00
10/17/2018	3210	Company of Row...		7,000.00		60,500.00
10/17/2018	3207	Achievement Cen ...		5,000.00		65,500.00
10/17/2018	3211	Friends of Magic ...	1/2 of grant	1,120.00		66,620.00
10/17/2018	3209	Breitling Youth T...		2,500.00		69,120.00
10/17/2018	3204	Garland Civic Th..		25,500.00		94,620.00
10/17/2018	3215	Texas Winds Mu...		800.00		95,420.00
10/17/2018	3212	Garland Landmar...		2,864.00		98,284.00
10/17/2018	3214	Dallas Ballet		14,890.00		113,174.00
10/17/2018	3213	Lake City's Chor...		1,500.00		114,674.00
10/17/2018	3208	Alpine Dancers		1,500.00		116,174.00
01/21/2019	3219	Breitling Youth T...		2,500.00		118,674.00
01/22/2019	3218	Friends of Magic ...	Bal of grant	1,120.00		119,794.00
Total Grants				119,794.00	0.00	119,794.00
Meetings & Conferences						0.00
10/01/2018	1741	Louis Salazar	Install plaque/...	750.00		750.00
10/02/2018	1742	Guess Who's Co...	Sculpture Rec ...	1,087.50		1,837.50
10/07/2018	1743	Deanne Driver	Reimburseme...	308.22		2,145.72
01/15/2019	3216	Garland Chamber...		150.00		2,295.72
01/18/2019	3217	Garland Chamber...		150.00		2,445.72
Total Meetings & Conferences				2,445.72	0.00	2,445.72
Turnout						0.00
05/11/2019	3259	Cullin Lassiter	1/3 cost	1,500.00		1,500.00
05/11/2019	3260	Cullin Lassiter	Install panels f...	300.00		1,800.00

Ga rland Cultural Arts Commission, Inc.

General Ledger

As of June 30, 2019

Date	Debit	Amount	Debit	Credit	Balance
Total Mural			1,800.00	0.00	1,800.00
ewsletter					0.00
05/08/2019 325		Executive Press	4,707.55		4,707.55
06/27/2019 3261		Executive Pre	4,974.61		9,682.16
Total ewslette1			9,682.16	0.00	9,682.16
TOTAL			317,372.88	317,372.88	0.00

Board and Commission Report

Quarterly Report

BOARD: Garland Economic Development Authority, Inc.

DATE: 10/21/19

Board Summary

Pursuant to the Texas Legislature passing the Development Act of 1979, the Garland Economic Development Authority, Inc. (GEDA) was organized to provide tax-exempt financing to eligible businesses locating or expanding in the City, with the last financing agreement occurring in the late 1990's. The affairs of the GEDA is managed by a Board of Directors which consist of three (3) individuals appointed by the City Council and who hold office for a term of six (6) years. Currently, the GEDA has a cash balance of approximately \$60,000 that may be allocated to programs or projects eligible under the Development Corporation Act of 1979.

The GEDA Board of Directors have met twice during the reporting period of October 1, 2018 to September 30, 2019. At these meetings the financial statements were reviewed and one grant application was considered. The Board of Directors decided not to fund the grant application at the present time.

Since April 17, 1990, the individuals serving on the Board of Directors for the Garland Health Facilities Development Corporation (GHFDC) have been the same individuals serving on the Board of Directors for the GEDA.

Attendance	Ferrin (Hamp) Holcomb Dr. Lindy Perkins Herbert Logan
Funding Requests	None at this time.
Annual Report to Council	The GEDA will provide an Annual Report to City Council at a future Council meeting.

Request for Policy Decisions	None at this time.
Council Notes	None at this time.
Recap of Quarter 3	The Board of Directors met on September 11, 2019. The Board reviewed the year to date financial statements and set meeting for November 13, 2019.

Contact Information

BOARD CHAIRPERSON: Lindy Perkins

OFFICE PHONE: 469-543-0023

MOBILE PHONE:

EMAIL: perkyns@hotmail.com

STAFF LIAISON: Matt Watson

OFFICE PHONE: 972-205-2355

MOBILE PHONE: 713-252-3537

EMAIL: mwatson@garlandtx.gov

Board and Commission Report

Quarterly Report

BOARD:

DATE:

Board Summary

Attendance	
Funding Requests	
Annual Report to Council	

Request for Policy Decisions	
Council Notes	
Recap of Quarter 3	

Contact Information

BOARD CHAIRPERSON:

OFFICE PHONE:

MOBILE PHONE:

EMAIL:

STAFF LIAISON:

OFFICE PHONE:

MOBILE PHONE:

EMAIL:

Board and Commission Report

Quarterly Report

BOARD:

DATE:

Board Summary

Attendance	
Funding Requests	
Annual Report to Council	

Request for Policy Decisions	
Council Notes	
Recap of Quarter 3	

Contact Information

BOARD CHAIRPERSON:

OFFICE PHONE:

MOBILE PHONE:

EMAIL:

STAFF LIAISON:

OFFICE PHONE:

MOBILE PHONE:

EMAIL:

First Name	Last Name	Total Absences	Retreat 8/3/19	Induction 8/20/19	Mtg 9/10/19	Mtg 9/24/19	Mtg 10/8/19	Mtg 10/22/19	Mtg 11/12/19	COTS 12/5/19	Holiday Party 12/10/19	Council Presentation 12/16/19	Mtg 1/14/20	Mtg 1/28/20	Mtg 2/11/20	Mtg 2/25/20	Mtg 3/24/20	Mtg 4/14/20	Mtg 4/28/20	Mtg 5/12/20	Council Presentation 5/18/20
Anna	Ngo		Present	Present	Present	Absent	Present														
Ariella	Colunga		Present	Present	Present	Present	Present														
Benicio	Castillo		Absent	Present	Present	Present	Present														
Hailey	Gonzalez		Present	Present	Present	Present	Present														
Jacob	Miranda		Present	Present	Present	Present	Present														
Jade	Martinez		Absent	Absent	Absent	Absent	Absent														
Joshua	Bradley		Present	Present	Present	Absent	Present														
Joshua	Erazo		Present	Present	Present	Present	Present														
Jotham	Simon		Absent	Present	Present	Present	Present														
Kylie	Lavinsky		Present	Present	Present	Present	Absent														
Leah	Tharakan		Present	Present	Present	Present	Present														
Michelle	Nguyen		Present	Present	Present	Absent	Present														
Olivia	Glick		Present	Present	Present	Present	Present														
Sarah	Cox		Absent	Present	Present	Present	Absent														
Serene	Haroon		Present	Present	Present	Present	Present														
Sydney	Colon		Present	Present	Present	Present	Present														
Tisha	Gautam		Present	Present	Present	Present	Absent														
Victoria	Penick		Present	Present	Present	Present	Present														
Ximena	Coronado		Absent	Present	Present	Present	Absent														

LE - Left Early

L - Late (more than 10 minutes)

NC - Absent w/o notifying

Board and Commission Report

Quarterly Report

BOARD: I-30 TIF Board

DATE: 10/21/19

Board Summary

The primary purpose of the I-30 TIF Board is to make recommendations to City Council related to the I-30 TIF Zones Project and Financing Plan. Funds flowing into the TIF Fund may only be disbursed according to this approved Project and Financing Plan. Currently, the I-30 TIF project plan includes funding to offset a portion of the Harbor Point (Bass Pro) debt service and an Economic Development agreement to rebate the property tax increment associated with the Bass Pro development. The I-30 TIF Fund is not expected to have funding to support additional projects. However, an annual meeting is held to update the Board on other projects the City is working on that will impact the area and to receive the Boards feedback.

Attendance	August 28th Meeting: Bill Swisher, Tom Jefferies, Linda Waters, Marie Purser, Morgan Jones.
Funding Requests	None at this time.
Annual Report to Council	None at this time.

Request for Policy Decisions	None at this time.
Council Notes	None at this time.
Recap of Quarter 3	On August 28, 2019, staff provided the I-30 TIF Board with an update on the economic development efforts around Rosehill and transportation related projects that included the Bass Pro Drive Bridge and I-30.

Contact Information

BOARD CHAIRPERSON: Morgan Jones

OFFICE PHONE:

MOBILE PHONE: 972.240.1300

EMAIL: mjones@pawnsuperstore.com

STAFF LIAISON: Matt Watson

OFFICE PHONE: 972-205-2355

MOBILE PHONE: 713-252-3537

EMAIL: mwatson@garlandtx.gov

Board and Commission Report

Quarterly Report

BOARD: Library Board

DATE: 9/10/19

Board Summary

The Library Board convened twice during the reporting period of July 1, 2019 - September 30, 2019.

The August 12, 2019 Board Meeting was held to discuss the Texas State Library and Archives Commission Accreditation for SFY20, Budget Status Report, Master Plan Status Report, Summer Reading Program Status Report, Study Room Pilot Program, New Programs (Collaborations), and Honorary Books.

The September 9, 2019 Board Meeting was held to Elect Officers and to discuss Board Member Appointments or Reappointments, Boards and Commissions Administrative Services Committee Meeting, Budget Status Report, Master Plan Status Report and the Study Room Policy Draft.

Attendance	August 12, 2019 Present: Bettye Haynes, Patrick Dullano, Dorothy McAllister, Michael Degen, Edwina Garner, Terri Chepregi and Trellas Gotcher Absent: CorSharra Jackson September 9, 2019 Present: Bettye Haynes, Michael Degen, Edwina Garner, Dorothy McAllister, Terri Chepregi, Trellas Gotcher, and CorSharra Jackson
Funding Requests	None.
Annual Report to Council	TBA

Request for Policy Decisions	None.
Council Notes	
Recap of Quarter 3	N/A

Contact Information

BOARD CHAIRPERSON: Bettye Haynes

OFFICE PHONE:

MOBILE PHONE: 972-746-3882

EMAIL: bhaynes6@verizon.net

STAFF LIAISON: Karen Archibald

OFFICE PHONE: 972-205-2545

MOBILE PHONE: 478-973-5233

EMAIL: karchibald@garlandtx.gov

Board and Commission Report

Quarterly Report

BOARD: Park Board

DATE: 9/30/19

Board Summary

Attendance	July (Don Koerner) = P (1) Ed Seghers = P (2) Jonathan Ferguson = P (3) Jerry Carter = P (4) Molly Bishop = P (5) Margaret Lucht = P (6) Daphne Stanley = P (7) David Parrish = P (8) Kenia Hudson - Ott = P August (Don Koerner) = P (1) Ed Seghers = P (2) Jonathan Ferguson = A (3) Jerry Carter = P (4) Molly Bishop = P (5) Margaret Lucht = P (6) Daphne Stanley = A (7) David Parrish = P (8) Kenia Hudson - Ott = P September (Don Koerner) = A (1) Ed Seghers = A (2) Jonathan Ferguson = P (3) Jerry Carter = P (4) Molly Bishop = P (5) Margaret Lucht = P (6) David Morehead = P (7) David Parrish = P (8) Kenia Hudson - Ott = A
Funding Requests	July Regular Meeting: 166.75 August Regular Meeting: 157.10 September Regular Meeting: 193.69
Report to Council	

Request for Policy Decisions	
Council Notes	
Recap of Quarter 3	

Contact Information

BOARD CHAIRPERSON: Molly Bishop

OFFICE PHONE:

MOBILE PHONE: 972-613-7777

EMAIL: molly7bishop@gmail.com

STAFF LIAISON: Yvonne V. Naser

OFFICE PHONE: 972-205-2754

MOBILE PHONE:

EMAIL: ynaser@garlandtx.gov



GARLAND

MINUTES

The Parks & Recreation Board of the City of Garland convened in regular session at 7 p.m. on July 17, 2019, in the Work Session Room at City Hall, 200 North Fifth Street, Garland, Texas, with the following members:

Present: Molly Bishop, Chair
David Parrish, Board Vice Chair
Ed Seghers, Board Member
Jonathan Ferguson, Board Member
Jerry Carter, Board Member
Margaret Lucht, Board Member
Daphne Stanley, Board Member
Kenia Hudson - Ott, Board Member
Don Koerner, Board Member

Staff Present: Skip Keller, Interim Managing Director
D'Lee Williams, Recreation Director
Keith Reagan, Parks Business Manager
Ziad Kharrat, Parks Special Projects Administrator
Albert Montero, Recreation Services Manager
Casey Allison, Parks Maintenance Manager
Yvonne V. Naser, Department Coordinator II

1. APPROVAL OF MINUTES

Motion was made by Board Vice Chair David Parrish, and seconded by Board Member Margaret Lucht that the minutes of June 15, 2019 be **APPROVED** as submitted.

Vote: 8 - 0

2. ITEMS FOR INDIVIDUAL CONSIDERATION

- a. **CONSIDER RECOMMENDATION TO AMEND CITY OF GARLAND CODE OF ORDINANCE SECTION 25.05 (A)(5)**

Motion was made by Board Member Don Koerner, and seconded by Board Member Daphne Stanley to **APPROVE** the amendment of the City of Garland Code Ordinance Section 25.05 (A)(5) as presented.

<u>Identification Card Fees</u>	<u>Resident</u>	<u>Nonresident</u>
General (ages 13 and up)	\$15.00	\$20.00
Youth (ages 7 -12)	\$5.00	\$9.00
Fitness area	\$40.00	\$80.00
Replacement card	\$3.00	\$3.00
Visitor daily use	\$1.00	\$1.00

Vote: 8 - 0

b. DISCUSS CITY ORDINANCE 25.03 (G) REGARDING RIDING HORSES IN PARKS

Park Staff discussed: Section 25.03 (G) states: Unless authorized by the Director of Parks and Recreation or his designated representative(s), it shall be unlawful for any person to ride, lead or drive a horse upon any part of a city park, or allow a horse to enter upon any city park, except upon designated driveways, parking lots or bridle paths.

Currently the park system inventory does not include bridle paths for horses.

Chair referred to Policies and Programs Committee

c. WEBSITE REDESIGN

Staff discussed the City of Garland new redesigned government website which launched on Wednesday, May 22, 2019. The City's first priority in this redesign was to improve the end - user's ability to find information. A new feature, "My Garland", allows you to type in your home or business address to see what city facilities and resources serve your area.

The new GarlandTX.gov site allows you to subscribe to various calendar and informational updates, as well as continue to access and subscribe to receive public meeting agendas. To subscribe, click on the green "Notify Me" button on the left side of the screen. You'll see the various sections that are subscribable, as well as a link to "City Enewsletters." That link will take you to a subscription page specifically for the various enewsletters the City sends.

The main menu features a "Residents" tab to help those who live in Garland find resources and services specific to neighborhoods, green living, community amenities, and more.

A "Business" tab links to "Develop Services" resources, the Garland Economic Development Department, permitting information and other services specific to those doing business in Garland and with the City itself.

The "Government" tab provides direct links to City Council information, as well as an alphabetical listing of City departments. The "How Do I" tab links to specific frequently requested services and information. You will find unique design themes and navigation options for specific City departments, including Arts, Aquatics, Economic Development, Library, Parks & Recreation and Utility Customer Service. The departments now have more complex structure and service options for their audiences. But no matter where you are on the site, the City logo in the top left corner will get you back to the main City home page.

d. BRIEFING ITEMS

1. Windsurf Bay Park - July 4 Holiday Update
2. Little League Tournament Update
3. Asian American Soccer Tournament Update
4. Request for Batting Cages in Central Park - **Referred to the Facilities and Finance Committee by Board Chair**

5. Park Board Retreat Update - **Staff will update at the August 2019 meeting**
6. Carver Grand Re-Opening Event Re-Cap

e. MONTHLY REPORTS

1. Capital Improvement Projects and Studies - Design & Development Division
2. Special Events and Marketing Division Update
3. Recreation Division Update

3. MISCELLANEOUS

a. COMMUNICATIONS/ENCLOSURES

1. *Silver Scoop*, July, 2019 (enclosed separately)

b. FUTURE AGENDA ITEMS

c. CITIZEN COMMENTS

There were no citizen comments

4. ADJOURN

Meeting adjourned at 8:25 p.m.

Signed:

Molly Bishop, Chair

Skip Keller, Interim Managing Director



GARLAND

MINUTES

The Parks & Recreation Board of the City of Garland convened in regular session at 7:00 p.m. on Wednesday, August 7, 2019, in the Work Session Room at City Hall, 200 North Fifth Street, Garland, Texas, with the following members:

Present: Molly Bishop, Chair
David Parrish, Board Vice Chair
Ed Seghers, Board Member
Jerry Carter, Board Member
Margaret Lucht, Board Member
Kenia Hudson - Ott, Board Member
Don Koerner, Board Member

Absent: Jonathan Ferguson, Board Member
Daphne Stanley, Board Member

Staff Present: Barry Swisher, Parks Director
D'Lee Williams, Recreation Director
Keith Reagan, Parks Business Manager
Skip Keller, Interim Managing Director
Ziad Kharrat, Staff
Andy Hesser, Managing Director
Christopher Hallmark, Staff

Attendees: Pat Hoagland

1. APPROVAL OF MINUTES

Motion was made by Board Vice Chair David Parrish, and seconded by Board Member Margaret Lucht that the minutes of July 17, 2019 Regular Meeting be approved as submitted.

Vote: 6 - 0

2. ITEMS FOR INDIVIDUAL CONSIDERATION

a. INTRODUCTION OF ANDY HESSER, NEW MANAGING DIRECTOR OF PARKS, RECREATION AND CULTURAL ARTS DEPARTMENT

Andy Hesser, the new Managing Director was introduced to the Parks and Recreation Board members.

On July 29, Andy Hesser began his career with the City of Garland as the new Managing Director. Andy has served the City of Rockwall for the last 13 years, with his most recent position as Director of Parks and Recreation and Animal Control and prior to that he was the Parks and Recreation Manager. Andy has 20 years of public sector experience.

Andy holds a Bachelor of Science in Natural Resource, Recreation and Tourism. He is a Certified Parks and Recreation Executive (CPRE) and a Certified Pool Operator (CPO). Andy also serves as the Vice Chair for the Texas Recreation and Park Society (TRAPS) Education Committee.

b. PARKS AND RECREATION BOARD RETREAT SUMMARY REPORT

On June 15, the Parks and Recreation Board held a retreat led by Parks Master Plan consultant Brandstetter Carroll. Discussion included role of the Parks and Recreation Board, Board's working relationship with the City Council and staff, Bond election and CIP projects, Board member orientation, standard Parks and Recreation Board meeting agenda, department vision and linking vision to strategic master plan.

c. PROPOSED 2019-2020 PARKS AND RECREATION BUDGET

Staff briefed the Parks and Recreation Board on the Proposed budget.

The City Manager presented a proposed 2019-20 Annual Operating Budget to the City Council, at the Regular Meeting of August 6. Staff provided the Board with a copy of Parks, Recreation and Cultural Arts proposed budget on Wednesday, August 7, which was also the same day the budget document was available to the public.

d. PARKS MASTER PLAN UPDATE

Pat Hoagland from Brandstetter Carroll presented an update to the Parks and Recreation Board on the status of the PRCAD Master Plan and was available to discuss any questions related to their current efforts.

The PRCAD Master Plan is in its fourth and final phase of its development, the Plan Phase. Within this phase, the consultant team of Brandstetter Carroll is compiling the data generated from the previous three phases to develop recommendations for physical planning, programs, and services. Recommendations will be made for City-wide park and facility improvements, individual park recommendations costs, capital improvement and land acquisition priorities.

A Draft Report is being developed by Brandstetter Carroll and reviewed by City staff to ensure accuracy and compatibility with other related initiatives within the department and across the City. The Parks and Recreation Board will have the opportunity to review the Draft Report prior to the September Park Board meeting where the Board will be requested to take action for recommendation for the Report to the City Council.

e. BRIEFING ITEMS

1. Park and Recreation Month Update
2. Aquatics Master Plan Update
3. Senior Recreation ID Cards
4. Trails Master Plan
5. Dog Park Groundbreaking Ceremony

f. MONTHLY REPORTS

1. Capital Improvement Projects and Studies - Design & Development Division
2. Special Events and Marketing Division Update
3. Recreation Division Update

3. MISCELLANEOUS

a. COMMUNICATIONS/ENCLOSURES

1. *Silver Scoop*, August, 2019 (enclosed separately)
2. Play Guide, September - December, 2019 (enclosed separately)

b. FUTURE AGENDA ITEMS

CDBG Funding Update
Agenda Prior to meeting for Sub-committee
Update on Duck Sculpture (Duck Creek and Colonel)

c. CITIZEN COMMENTS

There were no citizen comments

4. ADJOURN

Meeting adjourned at 9:06 p.m.

Signed:

Molly Bishop, Chair

Andy Hesser, Managing Director



GARLAND

MINUTES

The Parks & Recreation Board of the City of Garland convened in regular session at 7:00 p.m. on Wednesday, September 4, 2019, in the Work Session, 200 North Fifth Street, Garland, Texas, with the following members:

Present: Molly Bishop, Chair
David Parrish, Board Vice Chair
Jonathan Ferguson, Board Member
Jerry Carter, Board Member
David Morehead, Board Member
Margaret Lucht, Board Member

Absent: Ed Seghers, Board Member
Kenia Hudson - Ott, Board Member
Don Koerner, Board Member

Staff Present: Andy Hesser, Managing Director
Barry Swisher, Parks Director
D'Lee Williams, Recreation Director
Keith Reagan, Parks Business Manager
Yvonne V. Naser, Staff
Ziad Kharrat, Parks Special Projects Administrator

1. APPROVAL OF MINUTES

Motion was made by Board Vice Chair David Parrish, and seconded by Board Member Jonathan Ferguson that the minutes of August 7, 2019 be approved as submitted.

Vote: 5 - 0

a. Chair Appointments:

David Morehead to Policies and Programs Committee
Jonathan Ferguson as Chair to Policies and Programs Committee

2. ITEMS FOR INDIVIDUAL CONSIDERATION

- a. **PARKS, RECREATION AND CULTURAL ARTS DEPARTMENT MASTER PLAN UPDATE**
Pat Hoagland from Brandstetter Carroll provided an update to the Board on the status of the Parks Recreation and Cultural Arts Department Master Plan and was available to discuss any questions related to their current efforts.

The PRCAD Master Plan is in its fourth and final phase of its development, the Plan Phase. Within this phase, the consultant team of Brandstetter Carroll is compiling the data generated from the previous three phases to develop recommendations for physical planning, programs, and services. Recommendations will be made for City - wide park and facility improvements, individual park recommendations and costs, and capital improvement and land acquisition priorities. The PRCAD Master Plan is in its fourth and final phase of its development, the Plan Phase. Within this phase, the consultant team of Brandstetter Carroll is compiling the data generated from the previous three phases to develop recommendations for physical planning, programs, and services. Recommendations will be made for City - wide park and facility improvements, individual park recommendations and costs, and capital improvement and land acquisition priorities.

A draft report is being developed by Brandstetter Carroll and reviewed by City staff to ensure accuracy and compatibility with other related initiatives within the department and across the City. The completion of the Master Plan is being extended to October 2019 to allow staff, Parks and Recreation Board members, and City Council sufficient time to review the report prior to adoption.

- b. **FISCAL YEAR 2019-20 PROPOSED ANNUAL OPERATING BUDGET**

Staff provided a brief presentation of the Parks, Recreation & Cultural Arts Department FY 2019-20 proposed budget. This proposed budget was presented at the City Council Special Budget Work Session meeting on Saturday, August 17.

- c. **BRIEFING ITEMS**

1. Parks and Recreation Board Elections are Scheduled for October

- d. **MONTHLY REPORTS**

1. Capital Improvement Projects and Studies - Design & Development Division
2. Special Events and Marketing Division Update
3. Recreation Division Update

3. **MISCELLANEOUS**

- a. **COMMUNICATIONS/ENCLOSURES**

1. *Silver Scoop*, September, 2019 (enclosed separately)

- b. **FUTURE AGENDA ITEMS**

- c. **CITIZEN COMMENTS**

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

Speakers were:
Margi Bice

4. ADJOURN
Meeting adjourned at 8:44 p.m

Signed:

Molly Bishop, Chair

Andy Hesser, Managing Director

Board and Commission Report

Quarterly Report

BOARD: Plan Commission

DATE: 9/24/19

Board Summary

The Plan Commission convened six (6) times for the reporting period of July - September 2019.

Cases heard during each meeting listed below:

July 8, 2019
1 Zoning Case - Approved

July 22, 2019
1 Garland Development Code Amendment - Approved

August 12, 2019
1 Plat - Approved
1 Zoning Case - Approved

August 26, 2019
3 Zoning Cases - 2 Approved, 1 Withdrawn

September 9, 2019
1 Plat - Approved
4 Zoning Cases - 3 Approved, 1 Denied

September 23, 2019
1 Zoning Cases - Approved
1 Zoning Cases which also included and Downtown Development, House Conversion and two (2) Major Waiver requests - Postponed
1 Sign Variance - Approved
1 Garland Development Code Amendment - Approved

Attendance	July 8, 2019 - All members present July 22, 2019 - Chairman Roberts, Commissioner Dalton, Hallman, Edwards, Welborn, Williams, Rose and Ott Present; Commissioner O'Hara Absent August 12, 2019 All members present August 26, 2019 - Chairman Roberts, Commissioner Dalton, Hallman, O'Hara, Williams, Rose and Ott Present; Commissioner Edwards and Welborn Absent September 9, 2019 - All members present September 23, 2019 - All members present
Funding Requests	August 12, 2019 Meeting: \$39.34 August 26, 2019 Meeting: \$53.80 September 9, 2019 Meeting: \$273.50 September 23, 2019: \$325.22
Annual Report to Council	

Request for Policy Decisions	There are no Request for Policy Decisions at this time.
Council Notes	
Recap of Quarter 3	Recapping the 2nd Quarter, The Plan Commission met four (4) times, approved 9 Plats, 6 Zoning Cases, and 1 Variance and requested \$165.97 in funding from City Council.

Contact Information

BOARD CHAIRPERSON: Scott Roberts

OFFICE PHONE:

MOBILE PHONE: 972-530-4872

EMAIL: scottr@creative-architect.com

STAFF LIAISON: Will Guerin

OFFICE PHONE: 972-205-2449

MOBILE PHONE:

EMAIL: wguerin@garlandtx.gov

Board and Commission Report

Quarterly Report

BOARD: Property Standards Board

DATE: 9/5/2019

Board Summary

The Property Standards Board convened one time for the reporting period of July 1, 2019 – September 30, 2019.

The hearing was held on July 11, 2019 for the following properties:

914 La Vista Dr. Docket # 2019-06

4234 Justice Ln. Docket #2019-10

1922 Castle Dr. Docket # 2019-17

Attendance	Present: David Perry Eric Scholl John Spencer Larry Jeffus Dale Long Martha Melaku Vicki Wohlander Absent: Pamela Williams
Funding Requests	None. Included in General Fund operating budget. Hearing Date: 7/11/2019 # of Cases: 3 Postage Fees: \$172.60 Title Search Fees: \$500.00 NOP Publishing Fees: \$136.13 FO Publishing Fees: \$800.32 Catering Fees: \$258.91 Drinks and other snacks: \$15.12 Other (Name plates): \$80.00 Totals: \$1,963.08
Report to Council	Councilman Aubin's District 5 is vacant.

Request for Policy Decisions	None at this time.
Council Notes	
Recap of Quarter 3	N/A

Contact Information

BOARD CHAIRPERSON: David Perry

OFFICE PHONE:

MOBILE PHONE: 972-835-7817

EMAIL: DP4010@msn.com

STAFF LIAISON: Steve Killen

OFFICE PHONE: 972-485-6400

MOBILE PHONE: 214-677-8352

EMAIL: skillen@garlandtx.gov

Board and Commission Report

Quarterly Report

BOARD: Senior Citizens Advisory Commission

DATE: 9/5/19

Board Summary

Attendance	July 4, 2019 No Meeting	August 1, 2019 (M) Shirley Robnett = P (1) Mark Hasson = P (2) Manuel Ojeda = P (3) VACANT (4) Gwen Daniels = P (5) Gail Belton = P (6) Hazel Blanton = P (7) Charlene Percy = P (8) Jim Hope = P	September 5, 2019 (M) Shirley Robnett = P (1) Mark Hasson = A (2) Manuel Ojeda = P (3) Jerry DeFeo = P (4) Gwen Daniels = P (5) Gail Belton = P (6) Hazel Blanton = P (7) Charlene Percy = P (8) VACANT
Funding Requests			
Annual Report to Council			

Request for Policy Decisions	
Council Notes	
Recap of Quarter 3	

Contact Information

BOARD CHAIRPERSON: Gail Belton

OFFICE PHONE: 972-270-2223

MOBILE PHONE: 972-743-3606

EMAIL: jg.belton@att.net

STAFF LIAISON: Kenny McCord

OFFICE PHONE: 972-205-2882

MOBILE PHONE: 972-742-2644

EMAIL: kmccord@garlandtx.gov

Board and Commission Report

Quarterly Report

BOARD: TIF Zone #3

DATE: 10/21/19

Board Summary

City Council authorized the creation of TIF Zone #3 and approved a preliminary Project and Financing Plan on April 3rd, 2018.

The TIF board did not meet during the reporting period of July 1, 2019 -September 30, 2019. However, the board is now established with enough members to hold a meeting. A meeting will be scheduled in the 4th quarter of 2019.

Attendance	None at this time.
Funding Requests	None at this time.
Annual Report to Council	None at this time.

Request for Policy Decisions	None at this time.
Council Notes	None at this time.
Recap of Quarter 3	None at this Time

Contact Information

BOARD CHAIRPERSON: None at this time

OFFICE PHONE:

MOBILE PHONE:

EMAIL:

STAFF LIAISON: Matt Watson

OFFICE PHONE: 972-205-2355

MOBILE PHONE: 713-252-3537

EMAIL: mwatson@garlandtx.gov

Board and Commission Report

Quarterly Report

BOARD: Unified Building Standards Commission

DATE: 10/2/19

Board Summary

This Board meetings upon request of Citizens for Code Interpretation or appealing the decision of the Building Official; or when the Building Inspections Department is reviewing the newest version of Model Codes for adoption.

No requests were made of Citizens to appear before this Board and Building Inspections is not in the process of changing Model Code versions.

Attendance	N/A
Funding Requests	None
Report to Council	None

Request for Policy Decisions	None
Council Notes	
Recap of Quarter 3	

Contact Information

BOARD CHAIRPERSON:

OFFICE PHONE:

MOBILE PHONE:

EMAIL: jolk@garlandtx.gov

STAFF LIAISON: Jim Olk

OFFICE PHONE: ext. 2304

MOBILE PHONE: 214-850-5077

EMAIL: jolk@garlandtx.gov

BOARD & COMMISSION ATTENDANCE REPORT

1

Board of Adjustment

	Jul 18	Aug	Sep	Oct	Nov	Dec	Jan 19	Feb	Mar	Apr	May	Jun
M) John Kaiwi	P	P	P	N/A	N/A	N/A	N/A	N/A	A	P	A	P
1) John Young (replaced)	P	P										
1) Jerry VanDyke			P						P	P	P	P
2) Herman Puckett	P	P	P						P	P	P	P
3) Jerry DeFeo (Chairman) Elected March 15, 2019)	P	P	P						P	A	P	A
4) Bruce Bishop	P	P	P						P	P	P	P
5) Jason Lain	V	V	V	V	V	V	V	V	P	A	P	P
6) Bruce Astin (2 nd Vice Chair) Elected March 15, 2019	P	P	P						P	P	P	A
7) Susan Nye	P	P	A						P	P	P	P
8) John McDonald (1 st Vice Chair) Elected March 15, 2019	A	P	P						P	P	P	P

P – Present

A – Absent

C – Cancelled

E – Excused

N/A - No Meeting

Samantha Morrow
Ext. 2895

BOARD & COMMISSION ATTENDANCE REPORT

2

Unified Building Standards Commission

	Jul 18	Aug	Sep	Oct	Nov	Dec	Jan 19	Feb	Mar	Apr	May	Jun
M) VACANT	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
1) Aaron Miller												
2) Steven Hallman												
3) Calvin Nichols												
4) James Alton Hall Jr.												
5) VACANT												
6) VACANT												
7) VACANT												
8) Ronnie B. Smith												

P – Present

A – Absent

C – Cancelled

E – Excused

N/A – No Meeting

Samantha Morrow Ext 2895

BOARD & COMMISSION ATTENDANCE REPORT

3

Environmental and Community Advisory Board

	Jul 18	Aug	Sep	Oct	Nov	Dec	Jan 19	Feb	Mar	Apr	May	Jun
M) Ken Risser	P	P	P	P	P	P	P	P	P	P	P	P
1) Barbara Powers James Dobbins	P	P	P	P	P	P	P	P	P	P	P	P
2) John Ball	A	A	P	P	P	P	P	P	P	P	P	P
3) Robert Bruns	A	P	P	P	P	P	P	P	A	P	P	P
4) William Keeling Dennis Garcia	P	P	A	P	P	P	P	P	P	P	P	A
5) Betty Roberts	P	P	P	P	P	A	P	P	P	P	P	P
6) Caleb Ernst	P	P	P	P	P	P	P	P	P	P	P	P
7) Reba Ann Collins	A	P	P	P	P	P	P	P	P	P	P	P
8) VACANT Jason Collard	V	V	P	P	P	A	P	A	P	A	P	P

P – Present
A – Absent
C – Cancelled
E – Excused
V - Vacant

BOARD & COMMISSION ATTENDANCE REPORT

4

Staff Liaison – Uriel Villalpando, X3424
Recording Secretary – Samia G. Burns, X3492

Civil Service Commission

	Jul 18	Aug	Sep	Oct	Nov	Dec	Jan 19	Feb	Mar	Apr	May	Jun
Rick Parra	N/A	N/A	N/A	P	P	N/A	N/A	P	N/A	P	N/A	N/A
Marisol Trevizo	N/A	N/A	N/A	P	P	N/A	N/A	P	N/A	P	N/A	N/A
Rick Nall	N/A	N/A	N/A	P	P	N/A	N/A	P	N/A	P	N/A	N/A

P – Present
A – Absent
N/A – No Meeting

Rosie Perez
Ext. 2477

BOARD & COMMISSION ATTENDANCE REPORT

5

Community Multicultural Commission

	Jul 18	Aug	Sep	Oct	Nov	Dec	Jan 19	Feb	Mar	Apr	May	Jun
M) Charles Pickett	P	P	P	P	P	A	A	P	P	P	P	P
M) Greg Rogers	P	P	P	A	P	P	P	P	P	P	P	P
M) Jennifer Nguyen	P	P	P	P	P	P	P	P	P	P	P	P
M) Bao Vinh	A	A	P	P	P	P	A	P	P	P	P	P
M) Genai Walker-Macklin	P	P	P	P	P	P	P	P	P	P	P	P
1) Frank Garcia	P	P	P	P	P	P	P	P	P	A		
1) Chris Alvarez											P	A
2) LeAnne Kite Hampton	P	P										
2) Steven Johnson			A	P	A	P	P	P	P	P	A	A
3) Jason Rodriguez	P	A	A	A	P	P	P	P	A			
4) Shibu Samuel	A	P										
4) Kim Thiehoff			P	P	P	P	P	P	P	P	P	A
5) Gina Shanks	P	P	P	P	A	A	P	P	P			
6) VACANT	V	V	V									
6) Jacobe Chandler				A	A	P						
7) Moses Uvere	P	A	A	A	A	A						
8) Vonda Tyson	P	P	A	P	P	A	P	P	P	P	P	P

P – Present

A – Absent

C – Mtg Cancelled

N/A – No meeting

René Dowl x2404

BOARD & COMMISSION ATTENDANCE REPORT

6

Garland Cultural Arts Commission

Harlan Seagren (July Dist. 2) Claudia Porras (July Dist. 1)	Jul 18	Aug	Sep	Oct	Nov	Dec	Jan 19	Feb	Mar	Apr	May	Jun
M) Joann Traylor	P	N/A	N/A	P	N/A	N/A	A	N/A	N/A	P	N/A	N/A
1) Steven Phelps	P	N/A	N/A	P	N/A	N/A	A	N/A	N/A	P	N/A	N/A
Devon Miller	P	N/A	N/A	P	N/A	N/A	P	N/A	N/A	P	N/A	N/A
3) DeAnne Driver	P	N/A	N/A	P	N/A	N/A	P	N/A	N/A	P	N/A	N/A
4) Blanca Sanchez	P	N/A	N/A	A	N/A	N/A	P	N/A	N/A	A	N/A	N/A
5) Reta Day	P	N/A	N/A	P	N/A	N/A	P	N/A	N/A	P	N/A	N/A
6) Craig Wright	P	N/A	N/A	P	N/A	N/A	P	N/A	N/A	P	N/A	N/A
7) Karla Pajot	P	N/A	N/A	P	N/A	N/A	P	N/A	N/A	P	N/A	N/A
8) Sheri Stevens	P	N/A	N/A	P	N/A	N/A	P	N/A	N/A	P	N/A	N/A

P – Present

A – Absent

C-Cancelled

N/A – Not applicable, no meeting held

Debbie McAnally Ext 2785

BOARD & COMMISSION ATTENDANCE REPORT

7

Garland Economic Development Authority (GEDA)

	Jul 18	Aug	Sep	Oct	Nov	Dec	Jan 19	Feb	Mar	Apr	May	Jun
Dr. Lindy Perkins	N/A	P	N/A	N/A	P	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Ferrin Holcomb	N/A	P	N/A	N/A	P	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Herbert Logan	N/A	P	N/A	N/A	P	N/A	N/A	N/A	N/A	N/A	N/A	N/A

P – Present

A – Absent

C- Cancelled

N/A – Not applicable, no meeting held

Matt Watson Ext 2553

Garland Health Facilities Development Corporation

	Jul 18	Aug	Sep	Oct	Nov	Dec	Jan 19	Feb	Mar	Apr	May	Jun
Dr. Lindy Perkins	N/A	P	N/A	N/A	P	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Ferrin Holcomb	N/A	P	N/A	N/A	P	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Herbert Logan	N/A	P	N/A	N/A	P	N/A	N/A	N/A	N/A	N/A	N/A	N/A

P – Present

A – Absent

C- Cancelled

N/A – Not applicable, no meeting held

Matt Watson Ext 2553

BOARD & COMMISSION ATTENDANCE REPORT

8

Property Standards Board

	Jul 18	Aug	Sep	Oct	Nov	Dec	Jan 19	Feb	Mar	Apr	May	Jun
M) Mark Tyler	N/A	P	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM
David Perry	NM	NM	N/A	N/A	N/A	P	N/A	N/A	P	N/A	N/A	N/A
1) Nicholas Oliver	N/A	P	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM
Eric Scholl	N/A	NM	N/A	N/A	N/A	P	N/A	N/A	P	N/A	N/A	N/A
2) John Spencer	V	V	N/A	N/A	N/A	P	N/A	N/A	P	N/A	N/A	N/A
3) Jena Bjornson	N/A	A	N/A	N/A	N/A	P	N/A	N/A	V	V	V	V
VACANT												
4) David Perry	N/A	P	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM
Larry Jeffus	NM	NM	N/A	N/A	N/A	P	N/A	N/A	P	N/A	N/A	N/A
5) Noelia Garcia	N/A	A	V	V	V	V	V	V	V	V	V	V
VACANT												
6) Pamela Williams	N/A	E	N/A	N/A	N/A	P	N/A	N/A	P	N/A	N/A	N/A
7) Martha Melaku	N/A	P	N/A	N/A	N/A	A	N/A	N/A	A	N/A	N/A	N/A
8) Michael Francis	N/A	P	N/A	N/A	N/A	P	N/A	N/A	P	N/A	N/M	N/M
Dale Long											N/A	N/A

P – Present

A – Absent

C – Cancelled

E – Excused

V- Vacant

N/A- (Not Applicable-no meeting held)

NM (No Longer a Member of that District)

Lily Gama 6438

BOARD & COMMISSION ATTENDANCE REPORT

9

Library Board

	Jul 18	Aug	Sep	Oct	Nov	Dec	Jan 19	Feb	Mar	Apr	May	Jun
M) Bettye Haynes	N	P	P	P	C	P	C	P	C	P	P	P
1) Julius Irozuru/Patrick Dullano	N	P	P	P	C	P	C	P	C	P	A	P
2) Michael Degen	N	P	P	P	C	P	C	P	C	A	P	A
3) Melissa Barnett	N	P	P	P	C	A	C	P	C	P	A	A
4) Corsharra Jackson	N	P	P	A	C	P	C	P	C	P	A	P
5) Edwina Garner	N	P	P	P	C	P	C	P	C	A	P	P
6) Dorothy McAllister	N	P	P	P	C	P	C	P	C	P	P	A
7) Terri Chepregi	N	P	P	P	C	P	C	A	C	P	P	P
8) Trellas Gotcher	N	P	A	P	C	P	C	A	C	P	P	P

P – Present

A – Absent

C – Cancelled

N – No meeting

N/A – Vacant/Resigned

Karen Archibald 2545

Sabrina Ellis 2547

BOARD & COMMISSION ATTENDANCE REPORT

10

Parks & Recreation Board

	Jul 18	Aug	Sep	Oct	Nov	Dec	Jan 19	Feb	Mar	Apr	May	Jun
M) Don Koerner	NA	NA	NA	NA	NA	NA	NA	P	A	P	P	P
1) Ed Seghers	P	A	P	A	P	P	NA	P	A	P	P	P
2) Jonathan Ferguson	NA	P	P	P	A	P	NA	P	P	P	P	P
3) Lisa Roark Jerry Carter	P	P	P	NA	NA	NA	NA	NA	P	P	P	P
4) VACANT Molly Bishop	NA	NA	P	P	P	P	NA	P	P	P	P	P
5) Margaret Lucht	P	P	P	P	P	P	NA	P	P	P	P	P
6) Daphne Stanley	P	P	P	P	P	P	NA	P	P	P	P	P
7) David Parish	P	P	A	P	P	P	NA	P	P	P	P	P
8) Molly Bishop (C) Kenia Hudson- Ott	P	P	P	P	P	P	NA	P	P	P	P	P

P – Present

A – Absent

C – Cancelled

E – Excused

LOQ – Lack of Quorum

Andy Hesser 2759 / Yvonne V. Naser 2754

BOARD & COMMISSION ATTENDANCE REPORT

11

Plan Commission

	Jul 18	Aug	Sep	Oct	Nov	Dec	Jan 19	Feb	Mar	Apr	May	Jun
M) Wayne Dalton	PC	PP	AP	PP	AP	PC	PP	PP	PP	PC	PC	PA
1) Scott Roberts	PC	PP	PA	PP	PP	PC	PP	PP	PP	PC	PC	PP
2) Steven Hallman	-C	PP	PP	PP	PP	AC	PP	PA	PP	PC	PC	PP
3) Preston Edwards	PC	PP	PP	AP	PP	PC	PP	PP	PP	PC	PC	PP
4) John O'Hara	PC	PP	PP	PA	PP	PC	PP	PA	AP	PC	AC	PP
5) Truett Welborn	PC	PP	PP	PP	AP	PC	PA	PP	PP	PC	PC	PP
6) Douglas Williams	PC	PP	AP	PP	PP	PC	PP	PA	PA	PC	PC	AP
7) Dylan Hedrick (Resigned 1/16/19) Mike Rose (Appointed 06/18/19)	PC	PP	PP	PP	PP	PC	P-	--	--	--	--	- A
8) Christopher Ott	PC	PP	PP	PP	PP	PC	PP	PP	PP	PC	PC	PA

P – Present
A – Absent
C – Cancelled
E - Excused

Will Guerin 2449
Tracy Allmendinger 2447

BOARD & COMMISSION ATTENDANCE REPORT

12

Senior Citizens Advisory Commission

	Jul 18	Aug 2	Sep	Oct	Nov	Dec	Jan 19	Feb	Mar	Apr	May	Jun
M) Shirley Robnett	P	P	P	P	P	C	P	P	P	P	P	P
1) Jack Loraine Mark Hasson		P	P	A	P	C	P	P	P	P	P	P
2) Wayne Wilmany Manuel Ojeda	P	P		P	A	C	P	P	P	P	P	P
3) Aaron Floarea	A	P	P	A	P	C	P	P	P	P	P	P
4) Gwen Daniels	P	P	P	P		C	P	A	P	P	P	P
5) Gail Belton	P	P	P	P	P	C	P	P	P	P	P	P
6) Hazel Blanton	P	P	A	P	P	C	A	P	P	P	P	P
7) Charlotte Piercy	P	P	P	P	P	C	p	P	P	P	P	P
8) Jim Hope	-	-	-	-	-	C	P	P	P	P	P	P

P – Present
A – Absent
C – Cancelled
E – Excused
L – Lack of Quorum

Kenny McCord 2882
Ext 2882

BOARD & COMMISSION ATTENDANCE REPORT

13

Tax Increment Finance District Board (Downtown)

	Jul 18	Aug	Sep	Oct	Nov	Dec	Jan 19	Feb	Mar	Apr	May	Jun
M) Allan Stafford	L	N/A	N/A	P	N/A	N/A	N/A	N/A	N/A	N/A	N/A	P
1) Jon Six	L	N/A	N/A	P	N/A	N/A	N/A	N/A	N/A	N/A	N/A	A
2) Marie Purser	L	N/A	N/A	P	N/A	N/A	N/A	N/A	N/A	N/A	N/A	P
3) Wesley Johnson	L	N/A	N/A	E	N/A	N/A	N/A	N/A	N/A	N/A	N/A	A
4) Kathleen Hansrote	L	N/A	N/A	P	N/A	N/A	N/A	N/A	N/A	N/A	N/A	P
5) Cary Hodson	L	N/A	N/A	P	N/A	N/A	N/A	N/A	N/A	N/A	N/A	P
6) Carlos Porras	L	N/A	N/A	P	N/A	N/A	N/A	N/A	N/A	N/A	N/A	P
7) VACANT												
8) Joseph Schroeder	L	N/A	N/A	A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	P
County) Rick Loessberg	L	N/A	N/A	P	N/A	N/A	N/A	N/A	N/A	N/A	N/A	E
DCCCD) John Robertson	L	N/A	N/A	A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	A

This board meets when needed only.

P – Present

A – Absent

C – Cancelled

E - Excused

N/A- (Not Applicable-no meeting held)

L – Lack of Quorum

Matt Watson 2355

BOARD & COMMISSION ATTENDANCE REPORT

14

Tax Increment Finance District Board (South)

	Jul 18	Aug	Sep	Oct	Nov	Dec	Jan 19	Feb	Mar	Apr	May	Jun
M) Morgan Jones	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
1) Bill Swisher	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
2) Marie Purser	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
3) VACANT												
4) Linda Waters	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
5) Tom Jefferies	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
6) VACANT												
7) VACANT												
8) Rex Kyle	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
County) Rick Loessberg	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
DCCCD) John Robertson	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

This board meets when needed only.

P – Present

A – Absent

C – Cancelled

E – Excused

N/A- (Not Applicable-no meeting held)

BOARD & COMMISSION ATTENDANCE REPORT

15

Tax Increment Finance District Board (3)

	Jul 18	Aug	Sep	Oct	Nov	Dec	Jan 19	Feb	Mar	Apr	May	Jun
M VACANT												
1) Ross Motelbano	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
2) Bob Duckworth	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
3) VACANT												
4) Sal Liberto	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
5) VACANT												
6) VACANT												
7) VACANT												
8) Tony Torres	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

This board meets when needed only.

P – Present

A – Absent

C – Cancelled

E – Excused

N/A- (Not Applicable-no meeting held) – Chapter 311 of Tax Code requires Five Members to Hold a Meeting

BOARD & COMMISSION ATTENDANCE REPORT

1

Board of Adjustment

	Jul 19	Aug 19	Sep 19	Oct 19	Nov 19	Dec 19	Jan 20	Feb 20	Mar 20	Apr 20	May 20	Jun 20
M) John Kaiwi	N/A	P	P									
1) Jerry VanDyke		P	P									
2) Herman Puckett		P	P									
3) Jerry DeFeo (removed) Wesley Johnson		P	P									
4) Bruce Bishop (1 st Vice Chair) Elected September 18, 2019		A	P									
5) Jason Lain		A	P									
6) Bruce Astin (2 nd Vice Chair) Elected September 18, 2019		P	P									
7) Susan Nye		P	P									
8) John McDonald (Chairman) Elected September 18, 2019		P	P									

P – Present

A – Absent

C – Cancelled

E – Excused

N/A - No Meeting

Samantha Morrow Ext. 2895

Amy Rincon Ext. 2301

BOARD & COMMISSION ATTENDANCE REPORT

2

Unified Building Standards Commission

	Jul 19	Aug 19	Sep 19	Oct 19	Nov 19	Dec 19	Jan 20	Feb 20	Mar 20	Apr 20	May 20	Jun 20
M) Mark Tyler	N/A	N/A	N/A									
1) Aaron Miller												
2) Dwight Nichols												
3) Calvin Nichols												
4) James Alton Hall Jr.												
5) VACANT												
6) Rick Wyatt Jr.												
7) VACANT												
8) Ronnie B. Smith												

P – Present

A – Absent

C – Cancelled

E – Excused

N/A – No Meeting

Samantha Morrow Ext 2895

BOARD & COMMISSION ATTENDANCE REPORT

3

Environmental and Community Advisory Board

	Jul 19	Aug 19	Sep 19	Oct 19	Nov 19	Dec 19	Jan 20	Feb 20	Mar 20	Apr 20	May 20	Jun 20
M) Ken Risser	P	P	A									
1) James Dobbins	A	P	P									
2) John Ball	P	P	P									
3) Robert Bruns	P	P	P									
4) Dennis Garcia	P	P	P									
5) Betty Roberts	P	P	P									
6) Caleb Ernst	P	P	P									
7) Reba Ann Collins	P	P	P									
8) Jason Collard Robert Kaa	A	P	P									

P – Present
 A – Absent
 C – Cancelled
 E – Excused
 V - Vacant

Staff Liaison – Uriel Villalpando, X3424
 Recording Secretary – Samia G. Burns, X3492

BOARD & COMMISSION ATTENDANCE REPORT

4

Civil Service Commission

	Jul 19	Aug 19	Sep 19	Oct 19	Nov 19	Dec 19	Jan 20	Feb 20	Mar 20	Apr 20	May 20	Jun 20
Rick Parra	N/A	P	N/A	N/A								
Marisol Trevizo	N/A	P	N/A	N/A								
Rick Nall	N/A	P	N/A	N/A								

P – Present

A – Absent

N/A – No Meeting

Rosie Perez-Milvo – Ext. 2477

Kristen Smith - Ext. 2468

BOARD & COMMISSION ATTENDANCE REPORT

5

Community Multicultural Commission

	Jul 19	Aug 19	Sep 19	Oct 19	Nov 19	Dec 19	Jan 20	Feb 20	Mar 20	Apr 20	May 20	Jun 20
M) Charles Pickett	A	P	P									
M) VACANT												
M) Jennifer Nguyen	P	A	P									
M) Bao Vinh	P											
M) Genai Walker-Macklin	A	P										
M) Bashir Ashimi			P									
M) Elvia Flores			P									
1) Chris Alvarez	P	P	A									
2) Steven Johnson	P	P	P									
3) Jason Rodriguez	P	P	A									
4) Kim Thiehoff	A	P	P									
5) Gina Shanks	P	P	P									
6) Brian Parker			P									
7) Andrew Castillo			A									
8) Vonda Tyson	P	P	P									

P – Present

A – Absent

C – Mtg Cancelled

N/A – No meeting

René Dowl x2404

BOARD & COMMISSION ATTENDANCE REPORT

6

Garland Cultural Arts Commission

	Jul 19	Aug 19	Sep 19	Oct 19	Nov 19	Dec 19	Jan 20	Feb 20	Mar 20	Apr 20	May 20	Jun 20
M) Joann Traylor	P	N/A	N/A	P	N/A	N/A						
1) Steven Phelps	P	N/A	N/A	P	N/A	N/A						
2) Devon Miller	A	N/A	N/A	P	N/A	N/A						
3) DeAnne Driver	P	N/A	N/A	P	N/A	N/A						
4) Blanca Sanchez	A	N/A	N/A	P	N/A	N/A						
5) Reta Day	P	N/A	N/A	P	N/A	N/A						
6) Craig Wright	P	N/A	N/A	P	N/A	N/A						
7) Karla Pajot	P	N/A	N/A	P	N/A	N/A						
8) Lupita Torres	*P	N/A	N/A	A	N/A	N/A						

*Sheri Stevens presents July 2019

P – Present

A – Absent

C-Cancelled

N/A – Not applicable, no meeting held

Debbie McAnally Ext 2785

BOARD & COMMISSION ATTENDANCE REPORT

7

Garland Economic Development Authority (GEDA)

	Jul 19	Aug 19	Sep 19	Oct 19	Nov 19	Dec 19	Jan 20	Feb 20	Mar 20	Apr 20	May 20	Jun 20
Dr. Lindy Perkins	N/A	N/A	P									
Ferrin Holcomb	N/A	N/A	P									
Herbert Logan	N/A	N/A	P									

P – Present

A – Absent

C- Cancelled

N/A – Not applicable, no meeting held

Matt Watson Ext 2553

Garland Health Facilities Development Corporation

	Jul 19	Aug 19	Sep 19	Oct 19	Nov 19	Dec 19	Jan 20	Feb 20	Mar 20	Apr 20	May 20	Jun 20
Dr. Lindy Perkins	N/A	N/A	P									
Ferrin Holcomb	N/A	N/A	P									
Herbert Logan	N/A	N/A	P									

P – Present

A – Absent

C- Cancelled

N/A – Not applicable, no meeting held

Matt Watson Ext 2553

BOARD & COMMISSION ATTENDANCE REPORT

8

Property Standards Board

	Jul 19	Aug 19	Sep 19	Oct 19	Nov 19	Dec 19	Jan 20	Feb 20	Mar 20	Apr 20	May 20	Jun 20
M) David Perry	P	N/A	N/A	P	N/A	N/A	N/A					
1) Eric Scholl	P	N/A	N/A	A	N/A	N/A	N/A					
2) John Spencer	P	N/A	N/A	P	N/A	N/A	N/A					
3) Vicki Wohlander	P	N/A	N/A	P	N/A	N/A	N/A					
4) Larry Jeffus	P	N/A	N/A	P	N/A	N/A	N/A					
5) VACANT	V	N/A	N/A	V								
6) Pamela Williams Christina Smith	A	N/A	N/A	N/M P	N/M N/A	N/M N/A	N/M N/A	N/M	N/M	N/M	N/M	N/M
7) Martha Melaku	P	N/A	N/A	P	N/A	N/A	N/A					
8) Dale Long	P	N/A	N/A	A	N/A	N/A	N/A					

P – Present

A – Absent

C – Cancelled

E – Excused

V- Vacant

N/A- (Not Applicable- no meeting held)

NM (No Longer a Member of that District)

Lily Gama 6438
Steve Killen 6408

BOARD & COMMISSION ATTENDANCE REPORT

9

Library Board

	Jul 19	Aug 19	Sep 19	Oct 19	Nov 19	Dec 19	Jan 20	Feb 20	Mar 20	Apr 20	May 20	Jun 20
M) Bettye Haynes	N	P	P	LQ								
1) Patrick Dullano / VACANT/ Nazly Haroon	N	P	N/A	LQ								
2) Michael Degen	N	P	P	LQ								
3) VACANT	N	N/A	N/A	N/A								
4) Corsharra Jackson	N	A	P	LQ								
5) Edwina Garner	N	P	P	LQ								
6) Dorothy McAllister	N	P	P	LQ								
7) Terri Chepregi	N	P	P	LQ								
8) Trellas Gotcher	N	P	P	LQ								

P – Present

A – Absent

C – Cancelled

N – No meeting

N/A – Vacant/Resigned

LQ – Cancelled due to lack of quorum

Karen Archibald 2545

Sabrina Ellis 2547

BOARD & COMMISSION ATTENDANCE REPORT

10

Parks & Recreation Board

	Jul 19	Aug 19	Sep 19	Oct 19	Nov 19	Dec 19	Jan 20	Feb 20	Mar 20	Apr 20	May 20	Jun 20
M) Don Koerner	P	P	A	P & A								
1) Ed Seghers	P	P	A	P & P								
2) Jonathan Ferguson	P	A	P	P & P								
3) Jerry Carter	P	P	P	P & P								
4) Molly Bishop	P	P	P	P & P								
5) Margaret Lucht	P	P	P	P & P								
6) Daphne Stanley	P	A										
David Morehead			P	P & ?								
7) David Parish	P	P	P	P & P								
8) Kenia Hudson Ott	P	P	A	P & P								

P – Present

A – Absent

C – Cancelled

E – Excused

LOQ – Lack of Quorum

Andy Hesser, Interim 2759 / Yvonne V. Naser 2754

BOARD & COMMISSION ATTENDANCE REPORT

11

Plan Commission

	Jul 19	Aug 19	Sep 19	Oct 19	Nov 19	Dec 19	Jan 20	Feb 20	Mar 20	Apr 20	May 20	Jun 20
M) Wayne Dalton	PP	PP	PP									
1) Scott Roberts	PP	PP	PP									
2) Steven Hallman	PP	PP	PP									
3) Preston Edwards	PP	PA	PP									
4) John O'Hara	PA	PP	PP									
5) Truett Welborn	PP	PA	PP									
6) Douglas Williams	PP	PP	PP									
7) Mike Rose	PP	PP	PP									
8) Christopher Ott	PP	PP	PP									

P – Present
A – Absent
C – Cancelled
E - Excused

Will Guerin 2449
Tracy Allmendinger 2447

BOARD & COMMISSION ATTENDANCE REPORT

12

Senior Citizens Advisory Commission

	Jul 19	Aug 19	Sep 19	Oct 19	Nov 19	Dec 19	Jan 20	Feb 20	Mar 20	Apr 20	May 20	Jun 20
M) Shirley Robnett	C	P	P									
1) Mark Hasson	C	P	A									
2) Manny Ojeda	C	P	P									
3) Jerry DeFeo			P									
4) Gwen Daniels	C	P	P									
5) Gail Belton	C	P	P									
6) Hazel Blanton	C	P	P									
7) Charlotte Piercy	C	P	P									
8) Jim Hope	C	P	NA									

P – Present

A – Absent

C – Cancelled

E – Excused

L – Lack of Quorum

Kenny McCord 2882
Ext 2882

BOARD & COMMISSION ATTENDANCE REPORT

13

Tax Increment Finance District Board (Downtown)

	Jul 19	Aug 19	Sep 19	Oct 19	Nov 19	Dec 19	Jan 20	Feb 20	Mar 20	Apr 20	May 20	Jun 20
M) Allan Stafford	N/A	P	N/A									
1) Jon Six	N/A	A	N/A									
2) Marie Purser	N/A	P	N/A									
3) Wesley Johnson	N/A	A	N/A									
4) Kathleen Hansrote	N/A	P	N/A									
5) Cary Hodson	N/A	P	N/A									
6) Carlos Porras	N/A	A	N/A									
7) VACANT												
8) Joseph Schroeder	N/A	P	N/A									
County) Rick Loessberg	N/A	P	N/A									
DCCCD) John Robertson	N/A	A	N/A									

This board meets when needed only.

P – Present

A – Absent

C – Cancelled

E - Excused

N/A- (Not Applicable-no meeting held)

L – Lack of Quorum

Matt Watson 2355

BOARD & COMMISSION ATTENDANCE REPORT

14

Tax Increment Finance District Board (South)

	Jul 19	Aug 19	Sep 19	Oct 19	Nov 19	Dec 19	Jan 20	Feb 20	Mar 20	Apr 20	May 20	Jun 20
M) Morgan Jones	N/A	P	N/A									
1) Bill Swisher	N/A	P	N/A									
2) Marie Purser	N/A	P	N/A									
3) VACANT												
4) Linda Waters	N/A	P	N/A									
5) Tom Jefferies	N/A	P	N/A									
6) VACANT												
7) VACANT												
8) Rex Kyle	N/A	E	N/A									
County) Rick Loessberg	N/A	E	N/A									
DCCCD) John Robertson	N/A	A	N/A									

This board meets when needed only.

P – Present

A – Absent

C – Cancelled

E – Excused

BOARD & COMMISSION ATTENDANCE REPORT

15

N/A- (Not Applicable-no meeting held)

Tax Increment Finance District Board (3)

	Jul 19	Aug 19	Sep 19	Oct 19	Nov 19	Dec 19	Jan 20	Feb 20	Mar 20	Apr 20	May 20	Jun 20
M Patrick Abell	N/A	N/A	N/A									
1) Ross Motelbano	N/A	N/A	N/A									
2) Bob Duckworth	N/A	N/A	N/A									
3) VACANT												
4) Sal Liberto	N/A	N/A	N/A									
5) VACANT												
6) VACANT												
7) Keith Engler	N/A	N/A	N/A									
8) Tony Torres	N/A	N/A	N/A									

This board meets when needed only.

P – Present

A – Absent

C – Cancelled

E – Excused

N/A- (Not Applicable-no meeting held) – Chapter 311 of Tax Code requires Five Members to Hold a Meeting



GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Work Session Agenda

2. h.

Meeting Date: October 21, 2019

Item Title: Franchise Ordinance for Atmos Energy Corporation, Mid-Tex Division

Submitted By: Brad Neighbor, City Attorney

Summary of Request/Problem

Long before the creation of federal and state regulatory bodies like the Federal Energy Commission and the Texas Railroad Commission, cities provided the regulatory framework for utilities through ordinances (actually agreements in ordinance form) known as “franchises”. A franchise (or franchise agreement or franchise ordinance) was required of all utilities to allow them to use municipal rights-of-way. Before a utility could, for example, lay lines or set poles in a city’s streets, it had to have permission from the city in the form of a franchise, the reason being that utilities use public rights-of-way in a manner unlike the typical user. At one time, virtually every utility that used our rights-of-way in a permanent way had to have a franchise agreement with the City. The franchise provided terms regulating things like customer service, safety, rates, and compensation for use of the rights-of-way.

As the law regarding utilities became more complex and overlapping regulatory authorities were created, much of the regulatory authority that cities traditionally provided through franchises was stripped away. Today, some of the utilities that used to be required to obtain municipal franchises are virtually exempt, by either federal or state law, from most municipal regulation. Thus, telecommunications businesses (what used to be separate telephone companies and cable TV providers) are not required to obtain local franchises, and their operations are practically unregulated as to customer service and rates. They must, however, still pay compensation for the use of public rights-of-way pursuant to federal and state-governed calculations and limitations. But those payments are not due under the traditional form of a franchise agreement.

For those utilities that must still obtain franchises (such as gas and electric companies), most of the regulatory aspects that used to be covered by the terms of a franchise are now governed by on a statewide or nationwide basis through regulatory agencies such as the Public Utility Commission (for electricity) or the Texas Railroad Commission (for gas). Cities have been largely preempted from regulating how the utility must operate. Rates, for example, are generally not set on a local, stand-alone basis. Customer service and safety matters are regulated by state and federal law, not local ordinances and not by the terms of a franchise. Even the amount of compensation (known as “franchise fees”) is governed, limited, and capped by state law.

In order to operate within Garland, gas and electric companies must still obtain a franchise from the City. While the scope of matters covered by franchise agreements has narrowed considerably over the years, having a franchise agreement in place is still important in defining and documenting the franchisee's obligation to pay compensation for right-of-way usage. Additionally, franchise agreements still regulate where a utility may locate its facilities and – more importantly – who pays if those facilities must be moved.

The only gas company operating in Garland is Atmos Energy Corporation, Mid-Tex Division. Atmos is the successor to a line of companies that has served part of Garland for many years. Atmos provides gas service to approximately 45,000 accounts in Garland.

The City and Atmos have been in discussions regarding the Atmos franchise for a number of years while issues relating to municipal franchise authority were being litigated. More particularly, the City of Richardson and Oncor Electric were involved in a lawsuit that eventually went to the Texas Supreme Court. At issue in that suit was the question of who pays for relocation costs when the utility's facilities must be moved. The Supreme Court came down generally on the side of cities such that the utilities are typically responsible for moving out of the way of street improvement and similar municipal projects.

The attached draft incorporates the state of the law as established in the Texas Supreme Court's ruling in the City of Richardson litigation. As to revenues, the proposed franchise provides for the payment of franchise fees at the maximum allowed five percent of gross revenues (the City currently receives approximately \$2.1 million per year in franchise fees from Atmos operations within the City).

The most recent franchise with the predecessor of Atmos Energy was executed in 1999 for a period of ten years. It will thus expire at the end of this calendar year. The current franchise agreement with Atmos was limited to a ten-year term in order to allow the law to develop with respect to utility relocations. Now that the law has been settled in that regard, we expect the law on gas company right-of-way franchises to become static. Hence, a longer term franchise is supportable. The Garland City Charter limits franchise agreements to a maximum of 25 years.

Recommendation/Action Requested and Justification

Council is requested to consider approving a franchise agreement with Atmos Energy Corporation, Mid-Tex Division in the form attached. Unless otherwise directed or further discussion of the matter is desired, this item will be scheduled for formal consideration at the November 5, 2019 Regular Meeting.

Attachments

Draft Atmos Franchise Ordinance

DRAFT

FOR DISCUSSION PURPOSES ONLY

[This document has not been reviewed or approved by the Garland City Council]

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF GARLAND, TEXAS, GRANTING TO ATMOS ENERGY CORPORATION, MID-TEX DIVISION, A TEXAS AND VIRGINIA CORPORATION, ITS SUCCESSORS AND AUTHORIZED ASSIGNS, A FRANCHISE TO FURNISH, TRANSPORT AND SUPPLY NATURAL GAS TO THE GENERAL PUBLIC IN THE CITY OF GARLAND, DALLAS COUNTY, TEXAS, TO CONSTRUCT, MAINTAIN AND OPERATE PIPELINES AND EQUIPMENT IN THE CITY OF GARLAND, DALLAS COUNTY, TEXAS, FOR THE TRANSPORTATION, DELIVERY, SALE, AND DISTRIBUTION OF NATURAL GAS IN, OUT OF AND THROUGH THE CITY FOR ALL PURPOSES; PROVIDING FOR THE PAYMENT OF A FEE OR CHARGE FOR THE USE OF THE PUBLIC RIGHTS-OF-WAYS; PROVIDING THAT SUCH FEE SHALL BE IN LIEU OF OTHER FEES AND CHARGES, GENERALLY EXCEPTING CERTAIN GENERAL AND OTHER TAXES; REPEALING ALL PREVIOUS ATMOS ENERGY GAS FRANCHISE ORDINANCES; PRESCRIBING THE TERMS, CONDITIONS, OBLIGATIONS AND LIMITATIONS UNDER WHICH SUCH FRANCHISE SHALL BE EXERCISED; PROVIDING A MOST FAVORED NATIONS 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. GRANT OF AUTHORITY.

- A. The City of Garland, Texas, hereinafter called “City,” hereby grants to Atmos Energy Corporation, Mid-Tex Division, hereinafter called “Atmos Energy,” its successors and authorized assigns, consent (sometimes referred to herein as a “Franchise”) to use and occupy the present and future Public Rights-of-Way, for the purpose of laying, maintaining, constructing, protecting, operating, and replacing therein and thereon Atmos Energy’s System to deliver, transport and distribute natural gas in, out of, and through City for persons, firms and corporations, including all the general public, and to sell gas to persons, firms and corporations, including all the general public, within the City corporate limits, as such limits may be amended from time to time during the term of this Franchise.
- B. The consent granted hereunder shall be for a term of twenty five years ending December 31, 2039 (“expiration date”). Unless written notice of its intent to renegotiate is provided by either the City or Atmos Energy at least 60 days prior to the expiration of any term, the franchise shall be extended for up to two additional terms of five years each from the expiration date on the same terms and conditions as set forth herein.

SECTION 2. DEFINITIONS. For the purposes of this Ordinance, the following terms, phrases, words and their derivations shall have the meanings given herein. When not inconsistent with the context, words in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- A. “Affiliate” shall mean, in relation to Atmos Energy, a Person that controls, is controlled by, or is under common control with Atmos Energy. As used in this definition, the term “control” means, with respect to a Person that is a corporation, the ownership, directly or indirectly, of more than fifty (50) percent of the voting securities of such Person or, with respect to a Person that is not a corporation, the power to direct the management or policies of such Person, whether by operation of law, by contract or otherwise.
- B. “Atmos Energy” shall mean Atmos Energy Corporation, Mid-Tex Division, its successors and assigns, but does not include an Affiliate, which shall have no right or privilege granted herein except through succession or assignment in accordance with Section 17.
- C. “City” shall mean the City of Garland, Texas, a Texas home rule municipality and local governmental entity located chiefly in Dallas County, Texas.
- D. “City Manager” means City's Manager or the City Manager’s designee.
- E. “Gross Revenues” shall mean:
 - (1) all revenues received by Atmos Energy, from the sale of gas to all classes of customers (excluding gas sold to another gas utility in City for resale to its customers within City) within the corporate limits of City.
 - (2) all revenues received by Atmos Energy from the transportation of gas through the System of Atmos Energy within the City to customers located within the City (excluding gas transported to another gas utility in City for resale to its customers within City);
 - (3) the value of gas transported by Atmos Energy for Transport Customers through the System of Atmos Energy within the City (excluding the value of any gas transported to another gas utility in City for resale to its customers within City), with the value of such gas to be established by utilizing Atmos Energy’s monthly weighted average cost of gas charged to industrial customers in the Mid-Tex division, as reasonably near the time as the transportation service is performed; and
 - (4) fees collected pursuant to this Franchise, revenues billed but not ultimately collected or received by Atmos Energy, contributions in aid of construction, state gross receipts fees, and the following “miscellaneous charges”: charges to connect, disconnect or reconnect gas, and charges to handle returned checks from consumers within the City.

“Gross Revenues” shall not include:

- (a) the revenue of any affiliate or subsidiary of Atmos Energy unless such affiliate or subsidiary has been lawfully assigned the rights and has assumed the obligations of this Franchise;
 - (b) sales taxes paid to City;
 - (c) any interest or investment income earned by Atmos Energy; and
 - (d) all monies received from the lease or sale of real or personal property, provided, however, that this exclusion does not apply to the lease of facilities within the City's Public Rights-of-Way.
- F. "Person" shall mean any natural person or any association, firm, partnership, joint venture, corporation or other legally recognized entity, whether for-profit or not-for-profit, but shall not, unless the context clearly intends otherwise, include the City or any employee, agent, servant, representative or official of the City.
- G. "Public Facility" shall mean all present and future water lines, sanitary sewer lines, storm sewer lines, communications lines, irrigation lines, drainage facilities, traffic control devices, signage, street lights, municipally-owned electric facilities, and all other publicly-owned equipment, installations, facilities, and amenities under the jurisdiction and control of the City.
- H. "Public Right-of-Way" shall mean the surface of, and the space above and below a public street, road, highway, freeway, land, path, public way or place, alley, court, boulevard, parkway, drive, or other easement now or hereafter held by or under the control of the City, to which the City holds the property rights in regard to the use for the public or the utility, or that has been dedicated for use by a public utility.
- I. "System" or "System Facilities" shall mean all of Atmos Energy's pipes, pipelines, gas mains, laterals, feeders, regulators, meters, fixtures, connections, and all other appurtenant equipment used in or incident to providing delivery, transportation, distribution, supply, and sales of natural gas located in the Public Right-of-Way within the corporate limits of the City.
- J. "Transport Customer" shall mean any Person for which Atmos Energy transports gas through the System of Atmos Energy within the City's Public Rights-of-Way for delivery within the City (excluding other gas utilities in City who resell gas to their customers within the City).

**SECTION 3. CONSTRUCTION, MAINTENANCE, OPERATION AND RELOCATION OF
ATMOS ENERGY FACILITIES.**

- A. All construction and work done by Atmos Energy, and the operation of its business, under and by virtue of this Ordinance, shall be in conformance with the ordinances, rules and regulations now in force and that may hereafter be adopted or amended by City related to the use of its Public Rights-of-Way, provided such ordinances, rules and regulations are not in express conflict with this Franchise. If the Franchise

does not provide an express provision governing the use of the Public Right-of-Way, the requirements of the Code of Ordinances controls.

- B. This Franchise shall in no way affect or impair the rights, obligations or remedies of the parties under the Texas Gas Utility Regulatory Act or other state or federal law. Nothing herein shall be deemed a waiver, release or relinquishment of either party's right to contest, appeal or file suit with respect to any action or decision of the other party, including ordinances adopted by the City that Atmos Energy believes are contrary to any federal, state or local law or regulations and tariffs adopted by Atmos Energy that the City believes are contrary to any federal, state or local law or regulations.
- C. This Franchise shall control over any conflicting provisions contained within the tariff of Atmos Energy.
- D. Atmos Energy's System Facilities shall be initially constructed so as not to interfere with the existing installation, maintenance and operations of any Public Facilities, franchised utilities, or other authorized occupants of the Public Right-of-Way. Atmos Energy shall promptly clean-up, repair and restore in compliance with applicable provisions of the Garland Code of Ordinances and policies all Public Rights-of-Way which it may disturb. Atmos Energy shall maintain in good condition and repair all Public Right-of-Way and easements it occupies in the City, and shall promptly restore and repair any such Public Rights-of-Way and easements upon receipt of complaints or other communications, either verbal or written, from adjacent property owners or occupants regarding the condition of such Public Rights-of-Way and easements.
- E. Atmos Energy shall install, maintain, construct, operate and replace its System Facilities in accordance with applicable provisions of the Garland Code of Ordinances and policies to minimize interference with traffic, and shall place or cause to be placed appropriate barriers to mark excavations or obstructions, and restore to approximate original condition all Public Rights-of-Way that it may disturb. In determining the location of new Public Facilities of the City and other users' facilities within Public Right-of-Way, City shall make reasonable efforts to minimize interference with then existing facilities of Atmos Energy and shall work with Atmos Energy and other users of Public Rights-of-Way to minimize, to the extent reasonably possible, interference with existing facilities of Atmos Energy by other users of Public Rights-of-Way. In the event of a conflict between the location of the proposed System Facilities of Atmos Energy and the location of the existing facilities of City or other users of Public Rights-of-Way within Public Rights-of-Way that cannot otherwise be resolved through the parties' good faith efforts, City or an authorized agent of City shall resolve the conflict and determine the location of the respective System Facilities within the Public Rights-of-Way consistent with gas distribution industry standard safe operating practices. Facilities are deemed to be in conflict to the extent that the proposed Facilities are reasonably determined

by Atmos Energy to be inconsistent with gas distribution industry standard safe operating practices.

- F. When Atmos Energy is required by City to remove or relocate its mains, laterals and other facilities lying within Public Rights-of-Way to accommodate a request by City, it shall accomplish such work timely to avoid unnecessary delay in the work by the City. If the costs of utility removals or relocations are eligible under federal, state, county, local or other programs for reimbursement of costs and expenses incurred by Atmos Energy as a result of such removal or relocation, and such reimbursement is required to be handled through City, Atmos Energy costs and expenses shall be included in any application by City for reimbursement if Atmos Energy timely submits its cost and expense documentation to City prior to the filing of the application. City shall make all reasonable efforts to provide reasonable written notice to Atmos Energy of the deadline for Atmos Energy to submit documentation of the costs and expenses of such relocation to City in order for City to be able to submit its application for reimbursement to such program in a timely manner. Upon receipt of an amount of reimbursement intended for utility relocation including, but not limited to, gas utilities, City shall remit to Atmos Energy, within 60 days of receipt, the portion of reimbursement related to the relocation or removal of Atmos Energy's facilities.
- G. Atmos Energy's obligation to remove or relocate its mains, laterals, or other System Facilities lying within the Public Rights-of-Way for construction, improvement, or relocation of Public Facilities, shall be as provided in the Code of Ordinances of the City, as such provisions exist on the Effective Date hereof. Such removal or relocation shall be at Atmos Energy's expense unless such relocation or removal is required for the primary purpose of beautification or to accommodate a private developer. Atmos Energy shall not be required to relocate the facilities to a depth of greater than four (4) feet unless the City Engineer determines, in consultation with Atmos Energy, that the protection of public health and safety requires the relocation of the facilities at such greater depth.
- H. When Atmos Energy is required to remove or relocate its mains, laterals or other System Facilities without reimbursement from City, Atmos Energy shall have the right to seek recovery of relocation costs as provided for in applicable state and/or federal law. Nothing herein shall be construed to prohibit, alter or modify in any way the right of Atmos Energy to seek or recover a surcharge from customers for the cost of relocation pursuant to applicable state and/or federal law. City shall not oppose recovery of relocation costs when Atmos Energy is required by City to perform relocation. City shall not require that Atmos Energy document request for reimbursement as a pre-condition to recovery from customers of such relocation costs pursuant to applicable state and/or federal law. Notwithstanding the foregoing, the City shall have the right to request other project documentation to the full extent provided by state law.

I. Abandonment of Right-of-Way.

1. If the City abandons any Public Rights-of-Way in which Atmos Energy has System Facilities, and such abandonment is made for public safety reasons or in furtherance of a public project, the City shall determine whether it is appropriate to retain a public utility easement in such location for use by Atmos Energy.
2. If the City determines, in its sole reasonable discretion, that the continued use of the location by Atmos Energy is compatible with the abandonment of the Public Right-of-Way, then in consideration of the compensation set forth in Section 13, and to the maximum extent of its right to do so, City shall grant or retain, as the case may be, an easement to or for the benefit of Atmos Energy for such use, and the abandonment of the Public Right-of-Way shall be subject to the right and continued use of Amos Energy.
3. If the City determines, in its sole reasonable discretion, that it is not appropriate to retain a public utility easement at such location for Atmos Energy, Atmos Energy shall be responsible, subject to the provisions of this Section 3, for relocating its System from such abandoned Public Right-of-Way at its expense, as directed by City.
4. If Public Right-of-Way is sold, conveyed, abandoned, or surrendered by City to a third party, and such Right-of-Way then contains System Facilities, such action shall be conditioned upon Atmos Energy's right to maintain use of the former Public Right-of-Way to the extent allowed by law. If the third party requests Atmos Energy to remove or relocate its System Facilities from the former Public Right-of-Way and Atmos Energy agrees to such removal or relocation, such removal or relocation shall be done within a reasonable time at the expense of the party requesting the removal or relocation. In the event of a third party requesting the relocation, if relocation cannot practically be made to another Public Right-of-Way, the expense of any right-of-way acquisition shall be considered a relocation expense to be reimbursed by the Person requesting the relocation.

- J. Upon request by City for a public health or safety purpose, Atmos Energy shall provide maps in a digital format showing the location of its System Facilities and promptly cooperate in locating its System Facilities when necessary to avoid conflict and protect the health and safety of the public. All maps temporarily provided by Atmos Energy to the City shall be deemed confidential and proprietary, and will be provided solely for the City's use. The City agrees to maintain the confidentiality of any non-public information obtained from Atmos Energy to the extent allowed by law. Notwithstanding any other provision of this Agreement, the Parties understand that the City is required to comply with the Texas Public Information Act (Chapter 552 of the Texas Government Code) ("TPIA") when responding to records requests made under the TPIA. If the City receives a request

for information that Atmos Energy has marked or identified as being confidential, trade secret, commercial, financial or proprietary information, the City will respond to the request in accordance with the procedures set forth in the TPIA. Specifically, the City will notify Atmos Energy of its receipt of the request and request an attorney general decision identifying the exception(s) to disclosure believed to apply. Atmos Energy shall be solely responsible for establishing than an exception under TPIA allows City to withhold the information. If the attorney general renders a decision indicating that all or a part of the information must be disclosed, the City shall be permitted to disclose the information unless Atmos Energy successfully contests the attorney general decision in accordance with the requirements of TPIA. Nothing in this Agreement shall require the City to institute or participate in any litigation relating to an open records request for information that Atmos Energy considers confidential.

SECTION 4. LAYING OF LINES IN ADVANCE OF PUBLIC IMPROVEMENTS.

- A. Whenever City shall decide to make public improvements in the Public Right-of-Way in which Atmos Energy's System Facilities already exist or in which Atmos Energy may propose to install its System Facilities, Atmos Energy will be provided the opportunity, at no expense to City, in advance of such improvements to renew such System Facilities, if defective or inadequate in size and to lay System Facilities, or renew same, if inadequate in size or defective, to the property lines where buildings may be located provided such activities do not delay or otherwise interfere with the City's public improvements.
- B. Atmos Energy shall be given written notice of the intention of City to make major changes to any Public Facility located in Public Rights-of-Way when such changes will affect System Facilities. Within 90 days from receipt of such notice, Atmos Energy shall initiate work and thereafter proceed in a workman-like manner to completion of the necessary work to relocate or adjust its lines and facilities to accommodate the City's public improvements and complete such work within three months to preclude the delay of the public improvements. Atmos Energy shall take reasonable measures to ensure uninterrupted service to its customers and shall reconnect all customer service lines disconnected in the normal course of construction at its own expense. If Atmos Energy should fail to so proceed, and any street or alley is thereupon paved, then except in an emergency or in response to a request for initiation of new service, Atmos Energy shall for three years thereafter not be allowed to cut such pavement or excavate in such paved street or alley for any purpose. All pavement cuts or excavations within the three-year period, except in response to an emergency or in response to a request for initiation of new service, shall be performed only upon written permission of the City Engineer under such terms and conditions as the City Engineer may prescribe. Atmos Energy shall obtain a permit for emergency work as soon as possible after the commencement of such work in accordance with Chapter 51, Article VII, Code

of Ordinances of the City, entitled "Use of Right-of-Way by Public Utilities," as amended.

SECTION 5. LIABILITY INSURANCE. Atmos Energy will maintain insurance in accordance with Chapter 51, Article VII, Garland Code of Ordinances, as amended. Such insurance may be in the form of self-insurance to the extent permitted by applicable law, under an approved formal plan of self-insurance maintained by Atmos Energy in accordance with sound accounting and risk-management practices. A certificate of insurance (or a certified statement of self-insurance, as the case may be) shall be provided to the City. Atmos Energy will require its self-insurance to respond to the same extent as if an insurance policy had been purchased naming the City as an additional insured and any excess coverage purchased solely for Atmos Energy's operations within the City will name the City as an additional insured up to the amounts required by City's ordinances.

SECTION 6. INSTALLATION OF METERS. If a meter is to be installed in or near the Public Rights-of-Way, Atmos Energy agrees to discuss with the City's representative the aesthetics of the meter placement and to accommodate the request of City to the maximum extent possible. If City requests a meter upgrade, Atmos Energy will comply so long as City reimburses Atmos Energy for the reasonable costs incurred by Atmos Energy in changing meters. In no event, however, shall underground meters be required.

SECTION 7. EXTENSIONS FOR CUSTOMERS. Atmos Energy shall, at its expense, extend distribution mains in any Public Right-of-Way up to one hundred feet for any one residential or commercial customer so long as the customer at a minimum uses gas for unsupplemented space heating and water heating. Atmos Energy shall not be required to extend transmission mains in any Public Rights-of-Way within City or to make a tap on any transmission main within City unless Atmos Energy agrees to such extension by a written agreement between Atmos Energy and a customer.

SECTION 8. DUTY TO SERVE.

- A. Atmos Energy agrees that it shall not arbitrarily refuse to provide service to any Person having a service location within the City and meeting Atmos Energy's reasonable credit requirements that it is economically feasible for Atmos Energy to serve. In the event that a Person is refused service, that Person may request a hearing before the City Council of City or its designee. The hearing will be held within 45 days from the date of the request for hearing. The City Council may order Atmos Energy to provide service or take any other action necessary to bring Atmos Energy into compliance with the intent of the City Council in granting this Franchise, including the adoption of an ordinance or resolution in accordance with Section 15.B. The City Council may render its opinion at its next regular meeting following the hearing, but in no event shall it be required to act in less than 14 days.

Commencing five calendar days following the adoption of a resolution or an ordinance of the City that finds and determines a failure of Atmos Energy to comply with operational or maintenance

standards as required by this Franchise Ordinance, the City may elect to terminate this Franchise in accordance with Section 15.

SECTION 9. CUSTOMER SERVICE STANDARDS; LOCAL PAY STATION.

- A. Atmos Energy shall maintain a local, toll-free or collect call telephone access line which will be available to its customers 24 hours a day, seven days a week.
- B. Atmos Energy shall make a good faith effort to maintain within City one or more locations where customers can pay their bills. In no circumstance shall the absence of such a location be considered violation of a material provision of this Franchise as outlined in Section 15.

SECTION 10. RATES. Atmos Energy shall furnish reasonably adequate service to the public at just and reasonable rates and charges therefore, and shall maintain its System in good order and condition and in accordance with applicable statutes and regulations. Atmos Energy's rates and charges shall be established and shall be subject to revision and change by City or Atmos Energy in accordance with all applicable statutes and ordinances. Atmos Energy shall maintain on file with City copies of its current tariffs, schedules or rates and charges, customer service provisions and line extension policies.

SECTION 11. INDEMNITY.

- A. **IN CONSIDERATION OF THE GRANTING OF THIS FRANCHISE, ATMOS ENERGY AGREES TO INDEMNIFY, DEFEND AND HOLD HARMLESS CITY, ITS OFFICERS, AGENTS, EMPLOYEES (CITY AND SUCH OTHER PERSONS AND ENTITIES BEING COLLECTIVELY REFERRED TO HEREIN AS "INDEMNITEES"), FROM AND AGAINST ALL SUITS, ACTIONS OR CLAIMS OF INJURY TO ANY PERSON OR PERSONS, OR DAMAGES TO ANY PROPERTY BROUGHT OR MADE FOR OR ON ACCOUNT OF ANY DEATH, INJURIES TO, OR DAMAGES RECEIVED OR SUSTAINED BY ANY PERSON OR PERSONS OR FOR DAMAGE TO OR LOSS OF PROPERTY ARISING OUT OF, OR OCCASIONED BY ATMOS ENERGY'S INTENTIONAL AND/OR NEGLIGENT ACTS OR OMISSIONS IN CONNECTION WITH ATMOS ENERGY'S CONSTRUCTION, RECONSTRUCTION, MAINTENANCE, REPAIR, USE, OPERATIONS OR DISMANTLING OF THE SYSTEM OR ATMOS ENERGY'S PROVISION OF SERVICE; EXCEPT THAT THE INDEMNITY PROVIDED FOR IN THIS PARAGRAPH SHALL NOT APPLY TO THE EXTENT ANY LIABILITY IS DETERMINED TO HAVE RESULTED FROM NEGLIGENCE OR INTENTIONAL ACTS OR OMISSIONS OF CITY, ITS OFFICERS, AGENTS AND EMPLOYEES. IN THE EVENT OF JOINT AND CONCURRENT NEGLIGENCE OR FAULT OF BOTH ATMOS ENERGY AND CITY, RESPONSIBILITY AND INDEMNITY, IF ANY, SHALL BE APPORTIONED COMPARATIVELY IN ACCORDANCE WITH THE LAWS OF THE STATE OF TEXAS**

WITHOUT, HOWEVER, WAIVING ANY OF THE DEFENSES OF THE PARTIES UNDER TEXAS LAW. FURTHER, IN THE EVENT OF JOINT AND CONCURRENT NEGLIGENCE OR FAULT OF BOTH ATMOS ENERGY AND CITY, RESPONSIBILITY FOR ALL COSTS OF DEFENSE SHALL BE APPORTIONED BETWEEN CITY AND ATMOS ENERGY BASED UPON THE COMPARATIVE FAULT OF EACH.

- B. The parties acknowledge that the City is exercising a governmental function by adopting and agreeing to the terms of this Franchise. The City does not consent to suit, waive any governmental immunity available to the City under Texas Law, or waive any defenses of the parties under Texas law.
- C. In the event any action or proceeding shall be brought against the Indemnitees by reason of any matter for which the Indemnitees are indemnified hereunder, Atmos Energy shall, upon notice from any of the Indemnitees, at Atmos Energy's sole cost and expense, resist and defend the same with legal counsel selected by Atmos Energy, provided; however, that Atmos Energy shall not admit liability in any matter on behalf of the Indemnitees without their written consent and provided further that Indemnitees shall not admit liability for, nor enter into any compromise or settlement of, any claim for which they are indemnified hereunder, without the prior written consent of Atmos Energy. Atmos Energy's obligation to defend shall apply regardless of whether Atmos Energy is solely or concurrently negligent provided that Indemnitees may be held responsible for the cost of such defense paid for by Atmos Energy to the extent of such Indemnitee's comparative fault. Indemnitees shall give Atmos Energy prompt notice of the making of any claim or commencement of any action, suit or other proceeding covered by the provision of this Section 11. Nothing herein shall be deemed to prevent the Indemnitees at their election and their own expense from cooperating with Atmos Energy and participating in the defense of any litigation by their own counsel and at their own expense.
- D. In fulfilling its obligation to defend and indemnify City, Atmos Energy shall have the right to select defense counsel, subject to City's approval, which shall not be unreasonably withheld. Atmos Energy shall retain defense counsel within seven business days of City's written notice that City is invoking its right to indemnification under this Franchise. If Atmos Energy fails to retain counsel within such time period, City shall have the right to retain defense counsel on its own behalf, and Atmos Energy shall be liable for all defense costs incurred by City, except as otherwise set out in this Section 11.A.

SECTION 12. RESERVATION OF RIGHTS; NON-EXCLUSIVE FRANCHISE.

- A. City reserves to itself the right and power at all times to exercise, in the interest of the public and in accordance with State law, regulation and control of Atmos Energy's use of the Public Rights-of-Way to ensure the rendering of safe,

efficient public service and the maintenance of Atmos Energy's System in good repair throughout the term of this Franchise.

- B. The rights, privileges and franchises granted by this Franchise are not to be considered exclusive, and City hereby expressly reserves the right to grant, at any time, like privileges, rights and franchises as it may see fit to any other Person for the purpose of transporting, delivering, distributing or selling gas to and for City and the inhabitants thereof.
- C. City expressly reserves the right to own or operate its own system for the purpose of transporting, delivering, distributing or selling gas to and in the City and for the inhabitants thereof.
- D. Nothing herein shall impair the right of City to fix, within constitutional and statutory limits, a reasonable price to be charged for natural gas, or to provide and fix a scale of prices for natural gas and other charges, to be charged by Atmos Energy to residential consumers, commercial consumers, industrial consumers or to any combination of such consumers, within the territorial limits of the City as same now exists or as such limits may be extended from time to time hereafter. The City reserves all regulatory authority it may have over Atmos Energy as provided in the Texas Utilities Code or otherwise.

SECTION 13. PAYMENTS TO CITY.

- A. In consideration of the privilege and license granted by City to Atmos Energy to use and occupy the Public Rights-of-Way in the City for the conduct of its business, Atmos Energy, its successors and authorized assigns, agree to pay and City agrees to accept, franchise fees equivalent to five percent (5%) of the quarterly Gross Revenues, as defined in Section 2 above, received by Atmos Energy during the preceding calendar quarter. Except as otherwise provided for in Section 13.B., such payments shall be made on a quarterly basis, on or before the 10th days of January, April, July and October, 2020, and on or before the same days of each succeeding year during the term of this Franchise, the last payment of the initial term being made on the 10th day of October 2044, and shall be for the rights and privileges during the quarter in which the payment is made.
- B. The franchise fee amounts based on "Contributions in Aid of Construction" (CIAC) shall be calculated on an annual calendar year basis, that is, from January 1 through December 31 of each calendar year. The franchise fee amounts that are due based on CIAC shall be paid at least once annually on or before April 30 each year based on the total CIAC recorded during the preceding calendar year. The initial CIAC franchise fee payment will be due on or before April 30, 2020, and will be based on CIAC received from January 1, 2019, through December 31, 2019. Unless this Franchise is extended pursuant to Section 1, the final payment of franchise fee amounts based on CIAC will be April 30, 2045, for the calendar year ending in

2044.

- C. The initial payment made under this Franchise for the rights and privileges herein provided shall be on January 10, 2020, and shall be for the privilege period January 1 through March 31, 2020, and each succeeding payment shall be for the privilege period of the calendar quarter in which the payment is made as follows:

<u>Payment Due Date</u>	<u>Quarter Upon Which Payment is Based</u>	<u>Quarter for Which Payment is Made</u>
April 10 th	January 1 – March 31	April 1 – June 30
July 10 th	April 1 – June 30	July 1 – September 30
October 10 th	July 1 – September 30	October 1 – December 31
January 10 th	October 1 – December 31	January 1 – March 31

- D. It is also expressly agreed that the the payments made under this Ordinance shall be in lieu of any and all other and additional occupation taxes, easement, franchise taxes or charges (whether levied as an ad valorem, special or other character of tax or charge), municipal license, permit, and inspection fees, bonds, street taxes, and street or alley rentals or charges, and all other and additional municipal taxes, charges, levies, fees and rentals of whatsoever kind and character that City may now impose or hereafter levy and collect from Atmos Energy or Atmos Energy's agents for use of the Public Right-of-Way, excepting only the usual general or special ad valorem taxes that City is authorized to levy and impose upon real and personal property and such other taxes as are generally levied or collected by or payable to the City unrelated to the use of the Public Right-of-Way. Except however, Atmos Energy's separate obligations to reimburse the City for City's reasonable rate case expenses and for street repairs or other damage to Public Facilities caused by Atmos Energy employees or Contractors in accordance with City's ordinances and policies, are not affected by Atmos Energy's payment of franchise fees hereunder. If the City does not have the legal power to agree that the payment of the foregoing sums of money shall be in lieu of occupation taxes, licenses, fees, street or alley rentals or charges, easement or franchise taxes or charges for use of the Public Right-of-Way, then City agrees that it will apply so much of the sums of money paid as franchise fees hereunder as may be necessary to satisfy Atmos Energy's obligations, if any, to pay any such occupation taxes, licenses, charges, fees or rentals.
- E. If Atmos Energy fails to pay when due any payment provided for in this Section, Atmos Energy shall pay such amount plus interest consistent with the rate for customer deposits under Texas Utilities Code Section 183.003 from such due date until payment is received by City.
- F. *Effect of Other Municipal Franchise Ordinance Fees Accepted and Paid by Atmos Energy.* If Atmos Energy should at any time after the effective date of this Ordinance agree to a new municipal franchise ordinance, or renew an existing

municipal franchise ordinance, with another municipality in Atmos Energy's Mid-Tex Division, which municipal franchise ordinance determines the franchise fee owed to that municipality for the use of its public rights-of-way in a manner that, if applied to the City, would result in a franchise fee greater than the amount otherwise due City under this Ordinance, then the franchise fee to be paid by Atmos Energy to City pursuant to this Ordinance may, at the election of the City, be increased so that the amount due and to be paid is equal to the amount that would be due and payable to City were the franchise fee provisions of that other franchise ordinance applied to City. The City acknowledges that the exercise of this right is conditioned upon the City's acceptance of all terms and conditions of the other municipal franchise in toto. The City may request waiver of certain terms and Company may grant, in its sole reasonable discretion, such waiver.

G. *Atmos Energy Franchise Fee Recovery Tariff.*

- (1) Atmos Energy may file with the City a tariff or tariff amendment(s) to provide for the recovery of the franchise fees under this agreement.
- (2) City agrees that, to the extent allowed by law, (i) as regulatory authority, it will adopt and approve the ordinance, rates or tariff which provide for 100 percent recovery of such franchise fees as part of Atmos Energy's rates; (ii) if City intervenes in any regulatory proceeding before a federal or state agency in which the recovery of Atmos Energy's franchise fees is an issue, the City will take an affirmative position supporting 100 percent recovery of such franchise fees by Atmos Energy (without waiving any other position the City may take in such proceeding) and; (iii) in the event of an appeal of any such regulatory proceeding in which the City has intervened, the City will take an affirmative position in any such appeals in support of the 100 percent recovery of such franchise fees by Atmos Energy (without waiving any other position the City may take in such proceeding); and (iv) it will take no action, nor cause any other Person or entity to take any action, to prohibit the recovery of such franchise fees by Atmos Energy.

H. *Lease of Facilities within City's Rights-of-Way.* Atmos Energy shall have the right to lease, license or otherwise grant to a Person other than Atmos Energy the use of its System Facilities within City's Public Rights-of-Way provided: (i) Atmos Energy first notifies the City of the name of the lessee, licensee or user; the type of service(s) intended to be provided through the System Facilities; and the name and telephone number of a contact person associated with such lessee, licensee or user and (ii) Atmos Energy makes the franchise fee payment due on the revenues from such lease pursuant to Section 13 of this Franchise. This authority to lease System Facilities within City's Public Rights-of-Way shall not affect any such lessee, licensee or user's obligation, if any, to pay franchise fees, access line fees or similar Public Rights-of-Way user fees nor affect any of Atmos's Energy's obligations under this Franchise.

- I. City shall endeavor to, within 30 days of final approval and submission to the Texas Comptroller of Public Accounts, give Atmos Energy notice of annexations and disannexations of territory by City, which notice shall include a map and addresses, if known. Upon receipt of such notice, Atmos Energy shall promptly initiate a process to reclassify affected customers into the City limits no later than 60 days after receipt of notice from City. The annexed areas added to the City limits will be included in future franchise payments in accordance with the effective date of the annexation if notice was timely received from City. Upon request from City, Atmos Energy will provide documentation to verify that affected customers were appropriately reclassified and included for purposes of calculating franchise payments. In no event shall Atmos Energy be required to add premises for the purposes of calculating franchise payment prior to the earliest date that the same premises are added for purposes of collecting sales tax.

SECTION 14. BOOKS AND RECORDS.

- A. Atmos Energy agrees that at the time of each quarterly payment, Atmos Energy shall also submit to the City a statement showing its Gross Revenues, as defined in Section 2.E., for the preceding calendar quarter. City shall be entitled to treat such payment as though it were sworn and signed by an officer of Atmos Energy.
- B. City may, if it sees fit, upon reasonable notice to the Atmos Energy, have the books and records of Atmos Energy examined by a representative of the City to ascertain the correctness of the reports agreed to be filed herein. Atmos Energy shall make available, during normal working hours and upon reasonable notice, such personnel and records as City may in its reasonable discretion request in order to complete such audit, and shall make no charge to the City therefor. Atmos Energy shall assist City in its review by providing all requested information no later than fifteen (15) business days after receipt of a request. The cost of the audit shall be borne by City unless the audit discloses that Atmos Energy has underpaid the franchise fee by 10 percent or more, in which case the reasonable costs of the audit shall be reimbursed to the City by Atmos Energy. If such an examination reveals that Atmos Energy has underpaid City, then upon receipt of written notification from City regarding the existence of such underpayment, Atmos Energy shall undertake a review of City's claim and if the claimed underpayment is confirmed, remit the amount of underpayment to City, including any interest calculated in accordance with Section 13.E. Should Atmos Energy determine through examination of its books and records that City has been overpaid, upon receipt of written notification from Atmos Energy regarding the existence of such overpayment, City shall review Atmos Energy's claim and if the claimed overpayment is confirmed, remit the amount of overpayment to Atmos Energy.
- C. If, after receiving reasonable notice from City of City's intent to perform an audit as provided herein, Atmos Energy fails to provide data, documents, reports or information required to be furnished hereunder to City or fails to reasonably

cooperate with City during an audit conducted under the terms hereunder, the Franchise may be subject to termination as set forth herein. City shall give Atmos Energy written notice of its intent to impose a fee and shall provide Atmos Energy with a period to cure its failure, such period not to exceed five (5) working days. If Atmos Energy fails to cure the alleged failure within the prescribed time period, Atmos Energy's alleged failure to comply shall be heard at a public meeting of the City Council. Atmos Energy shall be given written notice of the public meeting no later than five (5) calendar days prior to the posting date of the agenda for the City Council meeting at which such failure is scheduled to be considered by the City Council. The notice to Atmos Energy shall include a list of the failures complained of. Atmos Energy shall have an opportunity to address the City Council at such public meeting. Commencing five calendar days following the adoption of a resolution or an ordinance of the City that finds and determines a failure of Atmos Energy to comply with the requirements of this Section, the City may elect to terminate this Franchise in accordance with Section 15.

- D. If Atmos Energy provides confidential or proprietary information to the City, Atmos Energy shall be solely responsible for identifying such information with markings calculated to bring the City's attention to the proprietary or confidential nature of the information. City agrees to maintain the confidentiality of any non-public information obtained from Atmos Energy so designated to the extent allowed by law. City shall not be liable to Atmos Energy for the release of any information City is required to release by law. Notwithstanding any other provision of this Agreement, the Parties understand that the City is required to comply with the Texas Public Information Act (Chapter 552 of the Texas Government Code) ("TPIA") when responding to records requests made under the TPIA. If the City receives a request for information that Atmos Energy has marked or identified as being confidential, trade secret, commercial, financial or proprietary information, the City will respond to the request in accordance with the procedures set forth in the TPIA. Specifically, the City will notify Atmos Energy of its receipt of the request and request an attorney general decision identifying the exception(s) to disclosure believed to apply. Atmos Energy shall be solely responsible for establishing that an exception under the TPIA allows City to withhold the information. If the attorney general renders a decision indicating that all or a part of the information must be disclosed, the City shall be permitted to disclose the information unless Atmos Energy successfully contests the attorney general decision in accordance with the requirements of TPIA. Nothing in this Agreement shall require the City to institute or participate in any litigation relating to an open records request for information that Atmos Energy considers confidential.

SECTION 15. TERMINATION.

- A. *Right to Terminate.* In addition to any rights set out elsewhere in this Ordinance, City reserves the right to terminate this Franchise and all rights and privileges pertaining thereto, in the event that Atmos Energy violates any material provision of the Franchise.
- B. *Procedures for Termination.*

- (1) City may, at any time, terminate this Franchise for a continuing material violation by Atmos Energy of any of the substantial terms hereof. In such event, City shall give to Atmos Energy written notice, specifying all grounds on which termination or forfeiture is claimed, by registered mail, addressed and delivered to Atmos Energy at the address set forth in Section 16.A. Atmos Energy shall have 60 days after the receipt of such notice within which to cease such violation and comply with the terms and provisions hereof. In the event Atmos Energy fails to cease such violation or otherwise comply with the terms hereof, then Atmos Energy's Franchise is subject to termination under the following provisions, provided; however, that if Atmos Energy commences work or other efforts to cure such violations within 30 days after receipt of written notice and shall thereafter prosecute such curative work with reasonable diligence until such curative work is completed, then such violations shall cease to exist, and the Franchise will not be terminated.
- (2) Termination shall be declared only by written decision of the City Council after an appropriate public proceeding whereby Atmos Energy is afforded the full opportunity to be heard and to respond to any such notice of violation or failure to comply. Atmos Energy shall be provided at least 15 days prior written notice of any public hearing concerning the termination of the Franchise. In addition, 10 days' notice of the date, time and place of any public hearing to interested members of the public by posting on the City's website.
- (3) The City Council, after full public hearing, and upon finding material violation or failure to comply, may terminate the Franchise or excuse the violation or failure to comply, upon a showing by Atmos Energy of mitigating circumstances or upon a showing of good cause for the violation or failure to comply as may be determined by the City Council.
- (4) Nothing herein stated shall preclude Atmos Energy from appealing the final decision of the City Council to a court or regulatory authority having jurisdiction.
- (5) Nothing herein shall prevent City from seeking to compel compliance by suit in any court or regulatory authority of competent jurisdiction if Atmos Energy fails to comply with the terms of this Ordinance after due notice and the providing of adequate time for Atmos Energy to comply.

SECTION 16. NOTICES.

- A. Any notices required or desired to be given from one party to the other party to this Ordinance shall be in writing and shall be given and shall be deemed to have been served and received if: (i) delivered in person to the address set forth below; (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 hereinafter 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.

CITY
City Manager
City of Garland
P.O. Box 469002
Garland, Texas 75046-9002

ATMOS ENERGY
Manager of Public Affairs
Atmos Energy Corporation
Mid-Tex Division
1310 Highway 66
Garland, Texas 75040

City Attorney
City of Garland
P.O. Box 469002
Garland, Texas 75046-9002

- B. Atmos Energy shall provide to the City a local or toll-free telephone number that is manned 24 hours a day, seven days a week to provide available information relating to emergency situations. The City understands that this telephone number is not equipped to handle calls from the public and the City will not provide this number to customers, but will direct them to Atmos Energy's Call Center. If Atmos Energy cannot timely respond to an emergency with Atmos Energy employees, Atmos Energy will attempt to respond to the emergency with qualified local contractors. Atmos Energy's contact information shall be kept current at all times. Atmos Energy and the City shall periodically, and upon request by either party, meet to discuss and address emergency response issues in order to rectify any problems identified by either party.

SECTION 17. SUCCESSIONS AND ASSIGNS.

- A. The rights granted by this Franchise inure to the benefit of the Atmos Energy. Atmos Energy may, without consent by City, transfer or assign the rights granted by this Franchise to an Affiliate provided that such Affiliate assumes all obligations of Atmos Energy hereunder and is bound to the same extent as Atmos Energy hereunder, and has net capital and liquid assets reasonably

equivalent to the Atmos Energy's as of the month immediately preceding the transfer or there are provided other guarantees or assurances of the transferee's or assignee's financial ability to perform this Franchise reasonably acceptable to the City. Atmos Energy shall give City written notice thirty (30) days prior to such assignment.

- B. City will have the right to approve the transfer or assignment of the Franchise, except as provided in Section 17(A). City shall grant approval unless the assignee is unable to demonstrate its credit worthiness. For the purpose of this section, "credit worthiness" means that the long term unsecured debt rating of the assignee is investment grade as rated by both S&P and Moody's. If the assignee is unable to demonstrate its credit worthiness, the City may request additional documents and information reasonably related to the transaction and the legal, financial, and technical qualifications of the assignee. City agrees that its approval shall not be unreasonably withheld or delayed. Any such assignment or transfer shall require that the assignee assume all obligations of Atmos Energy under this Ordinance and be bound to the same extent as Atmos Energy hereunder. If within the first 90 days after assignment to assignee, City identifies a failure to comply with a material provision of this Ordinance, City shall have the right, after notice and opportunity before the City Council, to terminate this Ordinance using the procedures described in Section 15.

SECTION 18. RENEGOTIATION. If either City or Atmos Energy requests renegotiation of any term of this Ordinance, Atmos Energy and City agree to renegotiate in good faith, revisions to any and all terms of this Ordinance. If the parties cannot come to agreement upon any provisions being renegotiated, then the existing provisions of this Ordinance will continue in effect for the remaining term of the Franchise.

SECTION 19. NO WAIVER. Either City or Atmos Energy shall have the right to waive any requirement contained in this Ordinance, 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 Ordinance 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 a different type of breach or violation.

SECTION 20. PARAGRAPH HEADINGS; CONSTRUCTION. The paragraph headings contained in this Ordinance 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 preparation of this Ordinance and this Ordinance shall not be construed either more or less strongly against or for either party.

SECTION 21. NO THIRD PARTY BENEFICIARIES. This Franchise is made for the exclusive benefit of the City and the Company, and nothing herein is intended to, or shall confer any right, claim or benefit in favor of any third party.

SECTION 22. COMPLIANCE WITH LAWS, CHARTER AND ORDINANCES.

This Franchise is granted subject to the laws of the United States of America and the laws of the State of Texas and their respective regulatory agencies and commissions having jurisdiction over the Company, the Garland City Charter, as amended, and all other generally applicable ordinances of the City not inconsistent herewith, including, but not limited to, ordinances regulating the use of Public Rights-of-Way.

SECTION 23. FORCE MAJEURE. Notwithstanding anything expressly or impliedly to the contrary contained herein, in the event either the City or the Company is unable to comply with any obligation or undertaking contained herein by reason of any event of force majeure, then, while so prevented, compliance with such obligations or undertakings shall be suspended, and the time during which such party is so prevented shall not be counted against such party for any reason. The term “force majeure” as used herein shall mean any cause not reasonably within the control of the party unable to comply with its obligation or undertaking hereunder and includes, but is not limited to, acts of God, strikes, lock-outs, wars, riots, orders or decrees of any lawfully constituted federal, state or local body, contagions or contaminations hazardous to human life or health, fires, storms, floods, wash-outs, explosions, breakage or accident to machinery or lines of pipe, inability to obtain or delay in obtaining rights-of-way, materials, supplies or labor permits, temporary failures of gas supply, or necessary repair, maintenance or replacement of facilities used in the performance of the obligations contained in this Ordinance.

SECTION 24. PREVIOUS ORDINANCES. When this Franchise becomes effective, all gas franchise ordinances and parts of franchise ordinances applicable to Atmos Energy or its predecessors in interest granted by the City are hereby repealed.

SECTION 25. SEVERABILITY. This Ordinance and every provision hereof, shall be considered severable, and the invalidity or unconstitutionality of any section, clause, provision or portion of this Ordinance shall not affect the validity, enforceability or constitutionality of any other portion of this Ordinance. If any term or provision of this Ordinance is held to be illegal, invalid or unenforceable, the legality, validity or unenforceability of the remaining terms or provisions of this Ordinance shall not be affected thereby.

SECTION 26. ACCEPTANCE OF FRANCHISE.

- A. The City shall provide Atmos Energy with a certified copy of this Franchise by overnight mail within five days of passage. In order to accept this Franchise, Atmos Energy must file with the City Secretary its written acceptance of this Franchise Ordinance within 30 days after its final passage and approval by City. If such written acceptance of this Franchise Ordinance is not filed by Atmos Energy, the Franchise shall be rendered null and void.
- B. Unless extended pursuant to Section 1, at 11:59 P.M. on December 31, 2044, ALL rights, franchises and privileges herein granted, unless they have already at that time ceased or been forfeited or extended by mutual agreement while a new franchise is being negotiated, shall at once cease and terminate.

SECTION 27. EFFECTIVE DATE. If Atmos Energy accepts this Ordinance, it becomes effective as of _____. Atmos Energy's obligation to submit payments to the City in compliance with Section 13 will begin January 1, 2020.

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

Mayor

ATTEST:

City Secretary



GARLAND POLICY REPORT

City Council Work Session Agenda

2. i.

Meeting Date: October 21, 2019

Item Title: Use of Narcotic Seizure Funding for Police Shooting Range Repairs

Submitted By: Jeffrey Bryan, Chief of Police

Strategic Focus Areas: Safe Community

ISSUE

Pursuant to Texas Code of Criminal Procedure, Article 59.06, the governing body must authorize the use of narcotic seizure funds. Currently, there are two lanes shut down at the Police Shooting Range that are in need of immediate repair. The Police Department is requesting that Council authorize the use of narcotic seizure funds in the amount of \$25,000 to make the necessary repairs so the range can be fully operational. Changes made to the narcotic seizure fund will be reflected in a future Budget Amendment.

OPTIONS

1. Approve the use of narcotic seizure funding for repairs to the bullet trap system at the Police Shooting Range.
2. Do not approve the use of narcotic seizure funding for repairs to the bullet trap system at the Police Shooting Range.

RECOMMENDATION

Unless otherwise directed by Council, this item is included for formal consideration at the October 22, 2019 Regular Meeting.

BACKGROUND

State and federal restrictions apply to permissible use of narcotics seizure funds. According to the Department of Justice, sharing must be used to increase or supplement the resources of the receiving agency. Shared resources shall not be used to replace or supplant the resources of the recipient.

Texas Code of Criminal Procedure, Article 59.06 states a governing body of a municipality may not use the existence of an award to offset or decrease total salaries, expenses and allowances that the agency receives from the governing body at or after the time the proceeds are awarded. Proceeds awarded under this chapter to a law enforcement agency may be spent by the agency after a budget for the expenditure of the proceeds has been submitted to the governing body of the municipality. The budget must be detailed and define the categories of expenditures.

CONSIDERATION

Pursuant to Texas Code of Criminal Procedure, Article 59.06, the governing body must authorize the use of narcotic seizure funds.



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Work Session Agenda

3. a.

Meeting Date: October 21, 2019

Item Title: PRCAD Master Plan Draft Report

Submitted By: Andy Hesser, Managing Director

Summary of Request/Problem

The PRCAD Master Plan is in its fourth and final phase of development, the Plan Phase. Within this phase, the consultant team of Brandstetter Carroll has compiled the data generated from the previous three phases to develop recommendations for physical planning, programs and services. Recommendations will be made for City-wide park and facility improvements, individual park recommendations with estimated costs and capital improvement and land acquisition priorities. The completion of the Master Plan is being extended to October 2019 to allow staff, Parks and Recreation Board members and City Council sufficient time to review the report and make any necessary modifications prior to adoption, which is planned for November 5, 2019.

A Special Meeting of the Parks and Recreation Board was held on October 9, 2019, where the Board voted unanimously to recommend approval to the City Council of the draft report with their notated changes. Pat Hoagland from Brandstetter Carroll as well as City staff will be available to address any questions or concerns regarding the report.

Recommendation/Action Requested and Justification

Council discussion.

Attachments

Garland Parks and Recreation Executive Summary



OUR Garland

Parks, Recreation & Cultural Arts Strategic Master Plan

EXECUTIVE SUMMARY

TRANSFORMING GARLAND

Garland's Bold Vision

Inspire people to live, work, play, and thrive in Garland!

This plan, along with \$117 million from the 2019 Bond Program approved by the citizens of Garland, lays the groundwork and direction for the City of Garland to achieve this vision. Implementation of this plan will transform Garland's parks and facilities from outdated and under-maintained facilities to modern spaces and places that allow residents and visitors to realize this vision. Picture updated and stimulating playgrounds; expanded and modernized recreation, senior, and aquatic centers; preserved natural spaces; trails connecting parks, schools, and neighborhoods; venues that promote community gathering and cultural experiences; and robust programs that respond to the changing demographics and diversity of the community. This vision will be realized by following the roadmap outlined in this plan.

Our Garland identifies the vision, mission, core values, goals, objectives, and strategies to lead the City Council and the Parks, Recreation, and Cultural Arts Department (PRCAD) over the next ten years. This strategic direction is based upon extensive public and staff engagement at all levels. Over 2,400 stakeholders were engaged through the master planning process to identify the vision for the future and priorities conveyed in this plan.

Why this master plan and why now?

1. Garland has grown over the last several decades and park development has not kept pace with growth and demographic changes.
2. Most of Garland's parks were acquired and developed in the 1970's or earlier when the population was about half of what it is today.

Adequate capital maintenance has not been performed due to budget cuts, leading to outdated and in some cases unsafe conditions.

3. Parks play a key role in the quality of life for residents and can be an attractor to businesses and families to move to Garland. The current facilities do not attract families or businesses.
4. Quality parks improve property values, increasing the tax base. Businesses also cite quality of parks as a top reason for relocation decisions.¹
5. Without a master plan, City Council only receives input from organized groups or citizens that contact Council members or come to Council meetings. This plan provided the opportunity for all citizens to be engaged, gathering much needed information for Council to make informed decisions.
6. Citizens demonstrated a strong desire for parks improvements at the polls. This plan provides the information and priorities needed for the wise use of bond funds and other capital investments over the next ten years.
7. This plan identifies underserved populations and geographic areas so the city can work toward equitable distribution of facilities and services. The poverty rate in Garland has increased from 8.9% in 2000 to 15.7% in 2017. Several areas in Garland have poverty rates above 30%.²
8. The senior (age 65+) population of Garland has grown dramatically since 2000, now representing over 12% of the population compared to 7% in 2000.
9. This plan will be a tool to leverage outside funding such as grants, donations, and foundations.
10. Public engagement clearly indicates strong support by residents of Garland for improvements

¹ National Recreation and Park Association, "Why Parks and Recreation are Essential Public Services," <https://www.nrpa.org/uploadedFiles/nrpa.org/Advocacy/Resources/Parks-Recreation-Essential-Public-Services-January-2010.pdf>, (October 4, 2019).

² 2013-2017 American Community Survey 5-Year Estimates

to existing parks, trails, connectivity within the community, Neighborhood Parks, preservation of natural areas, and new facilities.

11. Parks promote tourism and economic development. The Trust for Public Land estimated that 77 sporting events at parks in nearby Plano, Texas generated \$39.2 million in economic impact in 2015.³
12. Obesity rates have increased dramatically in the U.S. According to the CDC, the obesity rate in Texas is 30%, similar to the U.S. as a whole.
13. Access to parks leads to increased physical activity. Studies reviewed in the American Journal of Preventive Medicine show that access to a place to exercise results in a 5% increase in aerobic capacity, weight loss, and an increase in perceived energy.⁴
14. Parks can help relieve stress, improve interpersonal relationships, and improve mental health.⁵

THE NEED FOR A PLAN

Garland, located in north central Texas, has a population of approximately 236,000 as of 2018. This population has grown considerably since 1970. Growth is expected to slow, however, as Garland is approaching full buildout. The demographics of the city are expected to continue to change with the city becoming older and more diverse.

Population growth since 1970 and changes to its makeup have implications to both the current and future needs for parks and recreation in Garland. Recognizing that the needs of the population should be reassessed to develop a plan for the future, the City Council and PRCAD staff determined that a comprehensive process should be completed to determine the needs of the community for the future, leading to the authorization of this master plan. The *Our Garland: Parks, Recreation, and Cultural Arts Strategic Master Plan* represents the culmination of the master planning process and will provide guidance for parks, recreation, cultural arts, open space, and trails in Garland for the next five to ten years and beyond.

This master plan is important because parks provide many affordable benefits and services to the community. For many residents, parks provide their primary access to the natural environment, and for all residents, parks offer a variety of natural and active outdoor recreational opportunities.

Access to these facilities helps to promote the health and wellness of the community. Parks can be an effective component of a strategy to address issues such as poor nutrition, hunger, obesity, and physical inactivity. Some programs and facilities, such as community gardens, can even provide healthy food for residents. Finally, parks are important because they can serve as gathering places for the community and can help cultivate community ties, leading to a sense of connectedness that increases livability and desirability.⁶

The residents and the leadership of Garland place a high value on parks and recreation services. According to the City of Garland Parks and Recreation Survey, 90% of residents support upgrading older parks and facilities, 85% support the preservation of open space, and 82% support developing new trails (see Chapter 4 for more information). Through the implementation of this plan, parks will continue to serve as gathering places for the community and improve the quality of life of residents, transforming the City of Garland.

EXISTING CONDITIONS OF PARKS AND FACILITIES IN GARLAND

Garland offers more than 2,200 acres and over 60 parks, including 13 Mini Parks, 21 Neighborhood Parks, and five (5) Community Parks. The city offers two regional parks, Audubon Park and Winters Park, each with over 100 acres of land. The city also provides six (6) recreation centers, two (2) senior centers, and several cultural arts facilities, including the Granville Arts Center. The city has abundant natural areas with the majority along three waterways, Spring Creek, Rowlett Creek, and Duck Creek. Garland has Greenbelt Parks along each of these streams. Many private facilities (HOAs, churches, etc.) are also located in Garland, offering playgrounds, tennis courts, trails, and swimming pools for residents.

³ The Trust for Public Land. (2017). The economic benefits of Plano's park and recreation system. San Francisco, CA: The Trust for Public Land.

⁴ Sherer, Paul M. (2006). The benefits of parks: why America needs more city parks and open space. San Francisco, CA: The Trust for Public Land.

⁵ National Recreation and Park Association, "Health and Wellness," <http://www.nrpa.org/About-NRPA/Impacting-Communities/Health-and-Wellness/>, (May 30, 2018).

⁶ National Recreation and Park Association, "Social Equity," <http://www.nrpa.org/About-NRPA/Impacting-Communities/Social-Equity/>, (May 30, 2018).

Demographic Analysis

A review of demographic and population trends is important to identify present and anticipate future needs for parks and recreation services and facilities. Trends show an aging of the population of Garland, smaller households, and increasing diversity. This analysis also indicates that the population in Garland will likely grow by 5,000 to 6,000 by 2030. The direction chosen for parks and recreation will determine the availability of opportunities for residents and will help to enrich the quality of life in Garland.

Social Needs and Conditions Analysis

This process used ten demographic and socioeconomic indicators to measure the level of social need for 46 census tracts in Garland. The process utilized a ranking of each social need factors to produce an overall score for each census tract or Social Needs and Conditions Index. These results indicate what parts of the city would most likely benefit from community services (see figure on next page).

The ten factors in the analysis include:

- Median household income
- Education level
- Unemployment
- Single parent households
- Crime
- Residents under age 18
- Residents age 65 or older
- Residents with disabilities
- Poverty (weighted x 2)
- Population density (weighted x 2)

Planning Sectors

For the purpose of analysis, Garland was divided into three different areas using council district boundaries. The delineation of these sectors allows for the analysis of differences between various portions of the city and for the development of recommendations specific to these areas which have different characteristics, needs, and levels of service. These three areas are shown on the following page.

Service Area Analysis (Gaps)

Service areas for types of parks and for individual facilities were mapped to identify "Service Gaps" or underserved areas. Maps were produced showing access to five park classifications and 18 facilities. The analysis indicated that about 40% of the population lives within a 10-minute walk to a Neighborhood Park, and most (74%) live within a five-minute drive to a Community Park.

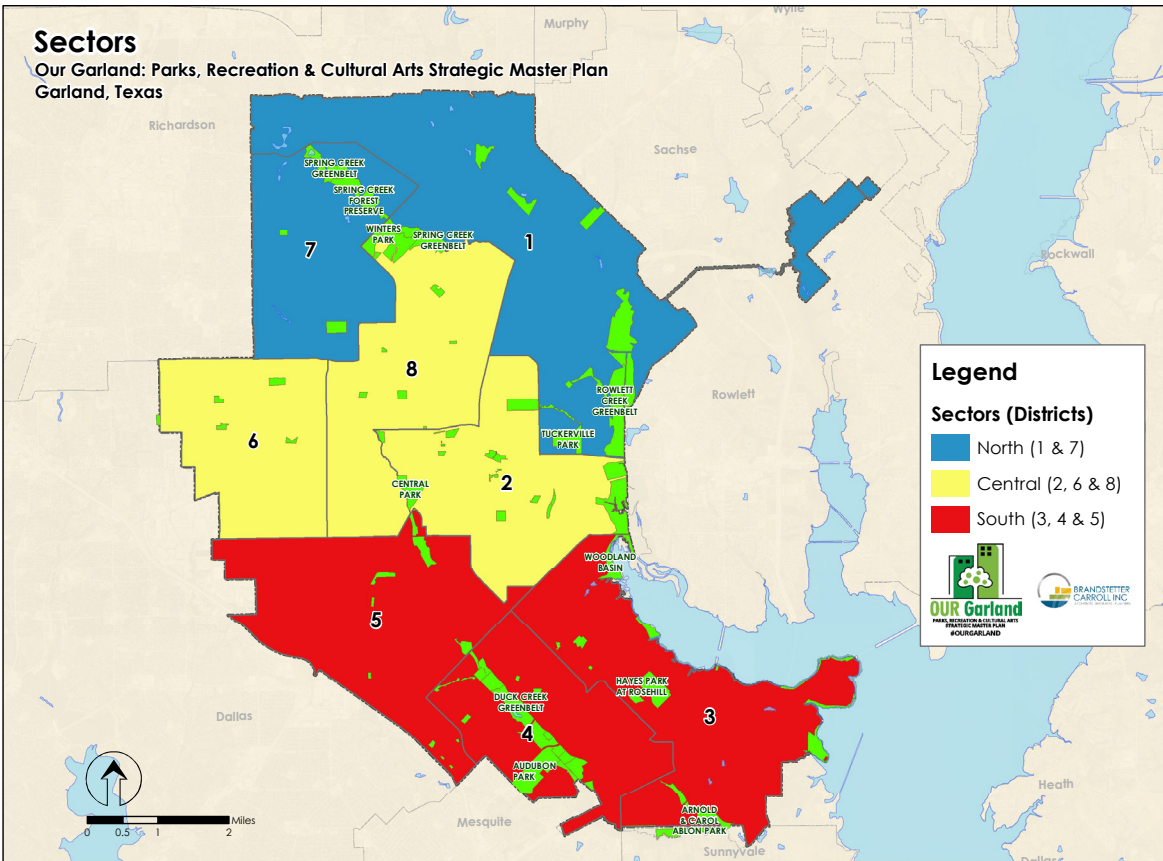
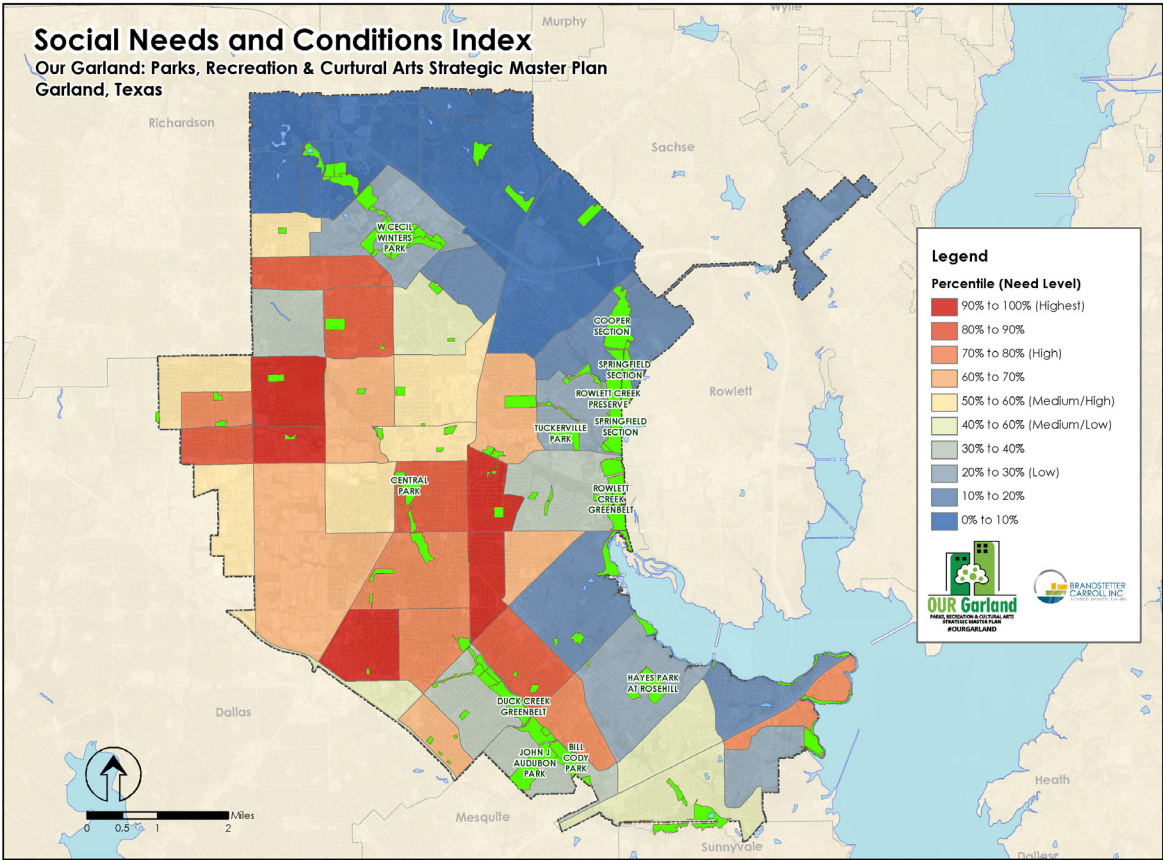
A composite service areas analysis was completed to determine the overall level of service for parks and facilities. Nearly half (45%) of the population lives within "High" service areas or above. The areas with lower levels of service are primarily located toward the northeastern, southeastern, and southwestern edges of the city. The table below shows the percentage of the population by service level.

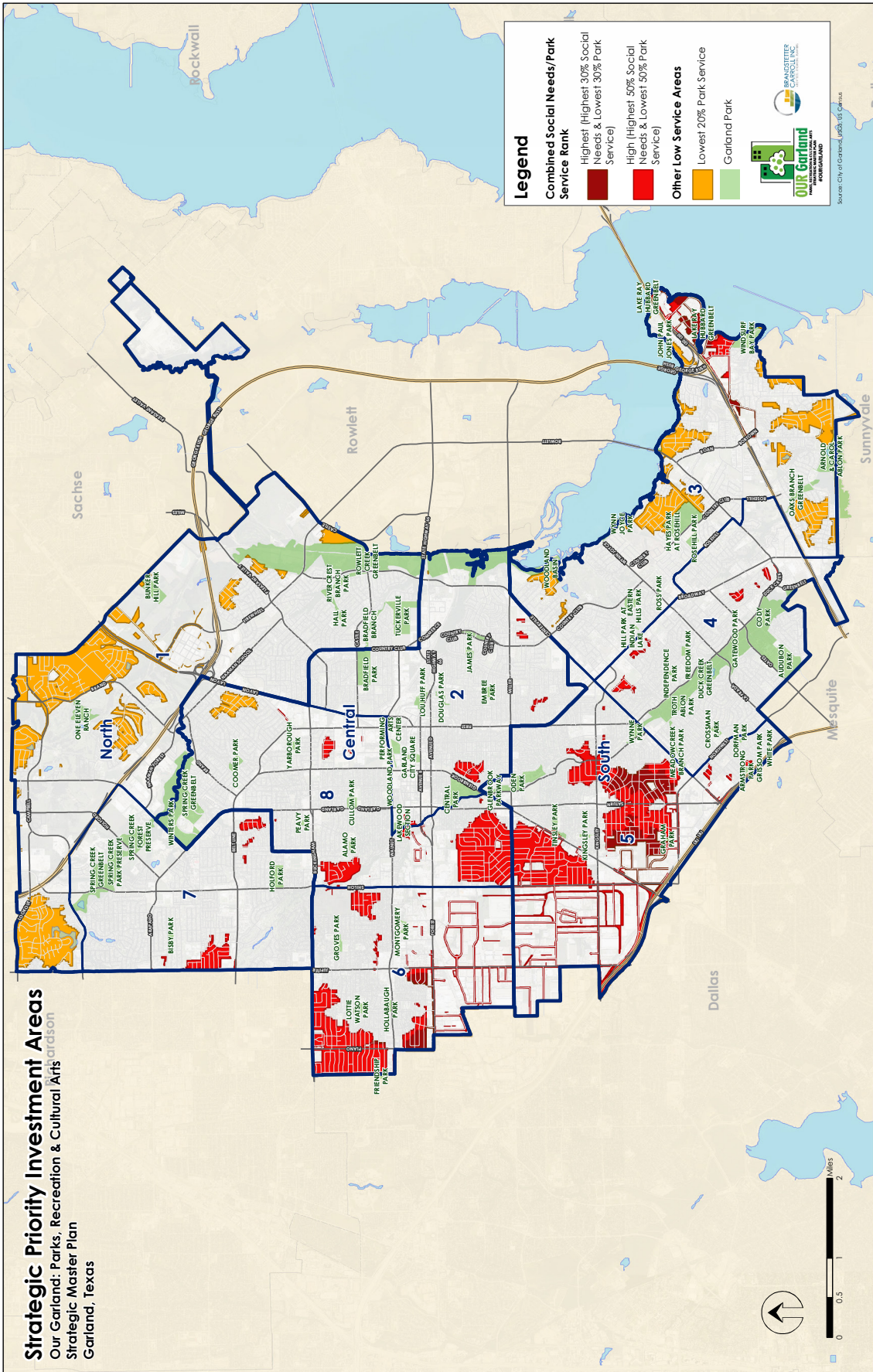
Percentile (Rank)	Population	Cumulative Population
80% to 100% (Highest)	18%	18%
60% to 80% (High)	27%	45%
40% to 60% (Medium)	25%	70%
20% to 40% (Low)	21%	91%
0% to 20% (Lowest)	9%	100%

The results of this analysis were combined with the Social Needs and Conditions Index to create a map showing Strategic Priority Investment Areas (see map on page vii). This figure shows the portions of Garland that are most in need of improvements to parks through the addition of additional facilities.

A CITIZEN DRIVEN PLAN

As the purpose of this plan is to address the needs of the community, a primary focus of the master planning process was to identify those needs. A number of methods were utilized to determine the needs and desires of Garland residents for parks and recreation facilities and programs. The following summary indicates the many ways the public was involved throughout this process.





Engagement Summary

- Open House (1)
- Stakeholder Groups (28)
- Events (3)
- Dollar Voting
- Surveys (2)
- Staff Focus Groups (9)
- Online Engagement (MindMixer)



2400 Stakeholders Engaged

1. A public workshop (open house meeting) on November 15, 2018 at the Granger Annex to introduce the project and solicit feedback from the community
2. Two follow-up events (Family Game Night and the Greenhouse Event) in December 2018)
3. Meetings with stakeholder groups (October – December 2018) representing:
 - City Council
 - Cultural Arts Commission
 - Parks & Recreation Board
 - Granville Arts Center
 - GABI Baseball
 - Garland Girls Softball (GGSa)
 - Buddy League
 - South Garland Little League
 - North Garland Sports Association (NGSA)
 - Garland Pee Wee Football (GPWF)
 - Garner Little League
 - GSA Soccer
 - Embree Neighborhood Association
 - New World Crime Watch
 - Hills at Firewheel HOA
 - CNAQ
 - Camp Gladiator
 - Garland Chamber of Commerce
 - Community Multicultural Commission
 - Kissin' Kuzzins Square Dancing

- Preservation Society for Spring Creek Forest
- Garland Symphony Orchestra
- Garland Bond Committee
- Texas Parks and Wildlife
- Dallas County District 1
- GISD
- Dallas County Planning
- County Commissioner

4. A booth setup at events to allow attendees to provide input (October – December 2018)
5. "Voting with Dollars" at events and public workshop (209 participants)
6. A statistically valid needs assessment survey conducted by the ETC Institute that was completed by 602 households
7. A Master Plan Steering Committee
8. Staff Focus Groups that engaged 124 PRCAD staff members (September 2018)
9. A handout and web survey that was completed by 1,181 residents

WHAT GARLAND RESIDENTS SAID

Information gathered from these public input methods was used to identify the needs of Garland residents. A brief summary of the findings is provided below.

Public Workshop

Most discussed topics included:

- Trails
- Existing Park Upgrades
- Connectivity/Trail System
- Walking Trails
- 111 Ranch Park
- Skatepark
- Restrooms
- Marketing/Communication/Outreach
- Historical Outreach/Education
- Aquatics
- Shade Structures

Stakeholder Groups

Most discussed topics included:

- Amphitheater
- Recreation center improvements – too small
- Better connectivity
- Bike and pedestrian safety
- Safety and lighting
- Update parks – meet current needs
- Nature programs and restoration
- More unpaved trails
- More community facilities and activities
- Improved accessibility
- Better communication and marketing
- More shade
- Real Neighborhood Parks
- Splash pads

Dollar Voting

Participants were asked how they would allocate \$1000 among different types of parks and recreation facility improvements in Garland. The responses ranked as follows:

Action (Box Title)	Total	
Upgrade existing parks and facilities	\$43,400	21%
Build new walking and biking trails	\$24,100	12%
Expand programs and special events	\$23,000	11%
Build new parks (including acquisition)	\$20,100	10%
Develop new outdoor aquatic centers	\$18,300	9%
Build new athletic fields	\$17,700	8%
Develop more community recreation centers	\$16,700	8%
Acquire and preserve open space	\$15,900	8%
Other	\$29,600	14%
Total	\$208,800	100%

The top other items were skate park, splash pad, and trails.

Statistically Valid Mail Survey

Eighty-eight percent (88%) of residents visited a park in Garland over the past year, and 41% of these residents visited parks more than 20 times.

The Downtown Square was the most visited park (44% reported visiting), followed by Audubon Park (25%), the Duck Creek Greenbelt (25%), and Holford Park (21%). Forty-six percent (46%) of residents reported visiting a Neighborhood Park.

The top reasons for not using parks more often included:

- Do not know what is offered (35%)
- Security or safety concerns (27%)
- Poor condition of facilities (21%)

Improvements households would most like to see at existing parks included:

- New/improved restrooms (60%)
- Security cameras and lighting (58%)
- Walking/hiking trails (55%)
- Picnic shelters (47%)
- Benches/picnic tables (46%)
- Playground equipment (44%)
- Shade structures (43%)

Ninety percent (90%) of households are either “very supportive” or “somewhat supportive” of city actions to upgrade parks, recreation, & cultural arts facilities.

Other actions with very high levels of support included:

- Acquire & preserve open space, natural/historic areas (86%)
- Offer new programs for persons with special needs (82%)
- Build new recreational trails & connect existing trails (82%)
- Offer new programs for seniors (81%)

The most important parks and recreation facilities for households were:

- Paved trails – walking, biking, skating (27%)
- Small neighborhood parks (25%)
- Natural areas/nature parks (24%)
- Indoor swimming pools (20%)
- Playgrounds (17%)
- Picnic areas/shelters (16%)

The most important parks and recreation programs for households were:

- Adult fitness & wellness programs (31%)
- Age 50+ programs (26%)
- Summer concerts (22%)
- Staged plays, musicals, or concerts (18%)

The results of the most important facilities were combined with the reported unmet needs to determine the top 5 priorities:

Facilities - Top 5 Priorities



Paved Trails



Natural Areas/ Nature Parks



Small Neighborhood Parks



Indoor Swimming Pool



Picnic Areas/Shelters

The most important parks and recreation programs for households were:

- Adult fitness & wellness programs (31%)
- Age 50+ programs (26%)
- Summer concerts (22%)
- Staged plays, musicals, or concerts (18%)

The results of the most important facilities were combined with the reported unmet needs to determine the top 5 priorities:

Programs - Top 6 Priorities



Adult Fitness and Wellness



Age 50+ Programs



Summer Concerts



Staged Plays/Musicals/Concerts



Water Fitness Programs



Nature Programs

Key Findings (all methods)

- Upgrades and improvements to existing parks
- Improvements/expansion at recreation centers, plus extended hours
- Improved brand and image of Garland
- More/better restrooms
- A dog park
- A skatepark
- Splash pads
- Shade, including trees and structures
- More playgrounds and improvements to existing
- Trail improvements and connections
- Development of parks with limited features (e.g., 111 Ranch Park)
- Acquisition/preservation of open space
- Improvements to athletic fields and better utilization of existing fields
- An amphitheater
- Picnic opportunities
- An indoor pool
- Improved safety and security
- Improve accessibility
- More drinking fountains
- Improved marketing, communication, and outreach
- More partnerships
- Improved technology
- More cultural arts opportunities (education, movies, and public art)
- More events (seasonal events, festivals, concerts, etc.)
- Expanded program offerings

VISION, MISSION, AND VALUES FOR PARKS, RECREATION, AND CULTURAL ARTS IN GARLAND

Vision

Inspire people to live, work, play, and thrive in Garland!

Mission

Create dynamic experiences through parks, arts, and play

Values

S P I R I T
e a n e n e
r s s s n a
v s p p o m
i i i e v w
c o r c a o
e n a t t r
t i o n k
o n

GOALS & OBJECTIVES

Areas of strategic priority have been identified and will guide advancement over the next five to ten years.

Goal 1: Places & Spaces

Our parks, places and spaces will connect people, build community, and create dynamic experiences for current and future generations.

Objective 1.1 – **Connection:** Acquire, plan, develop and maintain trails and spaces that connect people, build community and provide opportunities for health, wellness, and discovery

Objective 1.2 – **Modernization:** Invest in renewing and modernizing existing parks and facilities while simultaneously acquiring and adding new features that provide innovative, safe, and diverse experiences

Objective 1.3 – **Stewardship:** Protect and promote Garland's valuable natural, historic and cultural resources through preservation, conservation, education and sustainable management practices

Goal 2: Experiences

Our programs, events and services will promote health and wellness, learning, creativity, and fun to enrich the lives of our diverse and everchanging community.

Objective 2.1 – **Programs & Classes:** Strengthen the mix and quality of time-honored and trendsetting services that appeal to and are accessible to our diverse community

Objective 2.2 – **Cultural Arts:** Increase appreciation, awareness, and engagement in diverse artistic experiences

Objective 2.3 – **Events:** Expand the variety and frequency of special events to build community and bolster economic impact

Goal 3: Engagement

Our residents, businesses, leaders, and staff will work together to create and deliver innovative, accessible, affordable, and inclusive experiences for our entire community.

Objective 3.1 – **Community:** Engage all sectors of the community to promote, plan, increase access, and encourage volunteerism

Objective 3.2 – **Partnerships:** Build relationships and partnerships with schools, businesses, government, and nonprofit organizations to serve the current and future needs of the community

Objective 3.3 – **Marketing:** Increase the level of awareness, support, and engagement through innovative and consistent marketing and communications

Goal 4: Organizational Excellence

Our department will implement modern best practices to ensure our people, policies, processes, finances, and resources are aligned to fulfill our mission and realize our vision.

Objective 4.1 – **Finances:** Expand and enhance facility, program, and service offerings through alternative funding, management best practices, and cost recovery efforts

Objective 4.2 – **People:** Build, grow, and invest in a team of knowledgeable, skilled, diverse, passionate, and highly valued staff

Objective 4.3 – **Technology:** Expand and maximize the use of technology to enhance business operations and customer experience

Objective 4.4 – **Operations:** Apply modern and streamlined business processes, policies, and planning

Objective 4.5 – **Maintenance:** Enhance safety, accessibility, quality of experience, and cost

effectiveness by developing and implementing maintenance and operations standards and best practices

SYSTEMWIDE RECOMMENDATIONS

Systemwide improvements for facilities, programs, and operations (Chapter 7) direct parks and recreation over the next ten years and beyond. Priorities were provided for improvements at a systemwide level. **Recommendations funded by the 2004 and 2019 Bond Programs are in bold.**

Recommendations are divided into the following categories:

- Existing Park and Facility Updates and Replacements
- New Park and Facilities Development
- Playgrounds
- Environment and Sustainable Development
- Trails
- Outdoor Athletic Fields and Courts
- Indoor Recreation
- Programming
- Operations
- Maintenance
- Promotion and Branding
- Budget and Funding
- Partnerships and Sponsorships

Citywide Recommendations Summary

The following systemwide recommendations focus on the development of parks and facilities in underserved areas to meet unmet needs throughout the community.

1. Increase the population served within a 10-minute walk of a Neighborhood Park (or larger) from the current 41% to 60% over the next 10 years and from 48% to 65% to any park through development of existing parkland, new parks in growing areas, and improved access to existing parks
2. Increase the population served within a 5-minute drive of a Community or Regional Park from the current 74% to 85% through development of existing parkland (e.g., Hayes Park, Tuckerville Park, and Wynn Joyce Park)
3. **Focus short-term capital improvements on renovation/replacement of existing, key facilities (playgrounds, parking lots, restrooms, picnic shelters, etc.)**
4. Complete development of the dog park at Central Park to provide a place for dogs to go unleashed and for dog owners to gather
5. **Implement Rick Oden Park improvements according to the Park Master Plan in progress, including the skate park (part of 2004 Bond)**
6. **Renovate, expand, and replace recreation centers to meet the growing needs of Garland residents**
7. **Complete and implement the Aquatics Master Plan to improve the quality of and access to aquatic facilities in Garland**
8. **Upgrade and renovate existing sports fields throughout Garland, including restrooms, concessions, shade structures, and lighting for local use and to attract tournaments**
9. **Coordinate with developers, Planning and Community Development, and other city and private agencies to provide needed facilities and programs in Catalyst Areas and utilize 2019 Bond funding to support the needs of these areas**
10. Begin implementation of the citywide trail system plan once completed to improve connectivity throughout Garland, prioritizing trail corridors that are part of the Regional Veloweb, and increasing usage through lighting, signage, and trailhead improvements
11. Increase availability of paved trail loops within parks, providing easy access to these facilities throughout Garland
12. Brand, expand, and market active senior programs together under a separate program name, "Garland Active Adults," to meet the needs of this growing population
13. Provide additional staff and resources to continue expansion of marketing efforts to increase public knowledge of parks, facilities, and programs available, utilizing diverse types of media
14. Prioritize facility and program improvements in locations with high levels of social need
15. Perform an ADA Accessibility Assessment of all facilities, programs, and communications and improve ADA access throughout the park system

16. Add shade in the form of trees and structures throughout Garland for facilities such as seating areas and playgrounds
17. Expand nature programming at PRCAD sites and utilize nature trails for programming
18. Utilize new facilities, including an amphitheater, pickleball courts, a dog park, outdoor fitness equipment, a recreation center, and more, for expanded program opportunities that result from the availability of these facilities
19. Continuously evaluate and implement new technologies to provide contemporary services (Wi-Fi, mobile friendly platforms, social media, etc.) expected by Garland residents now and in the future
20. Implement conservation policies and sustainable practices for development and management of park properties
21. Develop a capital maintenance and replacement program with a plan for the long-term replacement of facilities
22. Expand programs by using outside vendors and contractor professionals
23. Determine the PRCAD's visual identity and identify a consistent brand
24. Increase cost recovery of the department operating budget from 22% to 30% within ten years by utilizing revenue generation and operations cost reduction tactics described in this master plan
25. Establish and nurture partnerships to increase the availability of both facilities and programs and to promote outreach, participation, fitness, and volunteerism

Citywide Facility Priorities

These facility improvement priorities represent a summary of the highest priority needs throughout the City of Garland and are separated into three categories: parks and systemwide Improvements, outdoor facilities, and indoor facilities.

Parks and Systemwide Improvements

- **Aquatics Master Plan and implementation**
- **Trail plan completion and implementation**
- **Catalyst Area improvements**

- **Neighborhood Parks and Community Parks in underserved areas (e.g., Hayes Park at Rosehill, One Eleven Ranch, Wynn Joyce Park)**
- **Greenbelt and Nature Park improvements and enhancements**
- **Improved accessibility/ADA improvements**
- **Improved signage (entrance, wayfinding, and interpretive)**

Outdoor Facilities

- **Improvements/replacement of outdated or deteriorated park facilities (playgrounds, parking lots, restrooms, etc.)**
- **Additional playgrounds (8 to 12)**
- **More walking and biking trails and enhancements (trailheads, lighting, benches, signage)**
- **Additional basketball courts (10 to 12)**
- **Additional multipurpose fields (5 to 10)**
- **Dog parks (2 to 3)**
- **Additional picnic shelters (15 to 20 additional)**
- **Pickleball and other senior sports (distributed throughout city)**

Indoor Facilities

- **Fields Recreation Center improvements**
- **Holford Recreation Center replacement**
- **Audubon Recreation Center renovation and expansion**
- **Hollabaugh Recreation Center renovation and expansion**
- **Garland Senior Activity Center renovation and expansion**
- **Additional recreation center (South Sector, District 5)**

INDIVIDUAL PARK RECOMMENDATIONS

This plan highlights the needs of Garland residents by each of the three sectors, and priorities are provided by sector below. Greater detail, including improvement lists for each park, can be found in Chapter 8.

North Sector Priorities

- **Holford Recreation Center (New/Replacement) - Including Site Infrastructure and Demolition of Existing Structure**
- **Develop Tuckerville Park (Phase 1)**

- **Holford Pool improvements following the Aquatics Master Plan**
- **Playgrounds (new and replacements), including shade structures**
- **New restroom buildings**
- **Athletic field improvements (Holford – lighting and concessions)**
- **Catalyst Area improvements – locations to be determined (190 Catalyst Area)**
- Upgrade One Eleven Ranch to a Community Park
- Improve trail access and connectivity
Improve safety and security at parks
- Add outdoor fitness equipment to meet desires for more fitness and wellness opportunities

Central Sector Priorities

- **Fields Recreation Center improvements**
- **Granger Recreation Center (in progress) and Annex improvements**
- **Hollabaugh Recreation Center renovation and expansion**
- Bradfield Recreation Center expansion
- **Garland Senior Center renovation and expansion**
- **Athletic fields improvements (Central – concession, restrooms, shade at bleachers, and lighting; Bradfield – concessions and shade at bleachers; Winters – lighting, restrooms, and concessions)**
- **Parking lot paving/repaving (Embree, Central, Hollabaugh, Cullom)**
- **Catalyst Area improvements – locations to be determined (Downtown Area and Forest Jupiter Walnut Catalyst Area)**
- Garland City Square renovation
- Dog park at Central Park
- Amphitheater at Winters Park
- Improved trail access and connectivity
- Improved safety and security at parks
- Outdoor fitness equipment to meet desires for more fitness and wellness opportunities

South Sector Priorities

- **Rick Oden Park improvements, including a skate park, field improvements, trails, and a new regional playground**

- **Surf and Swim improvements following the Aquatics Master Plan**
- **Audubon Recreation Center renovation and expansion**
- **Athletic fields improvements (Audubon/Carter Softball Complex – concessions and restrooms; Audubon multipurpose/soccer – lighting; Rick Oden – field renovations, lighting, restrooms, food truck park, and shade at bleachers)**
- **Catalyst Area improvements – locations to be determined (Broadway/Centerville Catalyst Area, Centerville Marketplace, South Garland Corridor, and Interstate 30 Catalyst Area)**
- Ablon Park upgrade to a Community Park with better access to adjacent, growing neighborhoods
- Wynn Joyce Park improvements, including upgrade to a Community Park
- Hayes Park at Rosehill development as a Nature Park and Passive Community Park
- Game courts at Audubon Park (basketball, tennis, pickleball)
- Partnership with GISD to provide access and improvements to schools in priority areas (Southgate, Caldwell, and Parkcrest Elementary Schools)
- Improve trail access and connectivity, especially at lakefront parks
- Improve safety and security at parks
- Add outdoor fitness equipment to meet desires for more fitness and wellness opportunities
- New recreation center in District 5 (potentially part of a partnership)
- Windsurf Bay improvement following the completion of the George Bush Turnpike extension through the park

ACTION PLAN

The *Our Garland Master Plan* includes a detailed Action Plan with 254 strategies. These strategies, which can be found in Chapter 9, represent specific actions for PRCAD and the City of Garland to take to implement this plan.



STRATEGIC PLAN

VISION

Inspiring people to live, work, play, and thrive in Garland!

MISSION

Create dynamic experiences through parks, arts, and play.

CORE VALUES

S	P	I	R	I	T
Service We deliver amazing experiences	Passion Our drive, dedication and determination is contagious	Innovation We find new and creative ways to do things better	Respect Our actions honor, strengthen, and encourage	Inspiration We inspire action that leads to greatness	Teamwork We believe in the power of "we"

GOALS & OBJECTIVES

Places & Spaces

Our parks, places and spaces will connect people, build community, and create amazing experiences for current and future generations

1. **Connection:** Acquire, plan, develop and maintain trails and spaces that connect people, build community and provide opportunities for health, wellness, and discovery
2. **Modernization:** Invest in renewing and modernizing existing parks and facilities while simultaneously acquiring and adding new features that provide innovative, safe, and diverse experiences
3. **Stewardship:** Protect and promote Garland's valuable natural, historic and cultural resources through preservation, conservation, education and sustainable management practices

Experiences

Our programs, events and services will promote health and wellness, learning, creativity and fun to enrich the lives of our diverse and everchanging community

1. **Programs & Classes:** Strengthen the mix and quality of time-honored and trendsetting services that appeal to and are accessible to our diverse community (in our centers, parks, museums and throughout the city)
2. **Cultural Arts:** Increase awareness and appreciation of, access to and engagement in a diversity of experiences in the arts
3. **Events:** Expand the variety, frequency and scope of special events to build community and bolster economic development

Engagement

Our residents, businesses, leaders, and staff will work together to create and deliver innovative, accessible, affordable, and inclusive experiences for our entire community

1. **Community:** Engage all sectors of the community to raise awareness, promote, plan, increase access, encourage volunteerism and improve the quality of parks, recreation and cultural arts
2. **Partners and Sponsors:** Build relationships and partnerships with schools, businesses, government, and nonprofit organizations to meet current and future needs of the community
3. **Marketing:** Increase the level of awareness, support, and engagement in parks, recreation and cultural arts through innovative and consistent marketing and communications

Organizational Excellence

Our department will implement modern best practices to ensure our people, policies, processes, finances, and resources are aligned to fulfill our mission and realize our vision

1. **Finances:** Expand and enhance facility, program, and service offerings through alternative funding, management best practices, and cost recovery efforts
2. **People:** Build, grow, and invest in a team of knowledgeable, skilled, diverse, passionate and highly valued staff
3. **Technology:** Expand and maximize the use of technology to enhance business operations and customer experience
4. **Policy, Process, Planning:** Modernize, streamline, and consistently apply internal business processes, policies and planning practices
5. **Maintenance:** Enhance safety, accessibility, quality of experience, and cost effectiveness by developing and implementing maintenance and operations standards and best practices



GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Work Session Agenda

3. b.

Meeting Date: October 21, 2019

Item Title: Update on D.R. Horton Tract

Submitted By: John Baker, Assistant City Manager

Summary of Request/Problem

D.R. Horton owns a large tract that is outside of, and adjacent to, Garland's southern City limit. They anticipate developing the tract and have requested that water and sanitary sewer utilities be provided through City of Garland facilities. The Council had previously been briefed on this issue. An update will be provided on current negotiations.

Recommendation/Action Requested and Justification

Council discussion.

Attachments

Cypress Cove Update - October 21
Preliminary Development Cypress Cove
Conceptual Plan Cypress Cove
Concept A
Concept B



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D.R. Horton Property

Cypress Cove / Fireside by the Lake

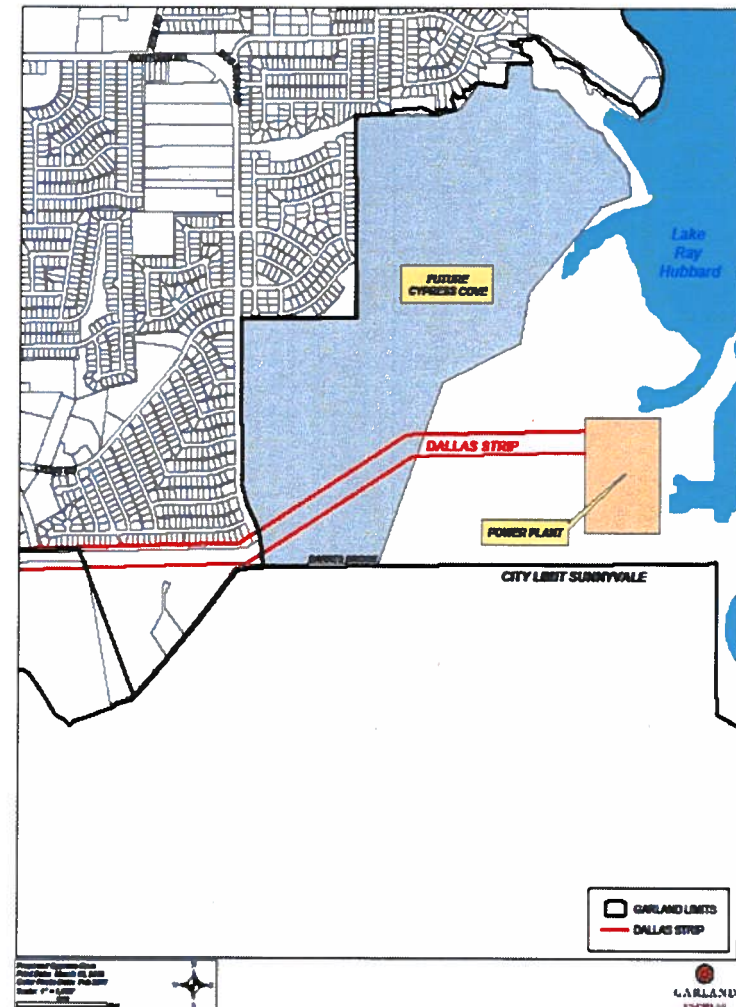
October 21, 2019 Council Work Session



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Property Description

- Dallas County – Between City of Garland and Town of Sunnyvale
- Tract was disannexed by Dallas and is currently within the City of Dallas Extraterritorial Jurisdiction (ETJ)
- D.R. Horton petitioned the City of Garland to provide water and wastewater services to the site. Water services would require permission and a formal agreement with the NTMWD to supply water.
- Approximately 267 acres





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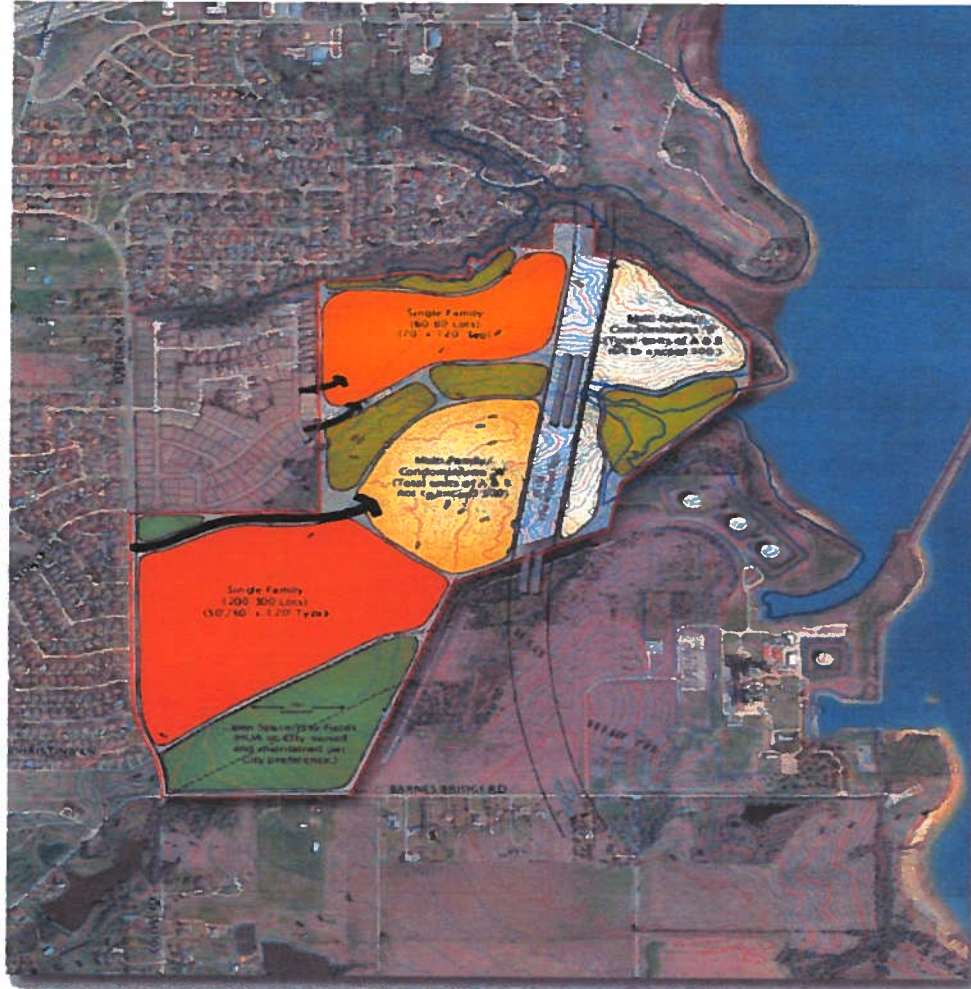
Previous Summary Council Work Session 3/18/19

- D.R. Horton applied to the TCEQ to build a 400,000 gpd wastewater treatment facility on site. The TCEQ Executive Director made the decision that the permit meets the requirements of applicable law. The decision does not authorize construction or operation of any proposed facilities.
- The City of Garland is under no obligation to provide any services to the Horton tract, however, it is in our interest to ensure a quality development adjacent to our southern border.
- Utility Service agreements appear to be our primary tool for ensuring commitments from D.R. Horton.
- To the extent practical within Dallas ETJ, all phases of proposed development should comply with all City of Garland zoning, construction, and development standards.
- The City of Garland will have the right to review, inspect and approve all aspects of the proposed development, including, but not limited to, building permits, construction drawings, utility and street layouts, Homeowners Association and Municipal Utility District (MUD) documents, etc.
- The following slides indicate the original plans as provided by D.R. Horton



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Previous Summary Council Work Session 3/18/19



CYPRESS COVE
Preliminary Development Plan
(If annexed into Garland)





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Current Status

- In recent meetings with D.R. Horton, staff has determined that providing wastewater and water services to this development is acceptable. To alleviate the water quality concern for the City, an air-gap system will be implemented by Horton
- D.R. Horton has created Dallas County Municipal Utility District No. 4 (MUD) which will provide municipal services including water, wastewater, drainage, police, fire, EMS, and trash collection.
- The City has filed a formal request for a contested case hearing regarding the D.R. Horton application for a wastewater treatment plant.
- For wastewater services, once an agreement is in place with the City, D.R. Horton will no longer require the need for a treatment facility on location, and will cancel the application with the TCEQ.



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Current Status

- Roadway Impacts- D.R. Horton will conduct a traffic impact analysis and contribute funding and / or construction as if they were in the City of Garland.
- Horton has presented two concept plans for approval by the City:
- Concept plan A - 765 lots, similar to Clements Ranch Forney, TX
- Concept plan B - 600 lots, similar to Cypress Cove in Garland City limits currently. This option is viable only if an agreement with water service is achieved.
- The following chart compares the required development standards among Dallas, Garland, and the proposed Fireside development



GARLAND
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Development Standards

STANDARD	CITY OF DALLAS ETJ REQUIREMENT	CITY OF GARLAND REQUIREMENT	PROPOSED REQUIREMENT FIRESIDE ON THE LAKE PROJECT – CONCEPT A	PROPOSED REQUIREMENT FIRESIDE ON THE LAKE PROJECT – CONCEPT B
Residential Streets	56' right-of-way, 37' wide concrete incl. curb	50' right-of-way, 27' wide concrete incl. curb	56' right-of-way, 37' wide concrete incl. curb	56' right-of-way, 37' wide concrete incl. curb
Maximum Block Length	1,200'	1,200'	1,200'	1,200'
Maximum cul-de-sac length	600'	750'	600'	600'
Water, sewer, drainage, street and erosion control requirements			City of Dallas standards are required.	City of Dallas standards are required.
Thoroughfare screening (Bobtown Road)	none	6' masonry wall with canopy trees at 50' centers in an 8' buffer strip.	6' masonry wall with canopy trees at 35' centers in a 15' buffer strip.	6' masonry wall with canopy trees at 35' centers in a 15' buffer strip.
Open Space / Parks	none	none	Approximately 30 acres of green space will be provided and developed as walking trails with sidewalks and seating.	Approximately 30 acres of green space will be provided and developed as walking trails with sidewalks and seating.
Amenity Center	none	none	Swim center with pool or splash pad, shade structures, bathrooms and playground	Swim center with pool or splash pad, shade structures, bathrooms and playground



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Development Standards

STANDARD	CITY OF DALLAS ETJ REQUIREMENT	CITY OF GARLAND REQUIREMENT	PROPOSED REQUIREMENT FIRESIDE ON THE LAKE PROJECT – CONCEPT A	PROPOSED REQUIREMENT FIRESIDE ON THE LAKE PROJECT – CONCEPT B
Lot Area	None	5,000 square feet min.	4,400 square feet min.	6,600 square feet min.
Lot Width	10' min.	55' / 60' corner lot min.	40' / 50' corner lot min.	60' / 70' corner lot min.
Lot Depth	none	90'	100'	110'
Front Yard, Side Yard, Rear Yard setbacks	none	20', 5', 10'	20', 5', 10'	20', 5', 10'
Side yard adjacent to street	none	15'	10'	10'
Maximum lot coverage	none	50%	55%	55%
House size	none	1500 square feet min.	1400 square feet min.	1600 square feet min.
Masonry percentage	none	80%	80%	80%
Natural stone accents	none	none	30% of the homes to have accent	30% of the homes to have accent
Trees for residential lots	none	2 – 3" large canopy trees w/ min. 1 tree planted in front yard	2 – 3" large canopy trees w/ min. 1 tree planted in front yard	2 – 3" large canopy trees w/ min. 1 tree planted in front yard



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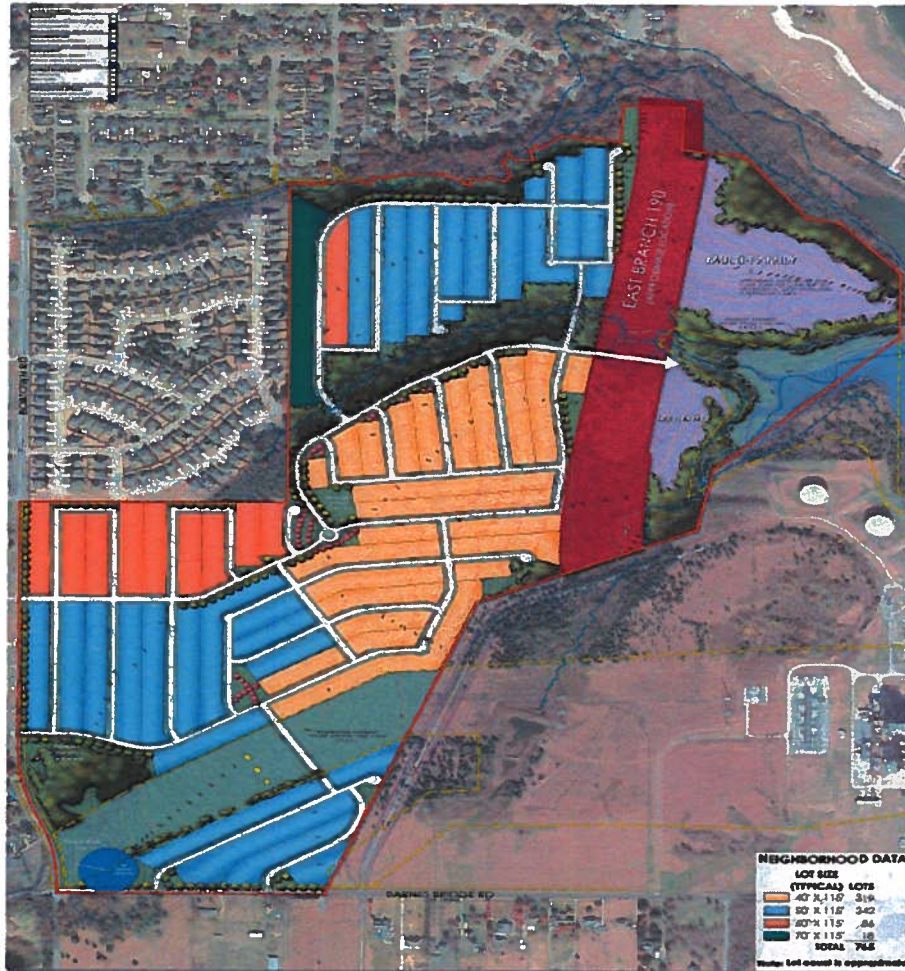
Development Standards

STANDARD	CITY OF DALLAS ETJ REQUIREMENT	CITY OF GARLAND REQUIREMENT	PROPOSED REQUIREMENT FIRESIDE ON THE LAKE PROJECT – CONCEPT A	PROPOSED REQUIREMENT FIRESIDE ON THE LAKE PROJECT – CONCEPT B
Garage face orientation	none	Rear entry, J-drive, swing-drive or street front facing w/ 5' setback from building face	Front facing garage. Garage face to be flush or behind the front façade of the house. Garage may also be J-drive orientation.	Front facing garage. Garage face to be flush or behind the front façade of the house. Garage may also be J-drive orientation.
Garage doors	none	none	Paneled door with accent hardware.	Paneled door with accent hardware.
Building Elevation Repetition	none	Front elevation must not be duplicated on the 3 adjacent houses on both sides, or on 4 houses directly across the street.	Front elevation must not be duplicated within 4 lots on the same side of street or within 3 lots on the opposite side of the street.	Front elevation must not be duplicated within 4 lots on the same side of street or within 3 lots on the opposite side of the street.
Landscaping for residential lots	none	Yards adjacent to streets to be covered with turf. Rear and side yards to be covered with soil erosion control measures.	100% turf all yards. Bed along front of house with minimum 10 1-gallon shrubs. Yards to be 100% irrigated.	100% turf all yards. Bed along front of house with minimum 10 1-gallon shrubs. Yards to be 100% irrigated.
Roof pitch	none	6:12	6:12	6:12



GARLAND
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Concept A



- 765 lots total
- A mix of 40'-70' wide lots
- Development similar to Clements Ranch, Forney, TX
- Average housing price \$270,000
- New homes start at low \$200's

0 100 200 300 400 500 600 700 800 900 1000
1"=100'

FIRESIDE BY THE LAKE

CONCEPT A **JBI**
DALLAS COUNTY, TEXAS PARTNERS



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Clements Ranch Forney, TX



<https://www.drhorton.com/texas/dallas/forney/clements-ranch>



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Clements Ranch Forney, TX





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Concept B

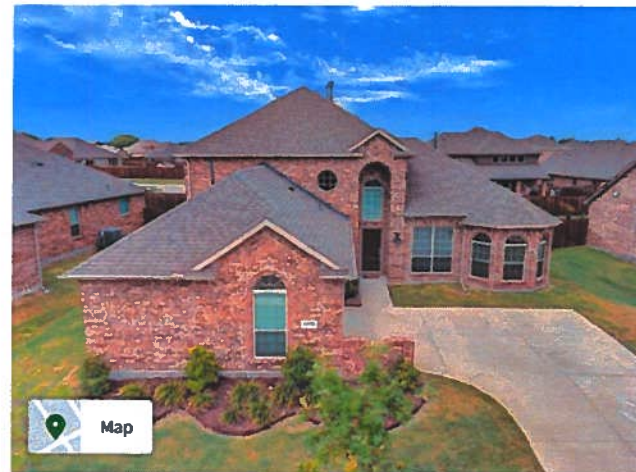
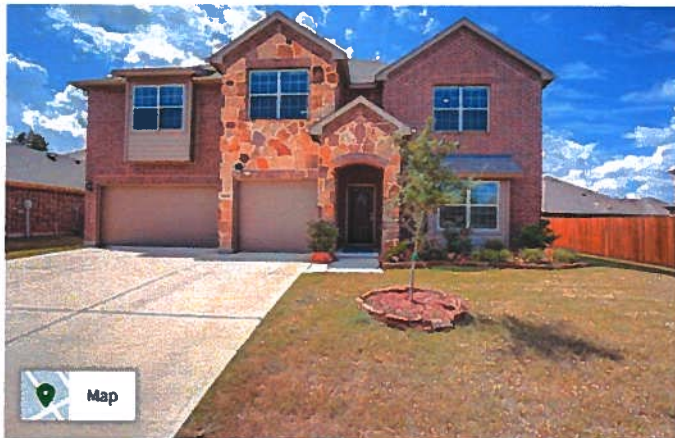


- 600 lots total
- All houses developed on 60' wide lots with 70' wide lots adjacent to Cypress Cove eastern border
- Development similar to current Cypress Cove (Garland City limits) standards
- Average price \$299,000
- This concept is predicated on an agreement for water supply services



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Cypress Cove Garland, TX



<https://www.neighborhoods.com/cypress-cove-garland-tx>



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Cypress Cove Garland, TX





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Multi-family



1" = 100' 00"
DATE: 07/17/2019
BY: JBI

FIRESIDE BY THE LAKE

CONCEPT B **JBI**
DALLAS COUNTY, TEXAS PARTNERS

- Current concept plans for multi-family have not been developed
- D.R. Horton has made a commitment to comply with Garland Development Standards.



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Summary

- The City of Garland is under no obligation to provide any services to the Horton tract, however it is in our interests to ensure a quality development adjacent to our southern border.
- Staff recommends providing water (air-gap system) and a wastewater connection for this development
- The City of Garland will have the right to review, inspect and approve all aspects of the proposed development, including but not limited to, building permits, construction drawings, utility and street layouts, Homeowners Association and Municipal Utility District (MUD) documents.
- Regular Police, EMS, Fire, and trash collection, will not be provided by Garland.



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Summary

- Staff seeks the Council's approval to develop a formal agreement with D.R. Horton for Concept B, to be considered at a future Council meeting.

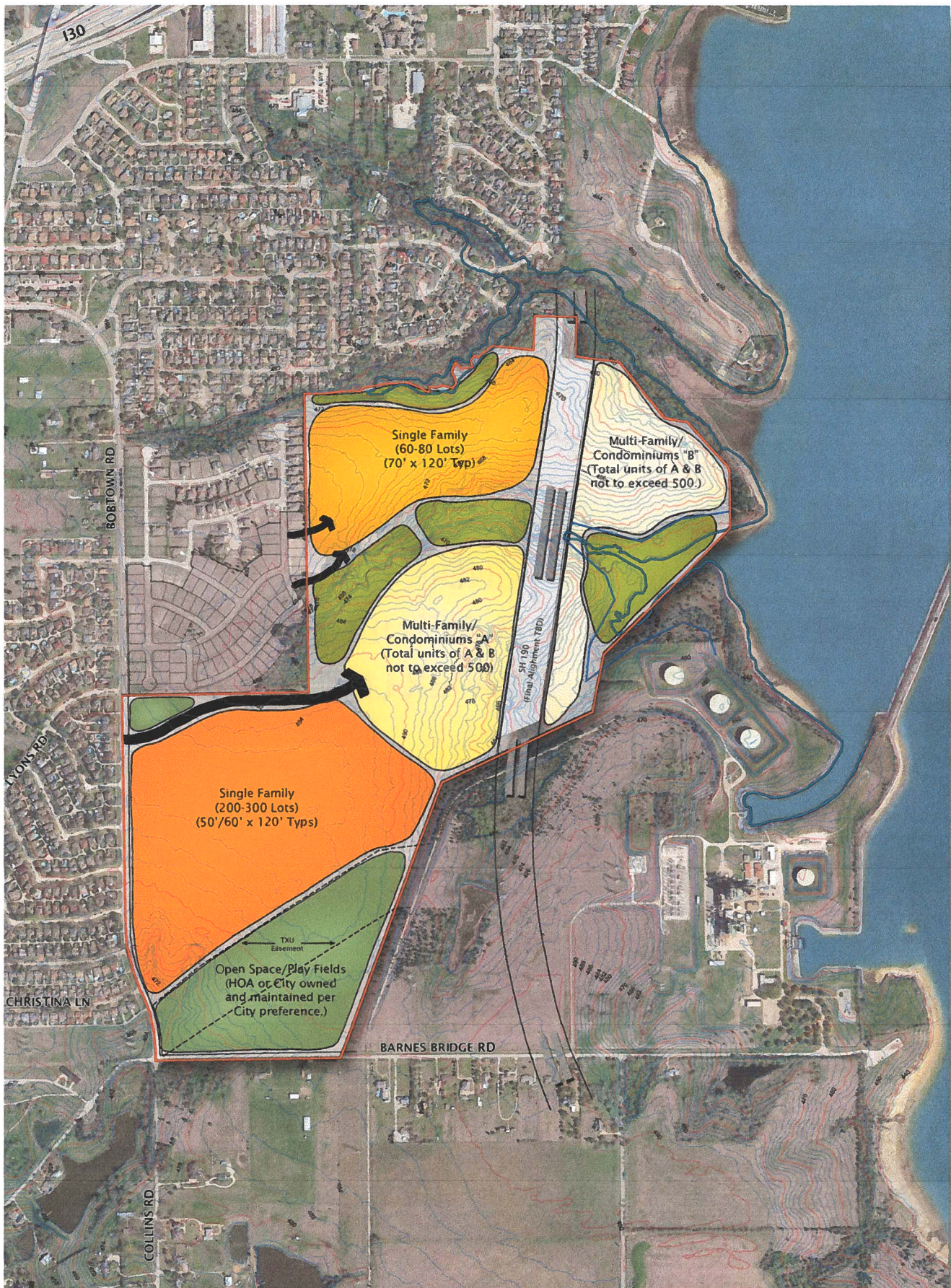


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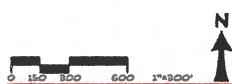
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Questions

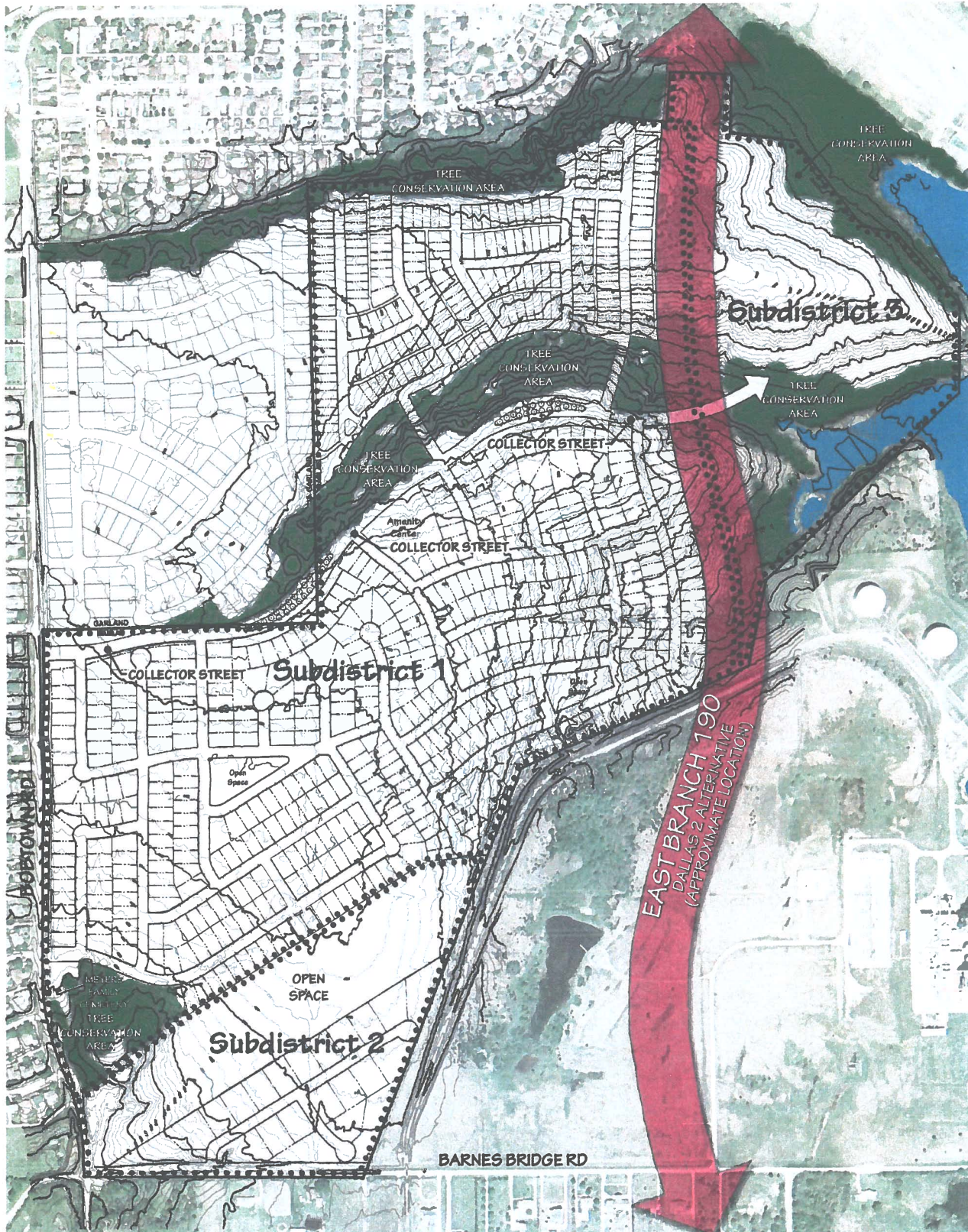




CYPRESS COVE **Preliminary Development Plan** **(If annexed into Garland)**



APR 28, 2016
H00271



CONCEPTUAL PLAN
 CYPRESS COVE
 ZONING CASE NO. 2089-236

287.019 ACRES OUT OF THE
 B.O.C. POUNDS SURVEY, ABSTRACT NO. 1143
 B.O.C. POUNDS SURVEY, ABSTRACT NO. 1168
 CITY OF DALLAS
 DALLAS COUNTY, TEXAS

D.R. HORTON-TEXAS, LTD

OWNER/DEVELOPER

4306 Miller Road, Suite A
 Rowlett, Texas 75088

(972)807-4244

JBI PARTNERS, INC.

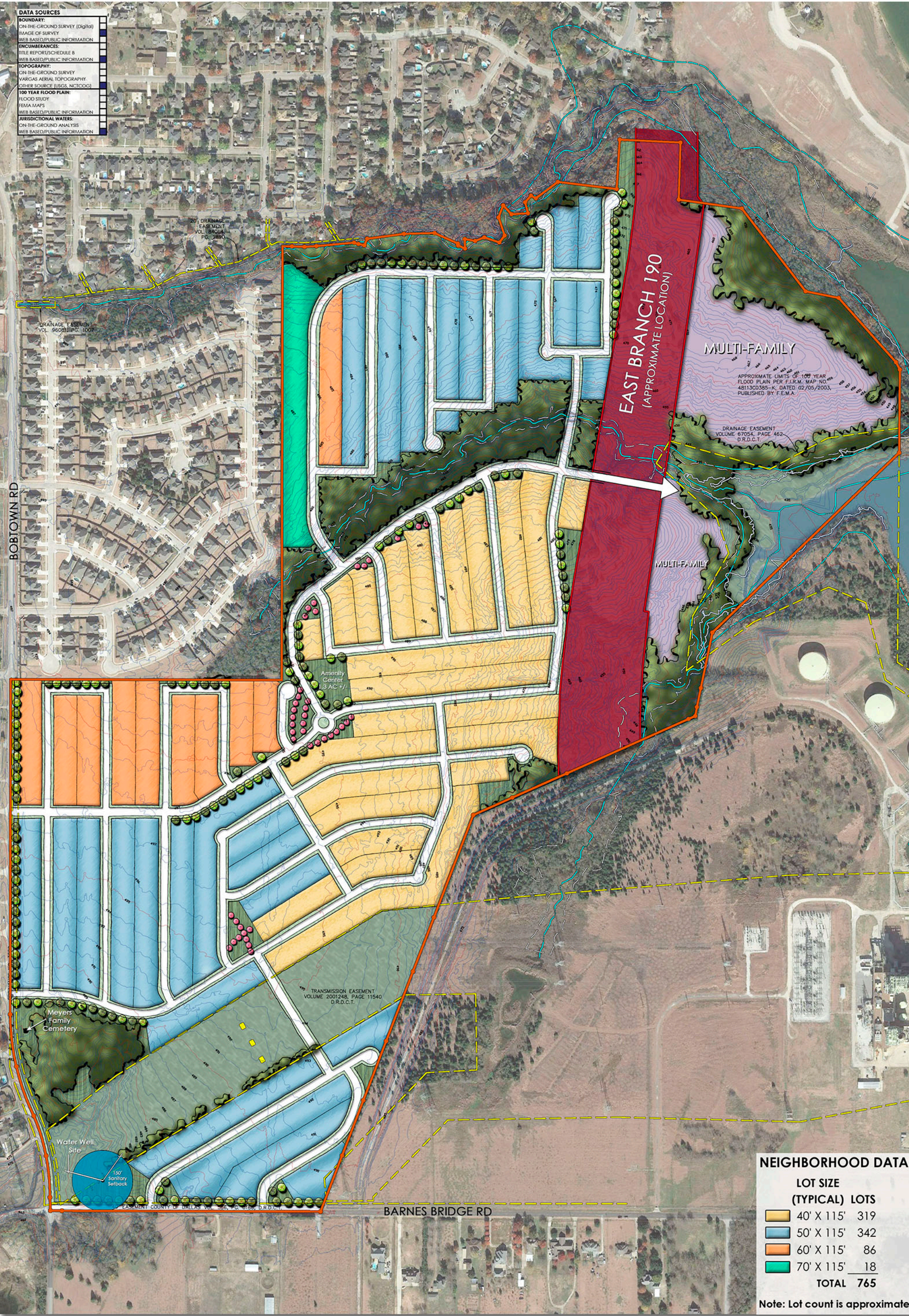
SURVEYOR/ENGINEER

16301 Quorum Drive, Suite 200 B
 Addison, Texas 75001

(972)246-7976

REVISED: NOV 20, 2009
 SUBMITTED: JUNE 15, 2009

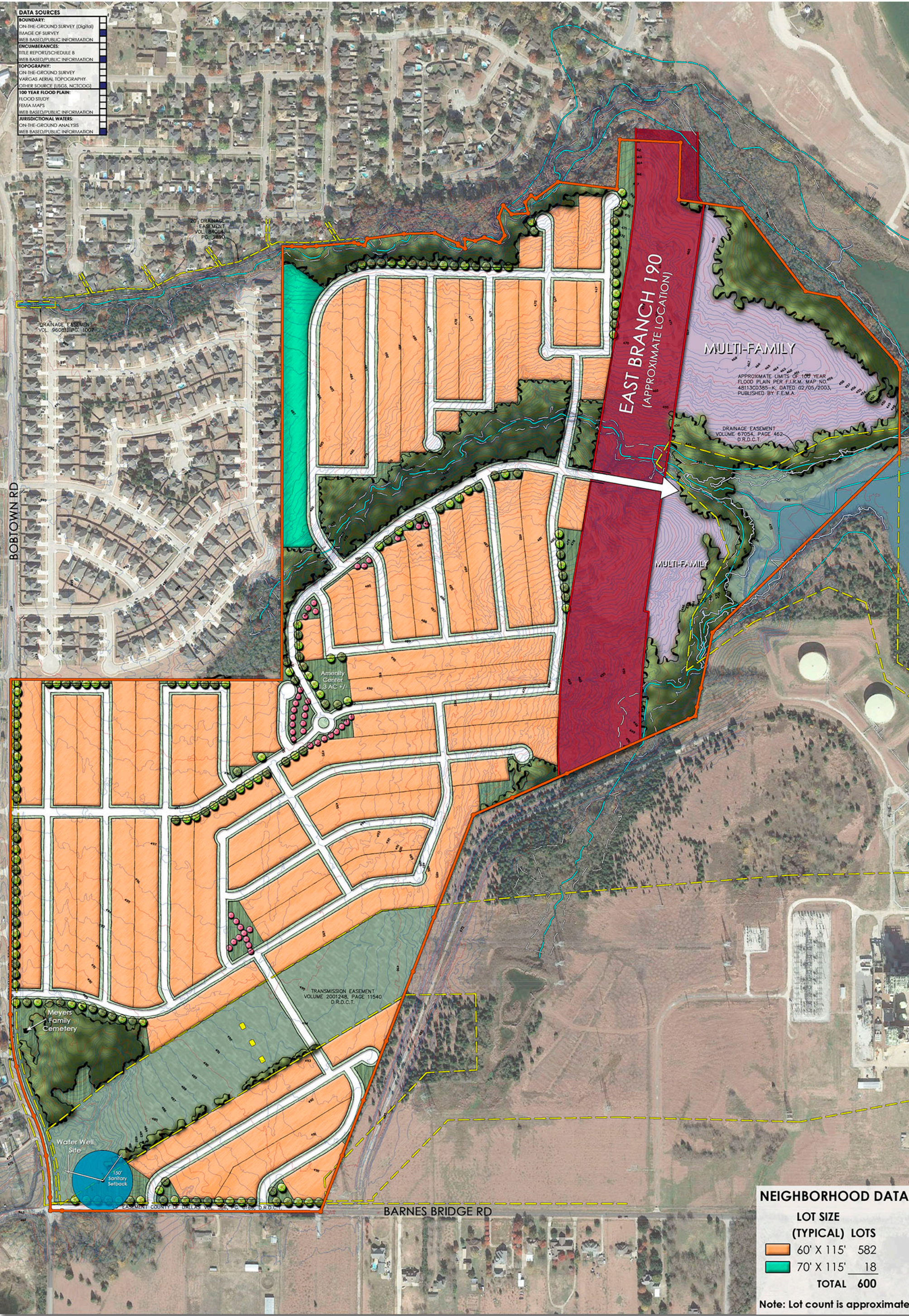
Sheet 1 of 1



NEIGHBORHOOD DATA

LOT SIZE	
(TYPICAL) LOTS	
	40' X 115' 319
	50' X 115' 342
	60' X 115' 86
	70' X 115' 18
TOTAL 765	

Note: Lot count is approximate



- DATA SOURCES**
- BOUNDARY:**
 - ON-THE-GROUND SURVEY (Digital)
 - IMAGE OF SURVEY
 - WEB BASED/PUBLIC INFORMATION
 - ENCUMBRANCES:**
 - TITLE REPORT/SCHEDULE 8
 - WEB BASED/PUBLIC INFORMATION
 - TOPOGRAPHY:**
 - ON-THE-GROUND SURVEY
 - VARGAS AERIAL TOPOGRAPHY
 - OTHER SOURCE (USGS, NCTCOG)
 - 100 YEAR FLOOD PLAIN:**
 - FLOOD STUDY
 - FEMA MAPS
 - WEB BASED/PUBLIC INFORMATION
 - JURISDICTIONAL WATERS:**
 - ON-THE-GROUND ANALYSIS
 - WEB BASED/PUBLIC INFORMATION

NEIGHBORHOOD DATA

LOT SIZE (TYPICAL) LOTS		
	60' X 115'	582
	70' X 115'	18
		TOTAL 600

Note: Lot count is approximate



GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Work Session Agenda

3. c.

Meeting Date: October 21, 2019

Item Title: Provide a Framework for Citizen Input at Work Sessions

Submitted By: Brad Neighbor, City Attorney

Summary of Request/Problem

At the request of Mayor Scott LeMay, the City Council is asked to consider the impact of a new law, enacted as HB 2840 during the last legislative session, that allows for citizen input at any open meeting of a governmental body regarding an item on the agenda.

Garland has always provided much more in the way of citizen input than many governmental bodies have elsewhere. By Charter, anyone may be heard on a matter under consideration by the City Council. Thus, for any matter on a Council regular agenda, an interested citizen will be recognized to speak before the matter is taken up for a vote. By rule, the City Council also provides a "citizens' comment" period during which speakers may address the City Council on any matter. Citizen comments during work sessions are allowed at the discretion of the City Council.

The change made in the new law affects work session agendas by mandating that a member of the public who desires to address the Council regarding an item on that agenda may address the Council regarding the item *at the meeting*. The law also provides that such citizen comments will be allowed before or during the Council's consideration of the item. The law authorizes governmental bodies to adopt reasonable rules regarding the public's right to address the body, including rules that limit the total amount of time that a member of the public may address the body on a given item.

Recommendation/Action Requested and Justification

In order to accommodate the change in law made by HB 2840, the standard work session agenda template will need to be revised. It is suggested that public input at a work session be allowed before the agenda on that work session is taken up by the Council rather than contemporaneously with the particular work session agenda item, unless the speaker is providing invited testimony. The reason is to avoid disrupting the meeting's flow. The Council should also consider how much time it will give to speakers, both per speaker and in total.

A draft revision to the standard work session template is attached.

Attachments

Revised Work Session Template - Citizen Comments



GARLAND

AGENDA

CITY COUNCIL WORK SESSION

City of Garland

Work Session Room, City Hall

William E. Dollar Municipal Building

200 North Fifth Street

Garland, Texas

Monday, November 11, 2020

6:00 p.m.

DEFINITIONS:

Written Briefing: Items that generally do not require a presentation or discussion by the staff or Council. On these items the staff is seeking direction from the Council or providing information in a written format.

Verbal Briefing: These items do not require written background information or are an update on items previously discussed by the Council.

Regular Item: These items generally require discussion between the Council and staff, boards, commissions, or consultants. These items are often accompanied by a formal presentation followed by discussion.

**[Public comment will not be accepted during Work Session
unless Council determines otherwise.]**

NOTICE: The City Council may recess from the open session and convene in a closed executive session if the discussion of any of the listed agenda items concerns one or more of the following matters:

(1) Pending/contemplated litigation, settlement offer(s), and matters concerning privileged and unprivileged client information deemed confidential by Rule 1.05 of the Texas Disciplinary Rules of Professional Conduct. Sec. 551.071, Tex. Gov't Code.

(2) The purchase, exchange, lease or value of real property, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Sec. 551.072, Tex. Gov't Code.

(3) A contract for a prospective gift or donation to the City, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Sec. 551.073, Tex. Gov't Code.

(4) Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint against an officer or employee. Sec. 551.074, Tex. Gov't Code.

(5) The deployment, or specific occasions for implementation of security personnel or devices. Sec. 551.076, Tex. Gov't Code.

(6) Discussions or deliberations regarding commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the territory of the City and with which the City is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect of the sort described in this provision. Sec. 551.087, Tex. Gov't Code.

(7) Discussions, deliberations, votes, or other final action on matters related to the City's competitive activity, including information that would, if disclosed, give advantage to competitors or prospective competitors and is reasonably related to one or more of the following categories of information:

- generation unit specific and portfolio fixed and variable costs, including forecasts of those costs, capital improvement plans for generation units, and generation unit operating characteristics and outage scheduling;
- bidding and pricing information for purchased power, generation and fuel, and Electric Reliability Council of Texas bids, prices, offers, and related services and strategies;
- effective fuel and purchased power agreements and fuel transportation arrangements and contracts;
- risk management information, contracts, and strategies, including fuel hedging and storage;
- plans, studies, proposals, and analyses for system improvements, additions, or sales, other than transmission and distribution system improvements inside the service area for which the public power utility is the sole certificated retail provider; and
- customer billing, contract, and usage information, electric power pricing information, system load characteristics, and electric power marketing analyses and strategies. Sec. 551.086; Tex. Gov't Code; Sec. 552.133, Tex. Gov't Code]

1. Public Comments on Work Session Items

Speakers will be given a total of three minutes to address the City Council on any item on the work session agenda. Speakers are limited to addressing only items on the work session agenda – an item relating to a regular session agenda item should be addressed at the regular session. Public comments on work session agenda items are limited to a total of ___ minutes or ___ speakers. Speakers who are not reached during that period will be given priority in order of speaking at the next following regular session.

2. Consider the Consent Agenda

A member of the City Council may ask for discussion or further information on an item posted as a consent agenda item on the next Regular Meeting of the City Council. The Council Member may also ask that an item on the posted consent agenda be pulled from the consent agenda and considered for a vote separate from consent agenda items on the regular agenda. All discussions or deliberations on this portion of the work session agenda are limited to posted agenda items and may not include a new or unposted subject matter.

3. Written Briefing(s):

4. Verbal Briefing(s):

5. Regular Item(s):

6. Discuss Appointments to Boards and Commissions

7. Announce Future Agenda Items

A member of the City Council, with a second by another member, or the Mayor alone, may ask that an item be placed on a future agenda of the City Council or a committee of the City Council. No substantive discussion of that item will take place at this time.

8. Council will move into Executive Session

**EXECUTIVE SESSION
AGENDA**

NOTICE: The City Council may recess from the open session and convene in a closed executive session if the discussion of any of the listed agenda items concerns one or more of the following matters:

9. Adjourn



GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Work Session Agenda

3. d.

Meeting Date: October 21, 2019

Item Title: City Marshal Parking Enforcement Program and Related Ordinances

Submitted By: Brad Neighbor, City Attorney

Summary of Request/Problem

Neighborhood parking has been a persistent problem throughout the City for many years. The Office of the City Attorney and Office of the City Marshal have been tasked with designing and implementing a civil parking enforcement program because the current criminal parking enforcement is difficult and often unworkable.

Recommendation/Action Requested and Justification

The Office of the City Attorney recommends that the Council implement a civil enforcement program to enforce parking through civil violation notices instead of the current criminal parking enforcement citations. Council is requested to consider approval of the civil enforcement program and consider the necessary ordinance changes to effectuate the program.

Attachments

Parking Program Overview



City of Garland Civil Parking Enforcement

Office of the City Marshal

Mike Betz

City Marshal

Civil Parking Enforcement

- Residential parking has been a persistent problem in the City of Garland - subject of repeated citizen complaints.
- Effective this budget year, the Marshal's Office is adding personnel to perform parking enforcement.
- Criminal parking enforcement is difficult – most municipalities use civil enforcement.
- Civil parking enforcement is easier to enforce.

Goal of Program

- The goal of the civil parking enforcement is to prevent parking problems throughout the City.
- The hope is that a civil parking enforcement program will increase compliance with the City's parking ordinances and reduce illegally parked vehicles throughout the City.

Primary Parking Problems

- Residential parking:
 - Oversized vehicles, trailers and similar vehicles parked on streets in residential neighborhoods
 - Vehicles parked blocking driveways, sidewalks and on unimproved surfaces
 - Vehicles parked within 30 feet of stop signs, parked blocking fire hydrants, cars parked blocking alleys and streets
- Commercial Districts:
 - Large trucks parked in shopping centers, church parking lots and other unlawful places
 - Vehicles parked longer than permitted
 - Vehicles parked in marked spots taking up multiple spots

Timing of Parking Violations

- Most of the residential parking problems occur after business hours, and on weekends when residents return home to park.
- Drivers bring oversized and other inappropriate vehicles home from work and park them on residential streets.
- Tractor trailers and other similar vehicles park on residential streets and shopping center parking lots overnight or on weekends.

Proposed Solution

- Marshals will soon commence parking enforcement citywide, 7 days a week.
- Much of the enforcement will be directed at times when problems occur, before 8 am and after 5 pm weekdays and on weekends.
- Marshals will respond to parking complaints via the E-Assist portal on the City's website 7 days a week.
- Marshals will try to respond within minutes or hours and will follow up with complainant notifying the complainant either that they took appropriate enforcement action or that they were unable to locate the offending vehicle.

Media Campaign

- Office of the City Marshal will work with public relations at the City to inform the public of the civil parking enforcement program.
- Coverage on Garland TV.
- Information in Garland City Press.
- Insert into Garland Utility Bills.
- Media coverage in local media.

Warning Period

- Although Marshals will always use appropriate discretion and will issue warnings where appropriate, enforcement will begin with the issuance of warning notices.
- Only warning notices will be issued for the first 6 weeks of the program except in the cases of repeat or flagrant violations.
- Warning notices will be affixed to the windshield of vehicles, notifying the operator of the vehicle that the vehicle is illegally parked and describing the violation.
- For the first 6 months of the program, only those vehicles who have previously received a warning will be issued a parking citation. If the vehicle has not been issued a warning notice, a warning will be issued.

Example of Warning Notice



WARNING YOUR VEHICLE IS PARKED UNLAWFULLY

This notice is to inform you that your vehicle is parked in violation of the Garland Code of Ordinances because it is:

This is only a warning. The City of Garland requests your assistance in solving neighborhood parking problems by parking your vehicle lawfully. Future parking violations may result in a citation being issued and the imposition of a \$75 civil penalty.

You may obtain information about the City of Garland's Parking Ordinances at:

www.garlandtx.gov/parking

Enforcement

- Following the warning period, Marshals will begin issuing civil parking citations.
- Citations will be placed on the windshield of the vehicle that is illegally parked where possible. Citations that cannot be placed on the vehicle will be mailed to the registered owner of the vehicle.
- The civil penalty for parking violations will be \$75. Lower than present criminal parking violations.
- 7 days after the citation is placed on the vehicle, a notice of a citation that remains unpaid will be mailed to the registered owner of the vehicle.

CitePro Handheld Device Enforcement Hardware



The Hardware

Introducing CitePro™ — The next generation ultra-rugged handheld devices for smart enforcement.

Featuring an integrated 3" thermal printer, an optional high performance scanner to scan licenses and registrations, and a 16 megapixel camera with barcode scanning capability, the CitePro is ideal for every mobile public safety application. The CitePro collects photo evidence, handles data input and lookups, and issues on-the-spot tickets in all weather conditions.



Civil Enforcement Parking Citations

- Parking Citations will contain:
 - Date, time and location of the violation.
 - The nature of the violation and the Code of Ordinance Section Number.
 - A black and white photograph of the vehicle license plate.
 - The civil fine amount and an explanation of how to pay or contest the violation.
 - A notice that failure to pay may result in immobilization or towing of the vehicle.

Sample Violation Notice

CITY of ROCKBURG

UNITED PUBLIC SAFETY

ToCite Ticketing System
By United Public Safety

VIOLATION

TICKET # P479751
ISSUED: 02/14/18 16:30 Wed
LIC #: UPSAFETY
LIC STATE: PENNSYLVANIA
LOCATION: MORRIS RD
VEH MAKE: ACURA
VEH TYPE: 4 DOOR AUTO
VEH COL: BLACK
VIOLATION: 22-105-Occupying
multiple spaces

FINE: \$





High resolution color image on file

Moore
Signature
(William Moore #1234)

You have committed the parking violation listed above. If payment is not received within 7 days, a court summons will be issued for the ordinance violated and your fine will increase.

Pay Online at:
www.uncsaf...

Follow Up Letters

- Follow up letters will contain:
 - An explanation that the letter is being sent to the registered owner of the vehicle and that a parking citation was issued because the vehicle was illegally parked.
 - The nature of the violation and the Code of Ordinance Section Number.
 - A black and white photograph of the vehicle depicting the violation.
 - The civil fine amount and an explanation of how to pay or contest the violation.
 - A notice that failure to pay may result in late fees and immobilization or towing of the vehicle.

Example Notice Letter Format

City of Rockburg
321 Morris Road
Fort Washington, PA 19034
(123) 123-1234



1ST NOTICE OF OUTSTANDING PARKING VIOLATION(S)

Joe Smith
123 Main Street
Philadelphia, PA 19999

DATE OF NOTICE: 10/11/19
PLATE: TEST886
STATE: PENNSYLVANIA

Our records indicate that the parking violation(s) listed below have not been satisfied. You may resolve this matter by making payment: (1) online at: newbernnc.gov/parking; (2) by mailing a money order payable to the City of New Bern; or (3) in person at the New Bern Police Department, located at 601 George Street for the total amount due. PAYMENT IN FULL MUST BE RECEIVED WITHIN 14 DAYS FROM THE DATE OF THIS NOTICE TO AVOID DELINQUENCY.



PLEASE NOTE: Failure to pay within 14 days of the date of this notice will result in an additional late fee of \$25.00 for each violation unpaid and continuation of collections efforts to include enrollment in the North Carolina Debt Setoff Program, assignment to a Collections Agency, or both. If you have already sent us your payment, please disregard this notice. We appreciate your prompt attention to this matter.

IF PAYING VIA MAIL, DETACH HERE AND INCLUDE THE BELOW WITH YOUR REMITTANCE.

Ticket Number	Date Issued	Violation	Location	Amount Due
P593956	10/11/19 02:50 PM	Expired Meter	MORRIS ROAD	
TOTAL AMOUNT DUE:				
AMOUNT ENCLOSED:				

Sample Language of Notice Letter



Garland City Marshal's Office
200 N. 5th Street
Garland, TX 75040
972-205-XXXX

____/____/____

NAME OF REGISTERED OWNER
ADDRESS OF REGISTERED OWNER
CITY OF REGISTERED OWNER, STATE ZIP

Re: Citation Number _____

You are receiving this letter because you are the registered owner of a vehicle that was issued a Parking Citation by the City of Garland. The violation charged in the citation is:

Our records indicate that you have not paid the citation as of the date of this letter. Unless you intend to contest the citation, you must pay the citation by (DATE) to avoid late charges.

If you wish to pay the Parking Citation you may do so on line at:

www.garlandparkingenforcement.com

You may also pay the Parking Citation in person, prior to the due date, at:

DUCKWORTH BUILDING
217 N. 5th Street
Garland, TX 75040
Monday through Friday between 8:00 am and 5:00 pm.

If you wish to contest the Parking Citation, you may appear at an administrative adjudication hearing on the hearing date shown on the Parking Citation. You may also appear for an instant hearing on the first and third Monday and Wednesday of each month. Hearings are held between 9:00 am and 3:00 pm. Please bring a copy of the Parking Citation to the hearing. The location of the administrative adjudication hearing is:

PARKING CITATION HEARINGS OFFICE
GARLAND MUNICIPAL COURT
1791 W. Avenue B
Garland, TX 75042

If you do not either successfully contest or pay the Parking Citation by the due date listed on the citation, your vehicle may be immobilized by having a boot placed on the tire of the vehicle or the vehicle may be impounded.

Respectfully,
|
Garland City Marshal's Office

Hearings

- The Chief Judge of the Municipal Court will appoint an administrative hearing officer to conduct hearings for persons wanting a hearing.
- The parking citation will contain a hearing date for a hearing no sooner than 45 days after the issuance of the citation.
- A person receiving a citation may appear at an “instanter” hearing at any time hearings are held, without regard to whether they are scheduled for a hearing that date.
- Hearings will be held between 9 am and 4 pm on the first and third Monday and Wednesday of each month.
- The proceeding will be somewhat informal – person challenging citation will be able to explain why they believe they should not be found liable, and be able to call witnesses, if necessary. Rules of evidence will not apply.
- Hearing examiner will have photograph of vehicle as parked and a copy of the citation.
- After hearing the case, the hearing examiner will determine whether the person contesting the citation is liable or not liable for the citation.

Payment

- Payment can be made via a website by credit card or electronic check.
- Payment can be made in person at the Duckworth Building, with cash, by check/money order or credit card.
- Payment can be mailed to the City at an address provided on the website.

Multiple Unpaid Citations

- After 3 unpaid citations within a 12 month period, a vehicle is subject to being immobilized by boot or similar device.
- Boot will be removed upon payment of unpaid citations and boot fee.
- After 5 unpaid citations within a 12 month period, a vehicle is subject to being towed to the City impound lot.
- Vehicle will be released upon payment of citations and impound fees.

E-Assist Complaint Portal

- A resident that has a concern about illegally parked vehicles can enter the City's E-Assist Portal and report the concern.
- A Deputy Marshal will receive the complaint and follow up on the complaint.
- After the Deputy Marshal has investigated the complaint, the complainant will be notified that the complaint has been investigated.

Ticket Processing Operations

- Processing of tickets will be through a third party vendor who will:
 - Mail notices of the violation after 7 days
 - Collect civil penalties via website and remit to City
 - Provide a portal for the City to collect payment at Duckworth Building
 - Clear civil penalties paid in person
 - Mail late notices after 30 days, including a \$25 late fee
 - Conduct collection efforts after 90 days
 - Provide ticket writing machines and related software
 - Provide data on location and type of violations to the City on a periodic basis
 - Provide a portal for the hearing examiner to review the ticket, pictures of the violation and enter administrative decision.

Reporting Results to Council

- We will report periodically to City Council as to:
 - The number, location and types of violations
 - Whether enforcement has resulted in increased compliance with parking ordinances
 - Areas or neighborhoods with continuing violations and proposed solutions

Parking Ordinances Subject To Civil Enforcement – City Ordinances

- Vehicles parked:
 - in violation of the Oversized Parking Ordinance Section 32.57
 - violation of the provisions of article IV, “Stopping, Standing and Parking,” and article VIII, “City Facility Parking Regulations” of Chapter 33, “Transportation”
 - on an unimproved surface in violation of Section 32.56

Parking Ordinances Subject To Civil Enforcement – State Laws

- Vehicles parked:
 - (1) on the roadway side of a vehicle stopped or parked at the edge of a curb of a street;
 - (2) on a sidewalk;
 - (3) in an intersection;
 - (4) on a crosswalk;
 - (5) alongside or opposite a street excavation or obstruction if stopping, standing or parking the vehicle would obstruct traffic;
 - (6) in front of a public or private driveway;
 - (7) within 15 feet of a fire hydrant;
 - (8) within 20 feet of a crosswalk at an intersection;
 - (9) within 30 feet on the approach to a flashing signal, stop sign, yield sign, or traffic control signal located at the side of a roadway;
 - (10) within an alley so as to interfere with the free and interrupted movement of traffic;
 - (11) in a fire zone;
 - (12) where signs are erected prohibiting parking;
 - (13) in a manner such that any portion of the vehicle extends more than 102 inches from the face of the immediately adjacent curb, if the street has a curb, or edge of pavement, if the street does not have a curb; and
 - (14) on public property in a marked parking space and not entirely contained within the limits of a single parking space designated by surface markings for that space.

Next Steps

- Council consideration of parking enforcement program presented.
- Council consideration of necessary ordinance to permit administrative enforcement of parking ordinances.
- Council consideration of revised oversized parking ordinance and ordinance making certain state law parking violations civil violations.
- Contract with 3rd party vendor to provide enforcement equipment and payment center.



GARLAND

City Council Work Session Agenda

Meeting Date: October 21, 2019

Item Title: Boards and Commissions

Submitted By: Elisa Morales, Management Services Coordinator , Administration

Summary:

Deputy Mayor Pro Tem Robert Vera

- Patricia Hanson - TIF 3 Medical District
-

Attachments

Patricia Hanson - TIF 3 Medical District

ATTN:
Robert
Vera
Tiff
District 6
#3



GARLAND

TEXAS MADE HERE

CITY OF GARLAND
RECEIVED
OCT 02 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: 10-2-19

Name: Patricia Hanson

Phone:

Address: 1901 PAID DURO DR.

Phone:

City, State, Zip: Garland, TX. 75040

Email:

Resident of Garland for 35 years

Resident of Texas for 31 years

✓ Dallas County Voter Registration [REDACTED] Garland City Council District Number 1

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

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

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

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

NO

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

NORTHlake Estates CRIME Watch Founder

What is your educational background?

B.S. in Bus. ADMIN.

What is your occupational experience?

PAST
Real Estate OFFICE MGR. + Licensed Salesman

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

Patricia Hanson

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

☐ Board of Adjustment

☐ Garland Youth Council **

☐ Parks and Recreation Board

☐ Citizens Environmental and Neighborhood Advisory Committee

☐ Property Standards Board

☐ Plan Commission

☐ Community Multicultural Commission

☐ Library Board

☐ Senior Citizens Advisory Committee

☐ Garland Cultural Arts Commission

☐ Unified Building Standards Commission

**Garland Youth Council has a separate application

FOR OFFICE USE ONLY

Ad Valorem Tax Status
Utility Account Status

Current ☒
Current ☒

Past Due ☐
Past Due ☐

Date Appointed _____

Appointed By _____

CSO Suit/Claim Filed
Clerk Signature & Date

Yes ☐ No ☒

Date Notified _____

Disclosure Form Filed _____

Courtney Vanover 10/31/19

Revised 03/2018