



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 7, 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. Approval of Rules of Procedure for the Board of Adjustment

Council is requested to approve the rules of procedure for the Garland Board of Adjustment.

b. Project Funding Agreement with Dallas County for Naaman School Road from Brand Road to SH 78 and Brand Road from Belt Line Road to Naaman School Road Alignment Project

Council is requested to adopt a resolution which authorizes the City Manager to enter into a Project Funding Agreement with Dallas County for the Naaman School Road from Brand Road to SH 78 and Brand Road from Belt Line Road to Naaman School Road Alignment Study project. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the October 22, 2019 Regular Meeting.

c. Sale of Property - 2000 N. First St., 111 E. Buckingham and 121 E. Buckingham Rd.

Council is requested to approve the sale of 2000 N. First St., 111 E. Buckingham Road and 121 E. Buckingham Road to Hao Pham and provide an executed deed without warranty. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the October 22, 2019 Regular Meeting.

d. Sale of Property - 922 Susan Drive

Council is requested to approve the sale of 922 Susan Drive to Christopher Whitlock and provide an executed deed without warranty. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the October 22, 2019 Regular Meeting.

e. Sale of Property - 818 E. Linda Drive

Council is requested to approve the sale of 818 E. Linda Drive to Ryan Z and Associates, Inc. and provide an executed deed without warranty. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the October 22, 2019 Regular Meeting.

f. Sale of Property - 621 West Avenue G

Council is requested to approve the sale of 621 West Avenue G and provide an executed deed without warranty. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the October 22, 2019 Regular Meeting.

g. Dallas Central Appraisal District (DCAD) Board of Directors Nomination

The Texas Property Tax Code section 6.03, provides the method for establishing an Appraisal District Board of Directors. According to this statute, taxing jurisdictions within the district are entitled to appoint a candidate, who if elected, will serve a two-year term on the Board of Directors. Each of the incorporated Greater Dallas County cities and towns (30), except the City of Dallas, have the right to nominate a candidate. From the nominations received by the Appraisal District, the cities and towns shall have the right to elect by a majority vote one (1) member to the Dallas Central Appraisal District Board of Directors. Unless otherwise directed by Council, staff is recommending that the Appraisal District be provided with a notice of forbearance regarding a nomination as has been done in prior years.

h. Investment Advisory Services Agreement

Council is requested to consider a resolution authorizing the City Manager to execute an Investment Advisory Service Agreement with Hilltop Securities Asset Management, LLC. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the October 8, 2019 Regular Meeting.

3. Verbal Briefings:

a. Community Services Committee Report

Jason Chessher, Director of Health, will provide a Community Service Committee Report on the process for the potential closure of a restaurant due to an excessive number of failing health scores.

b. Sex Offender Ordinance Update

The Police Department will present data regarding registered sex offenders living in Garland and the option to adopt an ordinance placing residency restrictions around areas where children commonly gather.

c. Update on New Year's Eve Fireworks Enforcement

The Police Department will update the City Council on plans for fireworks enforcement over the New Year's Eve holiday.

d. Consider Amendments to the Garland Development Code Regarding Makerspaces

Staff will brief the Council on Makerspace uses (also referred to as "Hackerspaces"). This use is not currently defined in the Garland Development Code. At the request of the City Council, the subject of defining and creating regulations for Makerspace uses was discussed by the Development Services Committee and draft amendments to Chapter 2, Sections 2.51 and 2.52 and Chapter 6, Section 6.03 of the Garland Development Code were recommended accordingly. The draft amendments have also been reviewed by the Plan Commission during their September 23, 2019 meeting.

4. Discuss Appointments to Boards and Commissions

Council Member Deborah Morris

- Darryl Quigley - TIF Board South

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. Adjourn



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Work Session Agenda

2. a.

Meeting Date: October 7, 2019

Item Title: Approval of Rules of Procedure for the Board of Adjustment

Submitted By: Brad Neighbor, City Attorney

Summary of Request/Problem

In the last legislative session, the Texas Legislature passed HB 2497, which made amendments to the statute that governs Zoning Boards of Adjustment. Among the changes was a provision that requires the approval by the municipality's governing body of the Rules of Procedure. Zoning Boards of Adjustment are required to adopt.

The Garland Board of Adjustment recently adopted its Rules of Procedure. Under the newly revised law, the City Council must approve those rules before they may be considered effective.

Recommendation/Action Requested and Justification

The City Council is requested to approve the Rules of Procedure of the Garland Board of Adjustment in the form attached.

Attachments

Rules of Procedure of the Board of Adjustment

**RULES OF PROCEDURE
OF THE
BOARD OF ADJUSTMENT
OF THE
CITY OF GARLAND, TEXAS**

**ARTICLE I
Meetings**

- Sec. 1** Regular meetings of the Board of Adjustment (the Board) shall be held on the third Wednesday of each month and commence at 7:00 p.m.
- Sec. 2** Special meetings of the Board may be called by the Chairperson, or at the request of two members, of which notice shall be given to each member at least 72 hours before the time set, except that announcement of a special meeting, at any meeting at which all members are present, shall be sufficient notice of such meeting.
- Sec. 3** A quorum of the Board shall consist of six (6) members.

**ARTICLE II
Cases Before the Board**

- Sec. 1** An application to the Board, whether an appeal from an order, decision, or determination of the Building Official or whether for a special exception or for a variance, shall be made on an application form provided by the Building Official.
- Sec. 2** All information called for by the application shall be furnished by the applicant in the manner therein prescribed, and all notices shall be given on forms prescribed by the Board.
- Sec. 3** The Board shall reject any application unless made on the prescribed form properly completed with all required attachments.
- Sec. 4** An application shall be submitted not later than the 20th day after the date of refusal of a permit by, or date of order, ruling, decision or determination of the Building Official.
- Sec. 5** Any communication purporting to be an application shall be regarded as mere public notice to seek relief until an application is made in the form required by these rules.
- Sec. 6** Application made after the 20th day after the decision being appealed is made shall not be considered by the Board.

ARTICLE III
The Docket and Calendar

- Sec. 1** Each application filed in proper form with the required information shall be numbered serially, docketed, and shall be placed upon the calendar of the Board by the Secretary. The docket numbers shall begin anew on January 1 of each year and shall be hyphenated to begin with the number of the year in which the application is filed.
- Sec. 2** All cases docketed more than twenty (20) days preceding a regular meeting day, and for which the ten-day notice requirement has been sent, shall be automatically set for hearing on the succeeding regular meeting day. Cases docketed within twenty (20) or less days of the regular meeting day shall be set for hearing on the second regular meeting day after the application has been docketed.
- Sec. 3** Applications shall be heard in the order in which they appear on the calendar, except that an application may be advanced for hearing by order of the Board or at the direction of the Chairperson in order to expedite the disposal of the business before the Board. If all applications cannot be disposed of on the day set, the Board may adjourn from day-to-day, or until the next regular meeting as it may order.
- Sec. 4** No notice other than that provided for in these rules or by law will be given to applicants or others interested in hearings by the Board.

ARTICLE IV
Hearings

- Sec. 1** Hearings shall be held by the Board in the Council Chambers, City Hall, 200 North Fifth Street, Garland, Texas or at an alternate location as directed by the Chairperson if City Hall is unavailable.
- Sec. 2** A quorum for hearing by the Board shall consist of six (6) members, but a lesser number may meet and adjourn a meeting.
- Sec. 3** Hearings shall be open to the public.
- Sec. 4** The applicant may appear in his or her own behalf or may be represented by agent or attorney. In the absence of any personal appearance on behalf of the application, the Board may proceed to dispose of the matter on the record before it.
- Sec. 5** Matters before the Board shall be disposed of in the following order unless otherwise directed by the Chairperson or by motion of the Board:
- (a) City's introduction of the application
 - (b) Applicant's presentation of the application
 - (c) Interested property owner's presentation

- (d) Applicant's rebuttal (if desired by the applicant)

Sec. 6 Hearings shall be conducted in accordance with these Rules. To the extent not inconsistent with these Rules, procedures for making, seconding and amending motions shall be made pursuant to Roberts Rules of Order, Newly Revised 10th Edition, published by Persus Publishing, Copyright 2000, (hereinafter "RONR (10th ed.)") a copy of which shall be retained by the City Secretary and made available for inspection by the public during normal business hours. In the event of conflict between these rules or RONR (10th ed.) and any law or ordinance, the conflicting law or ordinance shall control.

ARTICLE V

Final Disposition

Sec. 1 In the final disposition of any applicant, the Board shall affirm, modify or reverse the refusal of a permit by, or any order or decision of the Building Official, as the case may be. In the case of an application for a variance or special exception, the decision of the Board shall set forth that the application is denied or that it is granted with or without conditions; conditions, if any, shall control. Decisions of the Board shall be based upon motions made and seconded. Following presentation of the case by the applicant, rebuttal, and such other testimony as the Chair shall allow, the Chair shall request a motion from the Board. If no motion is made and seconded, the Chair shall again ask for a motion from the Board. After seeking a motion on two occasions, the Chair shall warn the Board that the application will be denied for want of a motion if no motion is made and ask a final time for a motion from the Board on the application. If, thereafter, no motion is made and seconded, the application shall be denied for want of a motion, and the applicant shall be notified that the application is denied. If a motion is made, the vote of each member present on each decision shall be recorded with the decision. Every application for a variance or special exception shall be disallowed unless the concurring vote of six (6) members of the Board shall favor the application. If, however, a motion is made and seconded to deny the request of the applicant, such motion shall require a majority vote of those present to pass.

Sec. 2 Any applicant may, in writing, withdraw an application at any time not less than ten days prior to its hearing by the Board. Unless waived by the Board, the withdrawal of an application constitutes a forfeiture of the application fee.

Sec. 3 If an application is granted by the Board, all permits necessary for the prosecution of the work shall be obtained within one year from the date of decision by the Board, unless an extension is granted by the Building Official upon a showing of good cause, otherwise such permission shall be considered void.

ARTICLE VI

Rehearings

- Sec. 1** No hearing of any decision by the Board shall be had within six (6) months of the date of the Board's decision except, (a) upon motion by a member of the Board who was on the prevailing side of the decision sought to be reheard or (b) upon motion by a member of the Board after showing a change of circumstance pursuant to Section 2.22(B)(5) of the Garland Development Code. Any such motion must be made pursuant to Section 2 of this Article; made and acted upon at the Board's next regular meeting, and must be carried by not less than six (6) concurring votes in favor of the rehearing.
- Sec. 2** No motion for a rehearing shall be entertained except upon written request for rehearing by the applicant. In the event the motion is approved, the matter will be set for a hearing at the next regular meeting of the Board. Unless otherwise provided by the City Council, the fee on rehearing shall be one-half (1/2) the initial application fee.
- Sec. 3** If a rehearing is granted, the case shall be put on the calendar for a rehearing and new notices issued in accordance with the notice provisions of these rules and the Garland Development Code.

ARTICLE VII

Precedents

- Sec. 1** Actions of the Board shall not establish precedent for any other actions or decisions of the Board. Each case shall be decided upon its merits and upon the circumstances attendant thereto, without regard to the actions taken in other cases.

ARTICLE VIII

Officers

- Sec. 1** The Board shall elect a Chairperson, First Vice Chairperson, and Second Vice Chairperson annually at the first regular meeting in September after annual appointments have been made by the City Council.
- Sec. 2** The Chairperson shall preside at all meetings and hearings of the Board. In the event of the absence or disability of the Chairperson, the First Vice Chairperson shall preside. In the event of the absence or disability of the First Vice Chairperson, the Second Vice Chairperson shall preside. In the absence or disability of the Chairperson, First Vice Chairperson, and Second Vice Chairperson at a meeting or hearing, the Board members present shall elect an Acting Chairperson to preside.
- Sec. 3** The Chairperson, subject to these rules, the Garland Development Code and controlling State law, shall decide all points of procedure unless otherwise directed by a majority of the Board in session at the time.

Sec. 4 The Chairperson may designate members of the Board to make personal inspections when necessary from time to time and, unless directed by a majority of the Board, shall appoint such committees as may be found necessary.

Sec. 5 The Chairperson shall report at each meeting on all official transactions that have not otherwise come to the attention of the Board.

Sec. 6 The Chairperson shall, subject to these rules and further instructions from the Board, transact the official business of the Board, supervise the work of the Secretary, request necessary help, and exercise general disciplinary power over the Board and its members.

Sec. 7 The Secretary shall be such person as may be designated by the City Manager who shall designate an Assistant Secretary who shall act in the absence of the Secretary.

Sec. 8 The Secretary, subject to the provisions of the Garland Development Code, these rules, and the direction of the Board and its Chairperson, shall conduct all correspondence of the Board; shall send out all notices required by these rules and the order of the Board; shall attend all meetings of the Board and hearings; shall scrutinize all applications to see that these rules are complied with; shall keep the dockets and minutes of the Board's proceedings; shall compile all required records; shall maintain the necessary files and indexes and generally supervise all clerical work of the Board.

The Secretary shall, upon docketing any application, notify any property owner or other person required to be notified under the provisions of the Garland Development Code as amended from time to time.

Upon the docketing of any application, the Building Official or a designated representative shall make a personal inspection of the premises, see that all maps and plats are properly prepared, and be prepared to advise the Board on the physical conditions of the property affected by such application.

The Building Official or a designated representative shall demand from the applicant such additional information and data as may be required to fully advise the Board, with reference to the application, whether such information and data is called for by the official forms or not. Any failure or refusal on the part of the applicant to furnish such additional information or data shall be grounds for the dismissal of the application by the Board.

ARTICLE IX

Forms

Sec. 1 The Building Official shall prepare and provide such forms as may be necessary and useful in conducting the business of the Board, subject to the review of the Board.

ARTICLE X
Docket and Minute Book

Sec. 1 The Secretary keep the Docket and Minutes of the Board which the Secretary shall keep posted to date. The Docket shall contain the number of the application, the name of the applicant, a short description by street number or otherwise of the premises, the nature of the application, and the final disposition, after the case has been disposed of. All continuances, postponements, dates of sending notices, and other steps taken and acts done shall be noted on the Docket.

The Minute Book shall record the decision relating to each case acted on, together with a vote of each member of the Board, those absent being so marked, together with all other actions of the Board.

ARTICLE XI
Resolutions

Sec. 1 Every resolution not otherwise provided for in these rules shall require a majority vote of the members present at a legally constituted meeting.

ARTICLE XII
Advice

Sec. 1 No informal requests for advice, or moot questions, will be considered by the Board. Any advice, opinion, or information given by any Board member or the Secretary, or any other official or employee of the City of Garland, Texas shall not be binding on the Board. The Board shall render its decision only on the facts presented to the Board during the hearing of the matter. *Ex parte* and personal appeals to members of the Board outside the hearing are not allowed.

ARTICLE XIII
Order of Business at Regular Meetings

Sec. 1 The order of business at all regular meetings of the Board shall be as follows:

- (a) Approval of Minutes of previous meeting
- (b) Board of Adjustment Requests
- (c) Miscellaneous Items

The Chairperson may, with or without a vote of the Board, vary the presentation of the Board's agenda in order to expedite the business of the Board.

ARTICLE XIV.
Non-observance of Rules

Sec. 1 Rules adopted by Board are solely to expedite and facilitate the transaction of the business of the Board in an orderly fashion shall be deemed to be procedural only, and the failure to strictly observe any such rules shall not affect the jurisdiction of, or invalidate any action taken by, the Board.

Sec. 2 Any of the foregoing rules may be waived or suspended by a majority vote of the Board Members present when it is deemed that there is good cause to do so, based upon the particular facts and circumstances involved.

Sec. 3 The rules set forth are not exclusive and do not limit the inherent power and general legal authority of the Board, or of its presiding officer, to govern the conduct of meetings of the Board as may be considered appropriate from time to time, or in particular circumstances, for purposes of orderly and effective conduct of the affairs of the Board.

ARTICLE XV
Amendments

Sec. 1 These rules may be amended or modified by an affirmative vote of not less than six (6) members of the Board, provided that such amendment shall be presented in writing at a regular meeting and action taken thereon at a subsequent regular meeting.



GARLAND POLICY REPORT

City Council Work Session Agenda

2. b.

Meeting Date: October 7, 2019

Item Title: Project Funding Agreement with Dallas County for Naaman School Road from Brand Road to SH 78 and Brand Road from Belt Line Road to Naaman School Road Alignment Project

Submitted By: Michael Polocek, Engineering Director

Strategic Focus Areas: Well-Maintained City Infrastructure
Safe Community

ISSUE

Consider whether to enter into a Project Funding Agreement (PFA) with Dallas County for the Naaman School Road from Brand Road to SH 78 and Brand Road from Belt Line Road to Naaman School Road Alignment Study project.

OPTIONS

1. Adopt a Resolution which authorizes the City Manager to execute the attached PFA with Dallas County for the Naaman School and Brand Roads Alignment Study project.
2. Take no action.

RECOMMENDATION

Approve Option 1. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the October 22, 2019 Regular Meeting.

BACKGROUND

1. In 2012 the City executed a Master Agreement with Dallas County that provides general terms regarding funding availability, agency responsibilities, etc., for “partnering” on eligible future roadway projects. According to this model, a PFA is necessary for the commitment of funds for an alignment study. The completion of the alignment study that will result in approximately 30% design, establishing a horizontal and vertical alignment for both roadways.
2. The estimated cost of the project is \$800,000 with following cost share by each Agency: City of Garland \$400,000 (50%) and Dallas County \$400,000 (50%).
3. The approved 2019 CIP included funds to cover the full amount not knowing if Dallas County would participate.

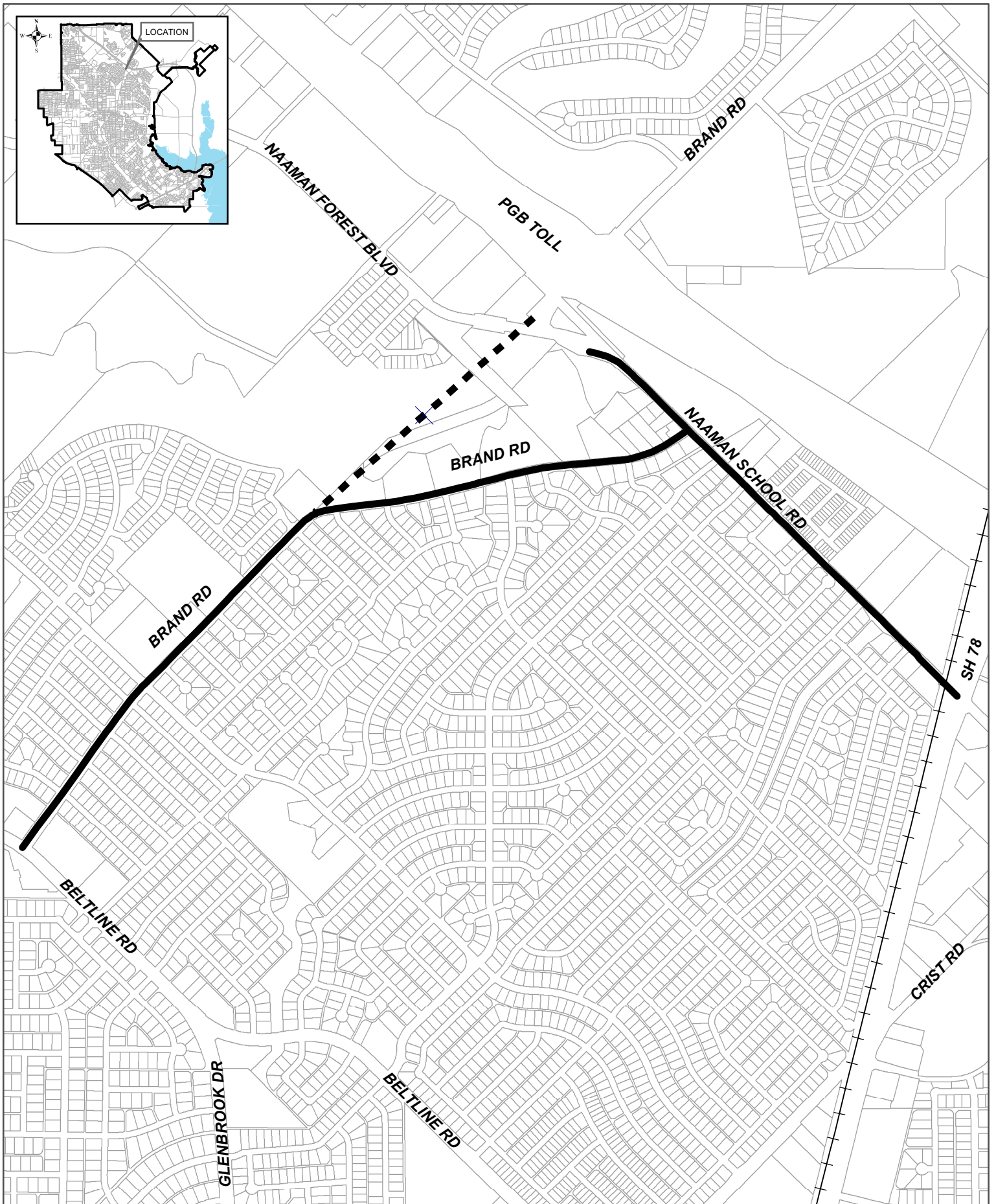
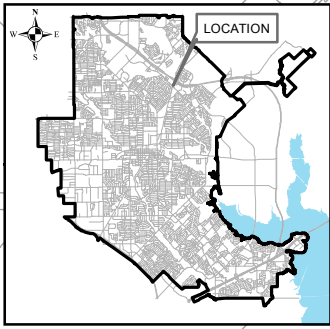
CONSIDERATION

1. Council action is required to authorize the City Manager to sign the Project Funding Agreement with Dallas County.
2. The PFA has been reviewed by the City Attorney's Office.

Attachments

Location Map

Proposed Project Funding Agreement



DALLAS COUNTY CAPITAL IMPROVEMENT PROGRAM FUNDING AGREEMENT

The City of Garland, Texas, hereinafter called "City", and the County of Dallas, Texas, hereinafter called "County", desire to enter into a Funding Agreement, hereinafter called "FA", in order to contract for the implementation of the Major Capital Improvement Project authorized by Court Order 2012-1795 dated October 23, 2012, which approved specified projects including MCIP Project 22011 Brand Rd. from Belt Line Rd. to Bellaire Rd.; MCIP Project 22012 Brand Rd. from Belt Line Rd. to Naaman Forest Blvd.; and MCIP 22015 Naaman School Rd. from Brand Rd. at Naaman Forest Blvd. to SH 78 hereinafter called "Project".

Witnesseth

WHEREAS, the Project is located within the City of Garland, Texas;

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

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

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

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

Article I.

Project Funding Agreement

This FA is between the County and the City to establish a preliminary proposed budget for the Project which will facilitate the movement of public transportation to benefit both the City and County. This FA is to specifically identify the Project as well as any changes in the rights and responsibilities of each of the parties as set forth in the Master Agreement, which is hereby incorporated herein by reference as if written word for word and any additions thereto. All terms of the Master Agreement remain in full force and effect except as modified herein. In the event of any conflict between the Master Agreement and this FA, this FA shall control.

Article II.

Incorporated Documents

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

1. Master Agreement authorized by County Commissioners Court Order 2012-1795, dated October 23, 2012, and additions thereto as incorporated herein.
2. Project overview map, which is attached and incorporated herein by reference as Attachment "A."

3. Current Cost Estimates and Funding Sources, which is attached and incorporated herein as Attachment "B."

Article III.

Term of Agreement

This FA shall become effective when signed by the last party whose signature makes the respective agreement fully executed. This FA will remain in effect until:

1. Incorporation into the Project Specific Agreement; or
2. Termination upon the terms and conditions as set forth in the Master Agreement, Article IV, Section A, Termination.

Article IV.

Project Description

This FA is entered into by the parties to develop public and multimodal transportation improvements within the City. The Project is defined as Preliminary Engineering on the following two connected MCIP projects: MCIP Project 22012 Brand Road from Belt Line Rd. to Naaman Forest Blvd. and MCIP 22015 Naaman School Rd. from Brand Rd. at Naaman Forest Blvd. to SH 78. The City does hereby give its approval for expenditure of County funds for the construction, improvement, maintenance, or repair of a street located within the municipality, subject to City Council approval.

The Preliminary Engineering will entail gathering and evaluating existing data. This will include site investigation of potential utility conflicts, topographical challenges, environmental assessment, hydraulic and hydrological analysis, bridge analysis and evaluation of potential crossings of streets. Data will include, but not be limited to, high resolution aerial photos, previous studies, and preliminary investigation into ROW, easements, and property boundaries. The Preliminary Engineering study will be submitted to the County for approval, prior to proceeding with the final design and any right of way acquisition.

Article V.

Fiscal Funding

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

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

Article VI.

Agreements

I. County and City Responsibilities:

1. City will be the Lead Agency for the Project.
2. City and County have mutually agreed that the Project limits for MCIP Project 22012 are Brand Rd. from Belt Line Rd. to Naaman Forest Blvd. and MCIP 22015 Naaman School Rd. from Brand Rd. at Naaman Forest Blvd. to SH 78.
3. City and County shall execute the necessary agreements for the completion of the Preliminary Engineering Study and Master Plan and implementation of design of the Project mutually agreed upon and incorporated herein by this FA.
4. The Project may require the acquisition of road right-of-way within the alignment which is all real property needed or convenient for roadway and/or drainage purposes as shown in the Project design or right-of-way plans and shall specifically include all real property outside of the designed right-of-way needed, if applicable, or convenient to the construction, drainage, interface with adjoining streets or alleys, driveways or other access ways or other Project permanent or temporary easements which is approved by City and County. Such right-of-way acquisition shall be the responsibility of the City as Lead Agency, and shall be funded as part of Project costs. Such acquisitions will be acquired in City's name and subsequently transferred into City's ownership as the city solely will be responsible for maintenance after construction is completed.
5. In order to certify compliance with the expenditure of the Project funding for this FA, the City agrees to furnish to the County, its Auditor, or its designated representative(s) the unrestricted right to audit any and all accounting and other records regarding any funds paid or claimed under this agreement, including, but not limited to all books, records, reports, tickets, deposits, expenditure, budget or any item therein, supporting data, computer records and programs, and all items of hardware, software or firmware, or any other item utilized by the City regarding this FA (records). City contracts and agrees that all records shall be kept and maintained for a period of time not less than four (4) years from the date of the termination of this FA or any amendment and/or any Project Specific Agreement. Such records shall be provided to the County in Dallas County, Texas and available for any audit at any time upon request.
6. The results of any audit may be furnished to City for comment. In the event that any audit shall determine that moneys are owed to County such sums are deemed to be due and payable to Dallas County, Texas, within thirty (30) days of the date of an invoice for such cost being deposited in the United States mail, postage prepaid, by certified mail, return receipt requested.
7. The audit provisions of this agreement shall survive the termination of this agreement until all Project claims to which the County is or may be a party, are fully paid or reduced to judgment not subject to appeal and barred by the Texas statute regarding limitation of actions.

II. County Responsibilities:

1. County will attend Project task force meetings and public meetings.
2. The preliminary design will be submitted to the County for approval, prior to proceeding with the final design and any right-of-way acquisition. The County shall review and comment on all design drawings and documents within thirty (30) days after delivery to the County. If the City has not received comments within thirty (30) days after delivery to the County, the City will assume the County has reviewed the plans, had no comments, and may proceed with the Project.

III. City Responsibilities:

1. City shall use the total funding committed by the County and the City solely for the purpose of eligible Project costs, which are all those costs that pertain to the Project but does not include Road or Street Amenity, Paving and Drainage Amenities or Utility Betterments as defined in the Master Agreement. If the City adds relocation or adjustment of City Utilities or Utility Betterments, the City agrees that it will pay 100% of the costs of these additions.
2. City will execute a contract with consultant for project design.
3. City shall be responsible for right-of-way acquisition.
4. City shall inform County of all Project activity and approvals.
City shall provide a final accounting of Project costs once the planning and engineering study is complete and accepted by the County. The accounting shall have sufficient detail for the Auditor to verify Project costs.
5. City shall invoice County on a quarterly basis for reimbursement of the design.
6. City shall be responsible for maintaining the utilities within city limits after the Project is complete.
7. City shall be responsible for maintaining the roadway, improvements, grading area, drainage structures, striping, and signage after the Project is complete.

Article VII.

Funding

County and City mutually agree to proportionately fund the Direct Project and Program cost as follows and as summarized in Attachment "B":

1. Notwithstanding any provision in the Master Agreement, this FA, any amendment thereto, or any other agreement between the parties regarding this Project, the total Project cost is estimated to be Eight Hundred Thousand Dollars and no cents (\$800,000.00) as shown in Attachment "B."
2. The County's total obligation to this Project is to provide funding in the amount not to exceed Four Hundred Thousand Dollars and no cents (\$400,000.00), reduced by all County in-house project delivery costs of the total Project cost, not to exceed Forty Thousand Dollars and no cents (\$40,000.00).
3. The County in-house Project delivery costs may include, but are not limited to, design costs, preliminary scoping and research, preliminary design services, special services, site inspection meetings and preliminary utility coordination.
4. The City agrees to provide funding for the Project in the amount not to exceed Four Hundred Thousand Dollars and no cents (\$400,000.00). City will pay Project costs as invoiced by the County.
5. County agrees to encumber an amount adequate for total estimated project costs as determined prior to the commencement of each Project milestone as determined by City within 30 days of notification by City. County will pay Project costs reduced by in-house delivery cost as invoiced by the City on a monthly basis.

Article VIII.

Miscellaneous

- I. No Third Party Beneficiaries. The terms and provisions of this FA are for the benefit of the parties hereto and not for the benefit of any third party. It is the express intention of the City and County that any entity other than the City or County receiving services or benefits under this FA shall be deemed an incidental beneficiary only. This FA is intended only to set forth the contractual right and responsibilities of the parties hereto.

- II. Applicable Law. This FA is and shall be expressly subject to the Sovereign Immunity of the County and the Governmental Immunity of the City, pursuant to Title 5 of the Texas Civil Practice and Remedies Code, as amended, and all applicable federal and state laws. This FA shall be governed by and construed in accordance with the laws and case decisions of the State of Texas. Exclusive venue for any legal action regarding this FA filed by either the City or County shall be in Dallas County, Texas.
- III. Notice. Any notice provided for in this FA to be given by either party to the other, shall be required to be in writing and shall be deemed given when personally delivered, or two (2) business days after being deposited in the United States Mail, postage prepaid, by certified mail, return receipt requested; or by registered mail; and addressed as follows:

To County: County of Dallas
Ms. Alberta L. Blair, P.E.
Director of Public Works
Dallas County Administration Building
411 Elm Street, Fourth Floor
Dallas County, Texas 75202-3389

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

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

- IV. Assignment. This FA may not be assigned or transferred by either party without the prior written consent of the other party.
- V. Binding Agreement; Parties Bound. When this FA has been duly executed and delivered by both parties, this PSA shall constitute a legal, valid and binding obligation of the parties, their successors and permitted assigns.
- VI. Amendment. This FA may not be amended except in a written instrument specifically referring to this FA and signed by the parties hereto.
- VII. Number and Gender. Words of any gender used in this FA shall be held and construed to include any other gender and words in the singular shall include the plural and vice versa, unless the context clearly requires otherwise.
- VIII. Counterparts. This FA may be executed in multiple counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.
- IX. Severability. If one or more of the provisions in this FA shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality or unenforceability shall not cause this FA to be invalid, illegal or unenforceable, but this FA shall be construed as if such provision had never been contained herein, and shall not affect the remaining provisions of this FA, which shall remain in full force and effect.
- X. Entire Agreement. This FA embodies the complete agreement of the parties, and supersedes all oral or written previous and contemporary agreements between the parties and relating to matters in the FA.
- XI. Effective Date. This FA shall commence on the Effective Date. The Effective Date of this FA shall be the date it is expressly executed by the last of the parties. Reference to the date of execution shall mean the Effective Date.
- XII. No Joint Enterprise. The City and County agree that neither party is an agent, servant, or employee of the other party. No joint enterprise exists between the City and County.

XIII. Contingent. This Agreement is expressly subject to and contingent upon formal approval by the Dallas County Commissioners Court and by resolution of the City Council.

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

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

County of Dallas:

City of Garland:

Clay Lewis Jenkins, County Judge

By: _____
Title: _____

Date

Date

Approved as to Form*:
John Creuzot
District Attorney

Attest:

By: _____
Jana Prigmore Ferguson
Assistant District Attorney

By: _____
Title: _____

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

ATTACHMENT B

**MCIP 22012 BRAND RD. (BELT LINE RD. TO NAAMAN FOREST BLVD.)
AND
MCIP 22015 NAAMAN SCHOOL RD. (BRAND RD. @ NAAMAN FOREST
BLVD. TO SH 78)**

CURRENT COST ESTIMATES AND FUNDING SOURCES

Project Cost Estimates	
Expenditure	Estimated Cost
Preliminary Design	\$ 760,000.00
Dallas County In House Project Delivery*	\$ 40,000.00
Total Overall Cost of Project	\$ 800,000.00

Project Funding Sources	
Source	Amount
City of Garland	\$ 400,000.00
Dallas County MCIP 22012*	\$ 200,000.00
Dallas County MCIP 22015*	\$ 200,000.00
Total Funding Source	\$ 800,000.00

*Not to exceed (NTE) amount for participation is One Hundred Eighty Thousand Dollars and zero cents (\$180,000.00) and NTE amount for IHPD is Twenty Thousand Dollars and zero cents (\$20,000.00).



GARLAND POLICY REPORT

City Council Work Session Agenda

2. c.

Meeting Date: October 7, 2019

Item Title: Sale of Property - 2000 N First St., 111 E. Buckingham and 121 E. Buckingham Rd.

Submitted By: Corey Worsham, Tax Administrator

Strategic Focus Areas: Vibrant Neighborhoods and Commercial Centers

ISSUE

The City of Garland has received an unsolicited offer from Hao Pham related to the purchase of City owned property obtained through a Sheriff's Sale. Hao Pham has presented an offer of \$336,431.40 for the property located at 2000 N. First Street, 111 E. Buckingham Road and 121 E. Buckingham Road. If approved the City of Garland will receive approximately \$87,765.39 in proceeds from this sale.

OPTIONS

The City Council may:

1. Approve the sale of 2000 N. First Street, 111 E. Buckingham Road and 121 E. Buckingham Road to Hao Pham and provide an executed deed without warranty, or
2. Deny the offer presented by Hao Pham.

RECOMMENDATION

Staff recommends that the City Council accept the offer and sell the property to Hao Pham. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the October 22, 2019 Regular Meeting.

BACKGROUND

The property was struck off to the City of Garland at the Dallas County Sheriff's Sale in 2008. In accordance with Section 34.05 of the Texas Property Tax Code, consent of sale has been provided by Dallas County and the Garland Independent School District. If the sale is approved, the City of Garland will accept payment on behalf of all entities and disperse all sale proceeds.

CONSIDERATION

This property has been held by the City of Garland since 2008. Pursuant to Section 34.05 of the Texas Property Tax Code it may be resold to a private entity with the approval of the governing body.

Attachments

1st & Buckingham Resolution
1st & Buckingham Offer
1st & Buckingham Map and Picture
1st & Buckingham County Consent
1st & Buckingham GISD Consent
1st & Buckingham Deed

RESOLUTION NO. _____

A RESOLUTION AGREEING TO THE SALE OF CERTAIN PROPERTY LOCATED WITHIN THE CITY OF GARLAND AND OWNED BY TAXING AUTHORITIES INCLUDING THE CITY OF GARLAND AS THE RESULT OF A TAX SALE; AUTHORIZING THE MAYOR TO EXECUTE A DEED WITHOUT WARRANTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, taxing entities including the City of Garland, Texas, have become owners of certain real property by virtue of a foreclosure sale conducted pursuant to an order of the 191st Judicial District Court of Dallas County, Texas in cause number TX95-41298, and

WHEREAS, it is to the benefit of all taxing entities that the property ultimately be returned to the tax rolls

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

Section 1

That City does hereby consent to the sale of property commonly known as 2000 N 1st. Street, 111 Buckingham Road and 121 Buckingham Road, situated in the City of Garland, County of Dallas, State of Texas to wit:

BEING BLOCK 1, LOTS 2, 3 AND 4 OF THE D&P SUBDIVISION, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AS RECORDED IN VOLUME 84176, PAGE 3453 OF THE DALLAS COUNTY DEED RECORDS (the "Property").

Section 2

That the Mayor is hereby authorized to execute a deed without warranty in the form and substance of that attached hereto as Exhibit "A".

Section 3

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

PASSED AND APPROVED this the ____ day of _____, 2018.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



J. DOUGLAS BURNSIDE
Attorney at Law
1919 S. Shiloh Rd, Ste 310, LB 40
Garland, Texas 75042
p: 972-278-8282
f: 972-278-8222
w: www.pbfcml.com

October 19, 2018

Mr. Corey Worsham
Tax Assessor/Collector
City of Garland
217 N. 5th Street
Garland, Texas 75040

Via electronic-mail

Re: Offer from Hao Pham to purchase
2000 N. 1st St., 111 E. Buckingham Rd. and 121 E. Buckingham Rd., Garland, Texas

Dear Mr. Worsham:

Hao Pham has offered to purchase 2000 N. 1st St., 111 E. Buckingham Rd. and 121 E. Buckingham Rd., Garland, Texas (BEING BLOCK 1, LOTS 2, 3 AND 4 OF THE D&P SUBDIVISION, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AS RECORDED IN VOLUME 84176, PAGE 3453 OF THE DALLAS COUNTY DEED RECORDS) for \$336,431.40.

This property was sold at a Sheriff's Sale on February 5, 2008 pursuant to delinquent tax collection suit number TX95-41298. There were no bidders and the property was struck off to the City of Garland for itself and on behalf of the other taxing jurisdictions. The property was struck off for the assessed value in the judgment, \$239,310.00

The property's most recent value according to the Appraisal District is \$239,310.00. The total judgment amount was \$268,591.09, which includes taxes, penalties and interest, costs of court, and costs of sale.

Pursuant to the Texas Property Tax Code, City reimbursement for post-sale maintenance, court costs and costs of sale must be paid first out of the proceeds of a resale. Those expenses and costs total \$8,757.23. The remainder would be distributed to the taxing jurisdictions pro-rata. A breakdown of amounts each taxing entity will receive is enclosed.

This offer is being made pursuant to §34.05(j) of the Texas Property Tax Code. This section allows the City to sell for an amount equal to or greater than the current assessed value by the Dallas CAD. As part of this sale, in addition to all amounts included in the judgment, all post-judgment taxes will also be extinguished by the sale. The total amount of post-judgment taxes is \$186,431.40 of which the City of Garland's portion is \$45,025.12.

An offer made pursuant to Section 34.05(j) requires the consent of the other taxing entities

participating in the Judgment. Our office will obtain the necessary consent for the sale to proceed. Pursuant to a sale under §34.05(j), any unit not consenting to the sale would be liable to the City for their pro-rata share of any costs incurred in maintaining the property from the date of the non-consent forward.

If the City decides to accept this offer, enclosed for execution is a Special Warranty Deed our office prepared for this resale. When the Deed is executed, please return it to me so that I may finalize the transaction.

If you have any questions or need additional information, please do not hesitate to call me.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Douglas Burnside", is written over a light gray rectangular background.

J. Douglas Burnside

Enclosure

Re-sale Disbursement Worksheet
City of Garland

CAD Acct #:	26128500010020000, 26128500010030000 and 26128500010040000
Property address:	2000 N. 1st St., 111 E. Buckingham Rd. and 121 E. Buckingham Rd.
Cause No.:	TX95-41298
Judgment Date:	September 25, 1998
Sheriff's Sale Date:	February 5, 2008
Judgment amount:	GISD 1986-1997 taxes \$65,600.62 (56.4%)
	City 1986-1997 taxes \$30,635.94 (26.3%)
	County 1987-1997 taxes \$20,132.31 (17.3%)
Total Judgment for Taxes:	\$116,368.87
Court costs:	\$3,294.58
Sheriff's fees for sale:	\$3,542.12
Publication fees:	\$420.53
Total Costs:	\$7,257.23

Checks to be disbursed as follows:

1.	Dallas County District Clerk	\$3,294.58
2.	Dallas County Sheriff	\$3,542.12
3.	Perdue Brandon Fielder Collins & Mott, LLP	\$420.53
4.	City of Garland (administrative fee)	\$1,500.00
5.	City of Garland (Pro-rata Judgment tax year distribution)	\$86,265.39
6.	Garland ISD (Pro-rata Judgment tax year distribution)	\$184,719.75
7.	John Ames, Dallas County Tax Assessor (Pro-rata Judgment tax year distribution)	\$56,689.03
	TOTAL	\$336,431.40

2000 N. 1st., 111 E. Buckingham Rd. and 121 E. Buckingham Rd

Map and Picture





COURT ORDER 2019-0930

**Request to Consent to Sale of Tax Foreclosed Properties Struck off to the City of Garland,
Trustee: 2000 N. 1st Street, Garland, Texas; 111 E. Buckingham Road, Garland, Texas; 121 E.
Buckingham Road, Garland, Texas**

On a motion made by Commissioner Dr. Theresa Daniel, and seconded by Commissioner John Wiley Price, the following order was passed and adopted by the Commissioners Court of Dallas County, State of Texas:

BRIEFING DATE: September 3, 2019

FUNDING SOURCE: N/A

Be it resolved and ordered that the Dallas County Commissioners Court does hereby Consents in its own behalf, and on behalf of the Dallas County Community College District, the Parkland Hospital District, and the Dallas County School Equalization Fund, to the sale of 2000 N. 1st Street, 111 E. Buckingham Road, and 121 E. Buckingham Road, Garland, Texas, said parcels of land described in Exhibit "A" and Exhibit "B", attached hereto and made a part hereof, in compliance with Section 34.05(j) of the Property Tax Code, subject to the previous owner's remaining right of redemption, if any, and the prorated property taxes for the remaining part of the current year.

Done in open Court September 3, 2019 by the following vote:

IN FAVOR:	County Judge Clay Jenkins, Commissioner Dr. Theresa Daniel, Commissioner JJ Koch, Commissioner John Wiley Price, and Commissioner Dr. Elba Garcia
OPPOSED:	None
ABSTAINED:	None
ABSENT:	None

Recommended by: Alberta Blair
Originating Department: Public Works

RESOLUTION

A RESOLUTION AUTHORIZING THE CITY OF GARLAND TO RE-SELL TAX FORECLOSED PROPERTY LOCATED AT 2000 N. 1ST ST., 111 E. BUCKINGHAM RD. AND 121 E. BUCKINGHAM RD., GARLAND, TEXAS, BY PUBLIC OR PRIVATE SALE, AS PROVIDED BY SECTION 34.05 OF THE TEXAS PROPERTY TAX CODE

WHEREAS, pursuant to a delinquent tax collection lawsuit and tax foreclosure sale, the property located at 2000 N. 1st St., 111 E. Buckingham Rd. and 121 E. Buckingham Rd., Garland, Texas, ("The Property") was struck off to the City of Garland on its own behalf and as Trustee for the Garland Independent School District and Dallas County, pursuant to Section 34.01(j) of the Property Tax Code, and

WHEREAS, Garland Independent School District desires to resell The Property pursuant to Section 34.05 of the Property Tax Code to Hao Pham for \$336,431.40, and

WHEREAS, Garland Independent School District desires to authorize the City of Garland to act as Trustee to offer The Property for sale pursuant to Section 34.05 of the Texas Property Tax Code,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE GARLAND INDEPENDENT SCHOOL DISTRICT, GARLAND, TEXAS THAT:

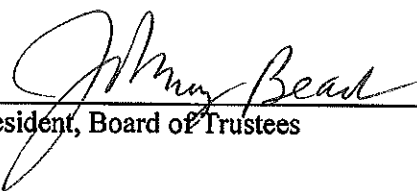
Section 1. The Garland Independent School District does hereby provide specific authorization to the City of Garland to act as Trustee to offer for sale by public or private sale 2000 N. 1st St., 111 E. Buckingham Rd. and 121 E. Buckingham Rd., Garland, Texas, more fully described in Exhibit "A," attached hereto and made a part hereof, and the Board of Trustees for Garland Independent School District does hereby consent to the sale of 2000 N. 1st St., 111 E. Buckingham Rd. and 121 E. Buckingham Rd., Garland, Texas, to Hao Pham for \$336,431.40 in compliance with Section 34.05 of the Texas Property Tax Code, and each taxing unit entitled to receive proceeds of the sale consents to the sale for that amount.

Section 2. This Resolution shall take effect immediately from and after its passage in accordance with the provisions of the law.

PASSED AND APPROVED this 27th day of August, 2019, by the
Board of Trustees for the Garland Independent School District.

GARLAND INDEPENDENT SCHOOL DISTRICT

By:


President, Board of Trustees

ATTEST:

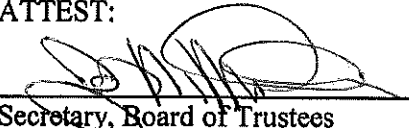

Secretary, Board of Trustees
Garland Independent School District

EXHIBIT A

**BEING BLOCK 1, LOTS 2, 3 AND 4 OF THE D&P SUBDIVISION, CITY OF GARLAND,
DALLAS COUNTY, TEXAS, AS RECORDED IN VOLUME 84176, PAGE 3453 OF THE
DALLAS COUNTY DEED RECORDS**

DEED WITHOUT WARRANTY

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF DALLAS §

That the **City of Garland**, a Texas home-rule municipality ("Grantor"), for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration to Grantor, the receipt and sufficiency of which is hereby acknowledged, paid in hand by **Hao Pham, 2322 Monarch Drive, Garland, TX 75040** ("Grantee"), has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto Grantee that certain lot, tract, or parcel of land, commonly known as **2000 N. 1st St., 111 E. Buckingham Rd. and 121 E. Buckingham Rd.**, situated in the City of Garland, County of Dallas, State of Texas, to wit:

**BEING BLOCK 1, LOTS 2, 3 AND 4 OF THE D&P
SUBDIVISION, CITY OF GARLAND, DALLAS COUNTY,
TEXAS, AS RECORDED IN VOLUME 84176, PAGE 3453 OF
THE DALLAS COUNTY DEED RECORDS (the "Property").**

This Deed Without Warranty is subject to:

- (i) any and all visible and apparent easements and encroachments, whether of record or not;
- (ii) any and all covenants, conditions, reservations, restrictions, exceptions, easements, rights-of-way, mineral interests, mineral leases, or other instruments of record applicable to the land or any part thereof;
- (iii) rights of the public to any portion of the above described property lying within the boundaries of dedicated or existing roadways or which may be used for road or street purposes;
- (iv) rights of parties in possession; and
- (v) any right of redemption as specified in Chapter 34, Subchapter B, Texas Property Tax Code.

It is understood and agreed that Grantor is not making any warranties or representations of any kind or character, express, implied or statutory, with respect to the Property, its physical condition or any other matter or thing relating to or affecting the Property and that the Property is being conveyed and transferred to Grantee "AS IS, WHERE IS, AND WITH ALL FAULTS." Grantor does not warrant or make any representations, express or implied, as to fitness for a particular purpose, merchantability, design, quantity, physical condition, operation compliance with specifications, absence of latent defects or compliance with laws and regulations (including, without limitation, those relating to zoning, health, safety and the environment) or any other matter affecting the Property.

THIS DEED IS MADE WITHOUT WARRANTY, EXPRESS OR IMPLIED, AND GRANTOR EXPRESSLY DISCLAIMS, EXCEPTS AND EXCLUDES ANY AND ALL WARRANTIES OF TITLE OR OTHERWISE FROM THIS CONVEYANCE, INCLUDING, WITHOUT LIMITATION, ANY WARRANTIES ARISING UNDER COMMON LAW OR STATUTE.

The intent of this Deed Without Warranty is to transfer the Property foreclosed on by the Grantor taxing jurisdictions in Cause TX95-41298 in the 191st Judicial District Court, Dallas County, Texas, and no more. This conveyance is being made pursuant to Texas Property Tax Code Section 34.05(j) and all liens foreclosed by the judgment and the post-judgment tax liens through tax year 2008 are discharged and extinguished.

When the context requires, singular nouns and pronouns include the plural.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto and in anywise belonging unto Grantee, his heirs, successors and assigns forever; **WITHOUT WARRANTY AND SUBJECT IN ALL RESPECTS TO THE DISCLAIMERS SET FORTH ABOVE.**

EXECUTED on the dates set forth in the acknowledgements below, to be EFFECTIVE on the _____ day of _____ 201_.

GRANTOR:

CITY OF GARLAND, a Texas home-rule municipality

By: _____

Title: _____

THE STATE OF TEXAS §
 §
COUNTY OF DALLAS §

The foregoing instrument was acknowledged before me on the ____ day of _____, 201_, by _____, in her capacity as Mayor of the City of Garland.

NOTARY PUBLIC, STATE OF TEXAS

PRINTED NAME OF NOTARY

MY COMMISSION EXPIRES:



GARLAND POLICY REPORT

City Council Work Session Agenda

2. d.

Meeting Date: October 7, 2019
Item Title: Sale of Property - 922 Susan Drive
Submitted By: Corey Worsham, Tax Administrator
Strategic Focus Areas: Vibrant Neighborhoods and Commercial Centers
Sound Governance and Finances

ISSUE

The City of Garland has received an unsolicited offer from Christopher Whitlock related to the purchase of City owned property obtained through a 2012 Sheriff's Sale. Mr. Whitlock has presented an offer of \$22,500.00 for the property located at 922 Susan Drive. In addition to this amount, Mr. Whitlock has agreed to pay post-judgment taxes at the time of closing. The total amount of post-judgment taxes will be approximately \$5,810.01. If approved, the City of Garland will receive approximately \$9,010.14 in proceeds from this sale.

OPTIONS

The City Council may:

1. Approve the sale of 922 Susan Drive to Mr. Whitlock and provide an executed deed without warranty, or
2. Deny the offer presented by Mr. Whitlock.

RECOMMENDATION

Staff recommends that the City Council accept the offer and sell the property to Mr. Whitlock. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the October 22, 2019 Regular Meeting.

BACKGROUND

The property was struck off to the City of Garland at the Dallas County Sheriff's Sale in 2012. In accordance with Section 34.05 of the Texas Property Tax Code, consent of sale has been provided by Dallas County and the Garland Independent School District. If the sale is approved, the City of Garland will accept payment on behalf of all entities and disperse all sale proceeds.

CONSIDERATION

This property has been held by the City of Garland since 2012. Pursuant to Section 34.05 of the Texas Property Tax Code it may be resold to a private entity with the approval of the governing body.

Attachments

922 Susan Resolution

922 Susan Offer

922 Susan Map and Picture

922 Susan Deed

922 Susan County Consent

922 Susan GISD consent

RESOLUTION NO. _____

A RESOLUTION AGREEING TO THE SALE OF CERTAIN PROPERTY LOCATED WITHIN THE CITY OF GARLAND AND OWNED BY TAXING AUTHORITIES INCLUDING THE CITY OF GARLAND AS THE RESULT OF A TAX SALE; AUTHORIZING THE MAYOR TO EXECUTE A DEED WITHOUT WARRANTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, taxing entities including the City of Garland, Texas, have become owners of certain real property by virtue of a foreclosure sale conducted pursuant to an order of the 68th Judicial District Court of Dallas County, Texas in cause number TX10-40512, and

WHEREAS, it is to the benefit of all taxing entities that the property ultimately be returned to the tax rolls

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

Section 1

That City does hereby consent to the sale of property commonly known as 922 Susan Drive, situated in the City of Garland, County of Dallas, State of Texas to wit:

LOT 1, BLOCK 6, GLYNNHILL ESTATES ADDITION, aka 922 SUSAN DR, CITY OF GARLAND, DALLAS COUNTY, TEXAS AS RECORDED IN VOLUME 41, PAGE 231 OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS (the "Property").

Section 2

That the Mayor is hereby authorized to execute a deed without warranty in the form and substance of that attached hereto as Exhibit "A".

Section 3

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

PASSED AND APPROVED this the ____ day of _____, 2018.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



J. DOUGLAS BURNSIDE
Attorney at Law
1919 S. Shiloh Rd, Ste 310, LB 40
Garland, Texas 75042
p: 972-278-8282
f: 972-278-8222
w: www.pbfcml.com

September 11, 2018

Mr. Corey Worsham
Tax Assessor/Collector
City of Garland
217 N. 5th Street
Garland, Texas 75040

Via electronic-mail

Re: Offer from Christopher Whitlock to purchase
922 Susan Drive, Garland, Texas

Dear Mr. Worsham:

Christopher Whitlock has offered to purchase 922 Susan Drive, Garland, Texas (LOT 1, BLOCK 6, GLYNNHILL ESTATES ADDITION, aka 922 SUSAN DR, CITY OF GARLAND, DALLAS COUNTY, TEXAS AS RECORDED IN VOLUME 41, PAGE 231 OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS) for \$22,500.00. In addition to that amount, all post-judgment taxes for the years 2011-2012 will be paid at closing. The total amount of post-judgment taxes will be approximately \$5,810.01 of which the City of Garland will receive approximately \$1,614.39.

This property was sold at a Sheriff's Sale on July 3, 2012 pursuant to delinquent tax collection suit number TX10-40512. There were no bidders and the property was struck off to the City of Garland for itself and on behalf of the other taxing jurisdictions. Also included in the judgment was a transfer of tax lien company, Resolution Finance, LLC. The taxing entities had transferred their 2005-2008 tax liens pursuant to Texas Property Tax Code Section 32.06 to Resolution Finance, LLC. Their liens have an equal priority to the liens of the taxing entities.

The property's most recent value according to the Appraisal District is \$16,000.00. The property was struck off for the total judgment amount, \$29,489.53, which includes taxes, penalties and interest, costs of court, and costs of sale.

Pursuant to the Texas Property Tax Code, City reimbursement for post-sale maintenance, post-sale demolition, court costs and costs of sale must be paid first out of the proceeds of a resale. Those expenses and costs total \$9,975.75. The remainder would be distributed to the taxing jurisdictions pro-rata. A breakdown of amounts each taxing entity will receive is enclosed.

Because the purchase price is less than either the Judgment amount of taxes and court costs, \$29,489.53, or the market value as stated in the judgment, \$66,820.00, all jurisdictions included in the judgment must consent to the sale. Our office will obtain the necessary consent for the sale to proceed.

If the City decides to accept this offer, enclosed for execution is a Special Warranty Deed our office prepared for this resale. When the Deed is executed, please return it to me so that I may finalize the transaction.

If you have any questions or need additional information, please do not hesitate to call me.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Douglas Burnside", is written over a light gray rectangular background.

J. Douglas Burnside

Enclosure

Re-sale Disbursement Worksheet
City of Garland

CAD Acct #:	26242500060010000
Property address:	922 Susan Drive
Cause No.:	TX10-40512
Judgment Date:	January 19, 2012
Sheriff's Sale Date:	July 3, 2012
Judgment amount:	GISD 2009-2010 taxes \$2,714.96 (10.8%)
	City 2009-2010 taxes \$1,592.69 (6.4%)
	County 2009-2010 taxes \$1,382.57 (5.5%)
	Resolution Finance, LLC \$19,376.93 (77.3%)
Total Judgment for Taxes:	\$25,067.15
City of Garland post sale demolition:	\$5,100.00
Court costs:	\$985.00
Sheriff's fees for sale:	\$2,074.50
Publication fees, paid by lawfirm:	\$316.25
Total Costs:	\$3,375.75

Checks to be disbursed as follows:

1.	Dallas County District Clerk	\$985.00
2.	Dallas County Sheriff	\$2,074.50
3.	Perdue Brandon Fielder Collins & Mott, LLP	\$316.25
4.	City of Garland (administrative fee)	\$1,500.00
5.	City of Garland (post sale demolition)	\$5,100.00
6.	City of Garland (Pro-rata Judgment distribution)	\$795.75
7.	Garland ISD (Pro-rata Judgment distribution)	\$1,356.47
8.	Dallas County (Pro-rata Judgment distribution)	\$690.77
9.	Resolution Finance, LLC (Pro-rata Judgment distribution)	\$9,681.26
	TOTAL	\$22,500.00

Post Judgment Distribution:

10.	City of Garland (Post Judgment tax year distribution)	\$1,614.39
11.	Garland ISD (Post Judgment tax year distribution)	\$2,751.96
12.	John Ames, Dallas County Tax Assessor (Post Judgment tax year distribution)	\$1,443.66
	TOTAL Post Judgment Distribution	\$5,810.01

	TOTAL Distribution	\$28,310.01
--	---------------------------	--------------------

922 Susan Dr.
Map and Pic



DEED WITHOUT WARRANTY

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF DALLAS §

That the **City of Garland**, a Texas home-rule municipality ("Grantor"), for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration to Grantor, the receipt and sufficiency of which is hereby acknowledged, paid in hand by **Christopher Whitlock, 2621 Ashglen Drive, Garland, TX 75043** ("Grantee"), has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto Grantee that certain lot, tract, or parcel of land, commonly known as **922 Susan Drive**, situated in the City of Garland, County of Dallas, State of Texas, to wit:

**LOT 1, BLOCK 6, GLYNNHILL ESTATES ADDITION, aka 922
SUSAN DR, CITY OF GARLAND, DALLAS COUNTY, TEXAS
AS RECORDED IN VOLUME 41, PAGE 231 OF THE MAP
RECORDS OF DALLAS COUNTY, TEXAS (the "Property").**

This Deed Without Warranty is subject to:

- (i) any and all visible and apparent easements and encroachments, whether of record or not;
- (ii) any and all covenants, conditions, reservations, restrictions, exceptions, easements, rights-of-way, mineral interests, mineral leases, or other instruments of record applicable to the land or any part thereof;
- (iii) rights of the public to any portion of the above described property lying within the boundaries of dedicated or existing roadways or which may be used for road or street purposes;
- (iv) rights of parties in possession; and
- (v) any right of redemption as specified in Chapter 34, Subchapter B, Texas Property Tax Code.

It is understood and agreed that Grantor is not making any warranties or representations of any kind or character, express, implied or statutory, with respect to the Property, its physical condition or any other matter or thing relating to or affecting the Property and that the Property is being conveyed and transferred to Grantee "AS IS, WHERE IS, AND WITH ALL FAULTS." Grantor does not warrant or make any representations, express or implied, as to fitness for a particular purpose, merchantability, design, quantity, physical condition, operation compliance with specifications, absence of latent defects or compliance with laws and regulations (including, without limitation, those relating to zoning, health, safety and the environment) or any other matter affecting the Property.

THIS DEED IS MADE WITHOUT WARRANTY, EXPRESS OR IMPLIED, AND GRANTOR EXPRESSLY DISCLAIMS, EXCEPTS AND EXCLUDES ANY AND ALL WARRANTIES OF TITLE OR OTHERWISE FROM THIS CONVEYANCE, INCLUDING, WITHOUT LIMITATION, ANY WARRANTIES ARISING UNDER COMMON LAW OR STATUTE.

The intent of this Deed Without Warranty is to transfer the Property foreclosed on by the Grantor taxing jurisdictions in Cause TX10-40512 in the 68th Judicial District Court, Dallas County, Texas, and no more.

When the context requires, singular nouns and pronouns include the plural.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto and in anywise belonging unto Grantee, his heirs, successors and assigns forever; **WITHOUT WARRANTY AND SUBJECT IN ALL RESPECTS TO THE DISCLAIMERS SET FORTH ABOVE.**

EXECUTED on the dates set forth in the acknowledgements below, to be EFFECTIVE on the _____ day of _____ 201_.

GRANTOR:

CITY OF GARLAND, a Texas home-rule
municipality

By: _____

Title: _____

THE STATE OF TEXAS §
 §
COUNTY OF DALLAS §

The foregoing instrument was acknowledged before me on the _____ day of _____, 201_, by _____, in her capacity as Mayor of the City of Garland.

NOTARY PUBLIC, STATE OF TEXAS

PRINTED NAME OF NOTARY

MY COMMISSION EXPIRES:

**COURT ORDER
2019-0083**



Consent to Sale of Tax Foreclosed Property Struck off to the City of Garland, Trustee, for
Property located at 922 Susan Drive, Garland, TX

On a motion made by Commissioner Dr. Theresa M. Daniel, District 1, and seconded by
Commissioner John Wiley Price, District 3, the following order was passed and adopted by the
Commissioners Court of Dallas County, State of Texas:

BRIEFING DATE: 1/15/2019
FUNDING SOURCE: N/A

Be it resolved and ordered that the Dallas County Commissioners Court does hereby consents
in its own behalf, and on behalf of the Dallas County Community College District, the Parkland
Hospital District, and the Dallas County School Equalization Fund, to the sale of 922 Susan
Drive, Garland, TX, said parcel of land described in Exhibit "A", attached hereto and made a part
hereof, in compliance with Section 34.05(i) of the Property Tax Code, subject to the previous
owner's remaining right of redemption, if any, and to the purchaser's obligation to pay post
judgment taxes, if any, and the pro rata property taxes for the remaining part of the current year.

Done in open court January 15, 2019, by the following vote:

IN FAVOR: Honorable Clay Lewis Jenkins, County Judge
Honorable Clay Lewis Jenkins, County Judge
Commissioner Dr. Theresa M. Daniel, District 1
Commissioner Dr. Theresa M. Daniel, District 1
Commissioner J.J. Koch, District 2
Commissioner J.J. Koch, District 2
Commissioner John Wiley Price, District 3
Commissioner John Wiley Price, District 3
Commissioner Dr. Elba Garcia, District 4
Commissioner Dr. Elba Garcia, District 4

OPPOSED: None
ABSTAINED: None
ABSENT: None

Recommended by: Alberta Blair
Originating Department: Public Works

Recommended by: Alberta Blair
Originating Department: Public Works

Exhibit A



J. DOUGLAS BURNSIDE
Attorney at Law
1919 S. Shiloh Rd, Ste 310, LB 40
Garland, Texas 75042
p: 972-278-8282
f: 972-278-8222
w: www.pbfcml.com

December 12, 2018

Ms. Pam Easterling
Dallas County Public Works
411 Elm Street, Suite 300
Dallas, Texas 75202

Via electronic-mail

Re: Offer by Christopher Whitlock to purchase 922 Susan Drive, Garland, Texas

Dear Ms. Easterling:

The above referenced property was struck off to the City of Garland on July 3, 2012 at a Sheriff's Sale pursuant to delinquent tax suit No. TX10-40512, CITY OF GARLAND and GARLAND INDEPENDENT SCHOOL DISTRICT v. KELVIN A. EVANS, ET AL. The City of Garland is requesting that Dallas County, on its on behalf, and on behalf of the Dallas County Community College District, the Parkland Hospital District, and the Dallas County School Equalization Fund (collectively "Dallas County") to:

- (1) consent to the sale of the tax-foreclosed property located at 922 Susan Drive, Garland, Texas, and described as LOT 1, BLOCK 6, GLYNNHILL ESTATES ADDITION, aka 922 SUSAN DR, CITY OF GARLAND, DALLAS COUNTY, TEXAS AS RECORDED IN VOLUME 41, PAGE 231 OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS; and
- (2) consent to the execution by the City of Garland of a Deed without Warranty for such property conveying the right, title and interest acquired or held by Dallas County in said property to such purchaser.

The sale of the tax-foreclosed property as further described in Exhibit "A" shall be pursuant to Texas Property Tax Code §34.05(i).

Please advise me whether Dallas County agrees to the sale of this lot. If they elect to do so, please send me a copy of the Order approving the sale.

If you have any questions or need additional information, please contact me.

Yours truly,

J. Douglas Burnside
Attorney at Law

Exhibit A
Re-sale Disbursement Worksheet

CAD Acct #:	26242500060010000
Property address:	922 Susan Drive
Cause No.:	TX10-40512
Offer Amount:	\$22,500.00
DCAD Value:	\$20,000.00
Judgment Date:	January 19, 2012
Sheriff's Sale Date:	July 3, 2012
Judgment amount:	GISD 2009-2010 taxes \$2,714.96 (10.8%)
	City 2009-2010 taxes \$1,592.69 (6.4%)
	County 2009-2010 taxes \$1,382.57 (5.5%)
	Resolution Finance, LLC \$19,376.93 (77.3%)
Total Judgment for Taxes:	\$25,067.15
City Post Sale Demolition:	\$5,100.00
Court costs:	\$985.00
Sheriff's fees for sale:	\$2,074.50
Publication fees for sheriff's sale, paid by lawfirm:	\$316.25
Total Costs:	\$3,375.75

Checks to be disbursed as follows:

1.	Dallas County District Clerk	\$985.00
2.	Dallas County Sheriff	\$2,074.50
3.	Perdue Brandon Fielder Collins & Mott, LLP	\$316.25
4.	City of Garland (administrative fee)	\$1,500.00
5.	City of Garland (Post Sale Demolition)	\$5,100.00
6.	City of Garland (Pro-rata Judgment tax year distribution)	\$795.75
7.	Garland ISD (Pro-rata Judgment tax year distribution)	\$1,356.47
8.	Dallas County (Pro-rata Judgment tax year distribution)	\$690.77
9.	Resolution Finance, LLC (Pro-rata Judgment distribution)	\$9,681.26
	TOTAL	\$22,500.00

Post Judgment Tax Distribution:

9.	City of Garland (Post Judgment tax year distribution)	\$1,622.90
10.	Garland ISD (Post Judgment tax year distribution)	\$2,766.44
11.	Dallas County (Post Judgment tax year distribution)	\$1,451.26
	TOTAL Post Judgment Distribution	\$5,840.60
	TOTAL Distribution	\$28,340.60

RESOLUTION

A RESOLUTION AUTHORIZING THE CITY OF GARLAND TO RE-SELL TAX FORECLOSED PROPERTY LOCATED AT 922 SUSAN DRIVE, GARLAND, TEXAS, BY PUBLIC OR PRIVATE SALE, AS PROVIDED BY SECTION 34.05 OF THE TEXAS PROPERTY TAX CODE

WHEREAS, pursuant to a delinquent tax collection lawsuit and tax foreclosure sale, the property located at 922 Susan Drive, Garland, Texas, ("The Property") was struck off to the City of Garland on its own behalf and as Trustee for the Garland Independent School District and Dallas County, pursuant to Section 34.01(j) of the Property Tax Code, and

WHEREAS, Garland Independent School District desires to resell The Property pursuant to Section 34.05 of the Property Tax Code for an amount not less than \$22,500.00, and

WHEREAS, Garland Independent School District desires to authorize the City of Garland to act as Trustee to offer The Property for sale pursuant to Section 34.05 of the Texas Property Tax Code,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE GARLAND INDEPENDENT SCHOOL DISTRICT, GARLAND, TEXAS THAT:

Section 1. The Garland Independent School District does hereby provide specific authorization to the City of Garland to act as Trustee to offer for sale by public or private sale 922 Susan Drive, Garland, Texas, more fully described in Exhibit "A," attached hereto and made a part hereof, and the Board of Trustees for Garland Independent School District does hereby consent to the sale of 922 Susan Drive, Garland, Texas for an amount not less than \$22,500.00 in compliance with Section 34.05 of the Texas Property Tax Code, and each taxing unit entitled to receive proceeds of the sale consents to the sale for that amount.

Section 2. This Resolution shall take effect immediately from and after its passage in accordance with the provisions of the law.

PASSED AND APPROVED this 22nd day of January, 2019, by the Board of Trustees for the Garland Independent School District.

GARLAND INDEPENDENT SCHOOL DISTRICT

By: Jed H. Reed
Jed Reed
President, Board of Trustees

ATTEST:

Robert Z. Selders, Jr.
Robert Selders, Jr.
Secretary, Board of Trustees
Garland Independent School District



GARLAND POLICY REPORT

City Council Work Session Agenda

2. e.

Meeting Date: October 7, 2019
Item Title: Sale of Property - 818 E. Linda Drive
Submitted By: Corey Worsham, Tax Administrator
Strategic Focus Areas: Vibrant Neighborhoods and Commercial Centers
Sound Governance and Finances

ISSUE

The City of Garland has received an unsolicited offer from Ryan Z and Associates, Inc. related to the purchase of City owned property obtained through a Sheriff's Sale. Ryan Z and Associates, Inc. has presented an offer of \$21,694.00 for the property located at 818 E. Linda Drive. In addition to this amount, Ryan Z and Associates, Inc. has agreed to pay post-judgment taxes at the time of closing. The total amount of post-judgment taxes will be approximately \$3,112.83. If approved the City of Garland will receive approximately \$9,191.93 in proceeds from this sale.

OPTIONS

The City Council may:

1. Approve the sale of 818 E. Linda Drive to Ryan Z and Associates, Inc. and provide an executed deed without warranty, or
2. Deny the offer presented by Ryan Z and Associates, Inc.

RECOMMENDATION

Staff recommends that the City Council accept the offer and sell the property to Ryan Z and Associates, Inc. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the October 22, 2019 Regular Meeting.

BACKGROUND

The property was struck off to the City of Garland at the Dallas County Sheriff's Sale in 2009. In accordance with Section 34.05 of the Texas Property Tax Code, consent of sale has been provided by Dallas County and the Garland Independent School District. If the sale is approved, the City of Garland will accept payment on behalf of all entities and disperse all sale proceeds.

CONSIDERATION

This property has been held by the City of Garland since 2009. Pursuant to Section 34.05 of the Texas Property Tax Code it may be resold to a private entity with the approval of the governing body.

Attachments

818 E Linda Resolution

818 E. Linda Offer

818 E Linda Deed

818 E. Linda County Consent

818 E. Linda GISD Consent

818 E. Linda Map and Picture

RESOLUTION NO. _____

A RESOLUTION AGREEING TO THE SALE OF CERTAIN PROPERTY LOCATED WITHIN THE CITY OF GARLAND AND OWNED BY TAXING AUTHORITIES INCLUDING THE CITY OF GARLAND AS THE RESULT OF A TAX SALE; AUTHORIZING THE MAYOR TO EXECUTE A DEED WITHOUT WARRANTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, taxing entities including the City of Garland, Texas, have become owners of certain real property by virtue of a foreclosure sale conducted pursuant to an order of the 14th Judicial District Court of Dallas County, Texas in cause number TX07-41673-T-A, and

WHEREAS, it is to the benefit of all taxing entities that the property ultimately be returned to the tax rolls

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

Section 1

That City does hereby consent to the sale of property commonly known as 818 E. Linda Drive, situated in the City of Garland, County of Dallas, State of Texas to wit:

BEING LOT 4, BLOCK 27, MONICA PARK NO. 5 ADDITION, AKA 818 E. LINDA DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AS RECORDED IN VOLUME 2002041, PAGE 573 OF THE DALLAS COUNTY DEED RECORDS (the "Property").

Section 2

That the Mayor is hereby authorized to execute a deed without warranty in the form and substance of that attached hereto as Exhibit "A".

Section 3

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

PASSED AND APPROVED this the ____ day of _____, 2018.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



J. DOUGLAS BURNSIDE
Attorney at Law
1919 S. Shiloh Rd, Ste 310, LB 40
Garland, Texas 75042
p: 972-278-8282
f: 972-278-8222
w: www.pbfcml.com

September 11, 2018

Mr. Corey Worsham
Tax Assessor/Collector
City of Garland
217 N. 5th Street
Garland, Texas 75040

Via electronic-mail

Re: Offer from Ryan Z and Associates, Inc. to purchase
818 E. Linda Drive, Garland, Texas

Dear Mr. Worsham:

Ryan Z and Associates, Inc. has offered to purchase 818 E. Linda Drive, Garland, Texas (BEING LOT 4, BLOCK 27, MONICA PARK NO. 5 ADDITION, AKA 818 E. LINDA DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AS RECORDED IN VOLUME 2002041, PAGE 573 OF THE DALLAS COUNTY DEED RECORDS) for \$21,694.00. In addition to that amount, all post-judgment taxes for the year 2009 will be paid at closing. The total amount of post-judgment taxes will be approximately \$3,112.83 of which the City of Garland will receive approximately \$874.55.

This property was sold at a Sheriff's Sale on December 1, 2009 pursuant to delinquent tax collection suit number TX07-41673. There were no bidders and the property was struck off to the City of Garland for itself and on behalf of the other taxing jurisdictions.

The property's most recent value according to the Appraisal District is \$22,000.00. The property was struck off for the total judgment amount, \$29,937.85, which includes taxes, penalties and interest, costs of court, and costs of sale.

Pursuant to the Texas Property Tax Code, City reimbursement for post-sale maintenance, court costs and costs of sale must be paid first out of the proceeds of a resale. Those expenses and costs total \$4,097.73. The remainder would be distributed to the taxing jurisdictions pro-rata. A breakdown of amounts each taxing entity will receive is enclosed.

Because the purchase price is less than either the Judgment amount of taxes and court costs, \$29,937.85, or the market value as stated in the judgment, \$63,390.00, all jurisdictions included in the judgment must consent to the sale. Our office will obtain the necessary consent for the sale to proceed.

If the City decides to accept this offer, enclosed for execution is a Special Warranty Deed our office prepared for this resale. When the Deed is executed, please return it to me so that I may finalize the transaction.

If you have any questions or need additional information, please do not hesitate to call me.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Douglas Burnside", is written over a light gray rectangular background.

J. Douglas Burnside

Enclosure

Re-sale Disbursement Worksheet
City of Garland

CAD Acct #:	26356500270040000
Property address:	818 E. Linda Drive
Cause No.:	TX07-41673
Judgment Date:	June 3, 2009
Sheriff's Sale Date:	December 1, 2009
Judgment amount:	GISD 2002-2008 taxes \$15,129.36 (58.6%)
	City 2002-2008 taxes \$6,748.69 (26.2%)
	County 2004-2008 taxes \$3,926.52 (15.2%)
Total Judgment for Taxes:	\$25,804.57
City Post Sale Demolition:	\$3,000.00
Court costs:	\$965.58
Sheriff's fees for sale:	\$1,343.40
Publication fees for sheriff's sale, paid by lawfirm:	\$288.75
Total Costs:	\$2,597.73

Checks to be disbursed as follows:

1.	Dallas County District Clerk	\$965.58
2.	Dallas County Sheriff	\$1,343.40
3.	Perdue Brandon Fielder Collins & Mott, LLP	\$288.75
4.	City of Garland (administrative fee)	\$1,500.00
5.	City of Garland (Post Sale Demolition)	\$3,000.00
6.	City of Garland (Pro-rata Judgment tax year distribution)	\$3,817.38
7.	Garland ISD (Pro-rata Judgment tax year distribution)	\$8,557.87
8.	John Ames, Dallas County Tax Assessor (Pro-rata Judgment tax year distribution)	\$2,221.02
	TOTAL	\$21,694.00

Post Judgment Distribution:

9.	City of Garland (Post Judgment tax year distribution)	\$874.55
10.	Garland ISD (Post Judgment tax year distribution)	\$1,490.80
11.	John Ames, Dallas County Tax Assessor (Post Judgment tax year distribution)	\$747.48
	TOTAL Post Judgment Distribution	\$3,112.83

	TOTAL Distribution	\$24,806.83
--	---------------------------	--------------------

DEED WITHOUT WARRANTY

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF DALLAS §

That the **City of Garland**, a Texas home-rule municipality ("Grantor"), for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration to Grantor, the receipt and sufficiency of which is hereby acknowledged, paid in hand by **Ryan Z and Associates, Inc., 1415 Legacy Drive, Suite 350, Frisco, TX 75034** ("Grantee"), has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto Grantee that certain lot, tract, or parcel of land, commonly known as **818 E. Linda Drive**, situated in the City of Garland, County of Dallas, State of Texas, to wit:

**BEING LOT 4, BLOCK 27, MONICA PARK NO. 5 ADDITION,
AKA 818 E. LINDA DRIVE, CITY OF GARLAND, DALLAS
COUNTY, TEXAS, AS RECORDED IN VOLUME 2002041,
PAGE 573 OF THE DALLAS COUNTY DEED RECORDS (the
"Property").**

This Deed Without Warranty is subject to:

- (i) any and all visible and apparent easements and encroachments, whether of record or not;
- (ii) any and all covenants, conditions, reservations, restrictions, exceptions, easements, rights-of-way, mineral interests, mineral leases, or other instruments of record applicable to the land or any part thereof;
- (iii) rights of the public to any portion of the above described property lying within the boundaries of dedicated or existing roadways or which may be used for road or street purposes;
- (iv) rights of parties in possession; and
- (v) any right of redemption as specified in Chapter 34, Subchapter B, Texas Property Tax Code.

It is understood and agreed that Grantor is not making any warranties or representations of any kind or character, express, implied or statutory, with respect to the Property, its physical condition or any other matter or thing relating to or affecting the Property and that the Property is being conveyed and transferred to Grantee "AS IS, WHERE IS, AND WITH ALL FAULTS." Grantor does not warrant or make any representations, express or implied, as to fitness for a particular purpose, merchantability, design, quantity, physical condition, operation compliance with specifications, absence of latent defects or compliance with laws and regulations (including, without limitation, those relating to zoning, health, safety and the environment) or any other matter affecting the Property.

THIS DEED IS MADE WITHOUT WARRANTY, EXPRESS OR IMPLIED, AND GRANTOR EXPRESSLY DISCLAIMS, EXCEPTS AND EXCLUDES ANY AND ALL WARRANTIES OF TITLE OR OTHERWISE FROM THIS CONVEYANCE, INCLUDING, WITHOUT LIMITATION, ANY WARRANTIES ARISING UNDER COMMON LAW OR STATUTE.

The intent of this Deed Without Warranty is to transfer the Property foreclosed on by the Grantor taxing jurisdictions in Cause TX07-41673-T-A in the 14th Judicial District Court, Dallas County, Texas, and no more.

When the context requires, singular nouns and pronouns include the plural.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto and in anywise belonging unto Grantee, his heirs, successors and assigns forever; **WITHOUT WARRANTY AND SUBJECT IN ALL RESPECTS TO THE DISCLAIMERS SET FORTH ABOVE.**

EXECUTED on the dates set forth in the acknowledgements below, to be EFFECTIVE on the _____ day of _____ 201_.

GRANTOR:

CITY OF GARLAND, a Texas home-rule
municipality

By: _____

Title: _____

THE STATE OF TEXAS §
 §
COUNTY OF DALLAS §

The foregoing instrument was acknowledged before me on the _____ day of _____, 201_, by _____, in her capacity as Mayor of the City of Garland.

NOTARY PUBLIC, STATE OF TEXAS

PRINTED NAME OF NOTARY

MY COMMISSION EXPIRES:

**COURT ORDER
2019-0033**



Request to Consent to Sale of Tax Foreclosed Property Struck off to the City of Garland,
Trustee, for Property located at 818 E. Linda Drive, Garland, TX

On a motion made by Commissioner Dr. Theresa M. Daniel, District 1, and seconded by Commissioner John Wiley Price, District 3, the following order was passed and adopted by the Commissioners Court of Dallas County, State of Texas:

BRIEFING DATE: 1/8/2019
FUNDING SOURCE: N/A.

Be it resolved and ordered that the Dallas County Commissioners Court does hereby consents in its own behalf, and on behalf of the Dallas County Community College District, the Parkland Hospital District, and the Dallas County School Equalization Fund, to the sale of 818 E. Linda Drive, Garland, TX, said parcel of land described in Exhibit "A", attached hereto and made a part hereof, in compliance with Section 34.05(i) of the Property Tax Code, subject to the previous owner's remaining right of redemption, if any, and to the purchaser's obligation to pay post judgment taxes, if any, and the pro rata property taxes for the remaining part of the current year.

Done in open court January 8, 2019, by the following vote:

IN FAVOR: Honorable Clay Lewis Jenkins, County Judge
Commissioner Dr. Theresa M. Daniel, District 1
Commissioner J.J. Koch, District 2
Commissioner John Wiley Price, District 3
Commissioner Dr. Elba Garcia, District 4

OPPOSED: None

ABSTAINED: None

ABSENT: None

Recommended by: John Mears
Originating Department: Public Works

EXHIBIT "A"



J. DOUGLAS BURNSIDE

Attorney at Law

1919 S. Shiloh Rd, Ste 310, LB 40

Garland, Texas 75042

p: 972-278-8282

f: 972-278-8222

w: www.pbfc.com

December 6, 2018

Ms. Pam Easterling
Dallas County Public Works
411 Elm Street, Suite 300
Dallas, Texas 75202

Via electronic-mail

Re: Offer by Ryan Z and Associates, Inc. to purchase 818 E. Linda Drive, Garland, Texas

Dear Ms. Easterling:

The above referenced property was struck off to the City of Garland on December 1, 2009 at a Sheriff's Sale pursuant to delinquent tax suit No. TX07-41673-T-A, Garland Independent School District v. Sharon Masterson. The City of Garland is requesting that Dallas County, on its on behalf, and on behalf of the Dallas County Community College District, the Parkland Hospital District, and the Dallas County School Equalization Fund (collectively "Dallas County") to:

- (1) consent to the sale of the tax-foreclosed property located at 818 E. Linda Drive, Garland, Texas, and described as BEING LOT 4, BLOCK 27, MONICA PARK NO. 5 ADDITION, AKA 818 E. LINDA DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AS RECORDED IN VOLUME 2002041, PAGE 573 OF THE DALLAS COUNTY DEED RECORDS; and
- (2) consent to the execution by the City of Garland of a Deed without Warranty for such property conveying the right, title and interest acquired or held by Dallas County in said property to such purchaser.

The sale of the tax-foreclosed property as further described in Exhibit "A" shall be pursuant to Texas Property Tax Code §34.05(i).

Please advise me whether Dallas County agrees to the sale of this lot. If they elect to do so, please send me a copy of the Order approving the sale.

If you have any questions or need additional information, please contact me.

Yours truly,

J. Douglas Burnside
Attorney at Law

AMARILLO ARLINGTON AUSTIN CONROE EDINBURG GARLAND
HOUSTON LUBBOCK MIDLAND SAN ANTONIO TYLER WICHITA FALLS

Exhibit A
Re-sale Disbursement Worksheet

CAD Acct #:	26356500270040000
Property address:	818 E. Linda Drive
Cause No.:	TX07-41673-T-A
Offer Amount:	\$21,694.00
DCAD Value:	\$27,000.00
Judgment Date:	June 3, 2009
Sheriff's Sale Date:	December 1, 2009
Judgment amount:	GISD 2002-2008 taxes \$15,129.36 (58.6%)
	City 2002-2008 taxes \$6,748.69 (26.2%)
	County 2004-2008 taxes \$3,926.52 (15.2%)
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Total Costs:	\$2,597.73

Checks to be disbursed as follows:

1.	Dallas County District Clerk	\$965.58
2.	Dallas County Sheriff	\$1,343.40
3.	Perdue Brandon Fielder Collins & Mott, LLP	\$288.75
4.	City of Garland (administrative fee)	\$1,500.00
5.	City of Garland (Post Sale Demolition)	\$3,000.00
6.	City of Garland (Pro-rata Judgment tax year distribution)	\$3,817.38
7.	Garland ISD (Pro-rata Judgment tax year distribution)	\$8,557.87
8.	Dallas County (Pro-rata Judgment tax year distribution)	\$2,221.02
	TOTAL	\$21,694.00

Post Judgment Tax Distribution:

9.	City of Garland (Post Judgment tax year distribution)	\$886.69
10.	Garland ISD (Post Judgment tax year distribution)	\$1,511.50
11.	Dallas County (Post Judgment tax year distribution)	\$757.86
	TOTAL Post Judgment Distribution	\$3,156.05

	TOTAL Distribution	\$24,850.05
--	---------------------------	--------------------

RESOLUTION

A RESOLUTION AUTHORIZING THE CITY OF GARLAND TO RE-SELL TAX FORECLOSED PROPERTY LOCATED AT 818 E. LINDA DRIVE, GARLAND, TEXAS, BY PUBLIC OR PRIVATE SALE, AS PROVIDED BY SECTION 34.05 OF THE TEXAS PROPERTY TAX CODE

WHEREAS, pursuant to a delinquent tax collection lawsuit and tax foreclosure sale, the property located at 818 E. Linda Drive, Garland, Texas, ("The Property") was struck off to the City of Garland on its own behalf and as Trustee for the Garland Independent School District and Dallas County, pursuant to Section 34.01(j) of the Property Tax Code, and

WHEREAS, Garland Independent School District desires to resell The Property pursuant to Section 34.05 of the Property Tax Code for an amount not less than \$21,694.00, and

WHEREAS, Garland Independent School District desires to authorize the City of Garland to act as Trustee to offer The Property for sale pursuant to Section 34.05 of the Texas Property Tax Code,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE GARLAND INDEPENDENT SCHOOL DISTRICT, GARLAND, TEXAS THAT:

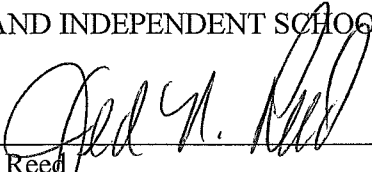
Section 1. The Garland Independent School District does hereby provide specific authorization to the City of Garland to act as Trustee to offer for sale by public or private sale 818 E. Linda Drive, Garland, Texas, more fully described in Exhibit "A," attached hereto and made a part hereof, and the Board of Trustees for Garland Independent School District does hereby consent to the sale of 818 E. Linda Drive, Garland, Texas for an amount not less than \$21,694.00 in compliance with Section 34.05 of the Texas Property Tax Code, and each taxing unit entitled to receive proceeds of the sale consents to the sale for that amount.

Section 2. This Resolution shall take effect immediately from and after its passage in accordance with the provisions of the law.

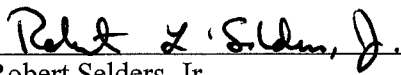
PASSED AND APPROVED this 22nd day of January, 2019, by the
Board of Trustees for the Garland Independent School District.

GARLAND INDEPENDENT SCHOOL DISTRICT

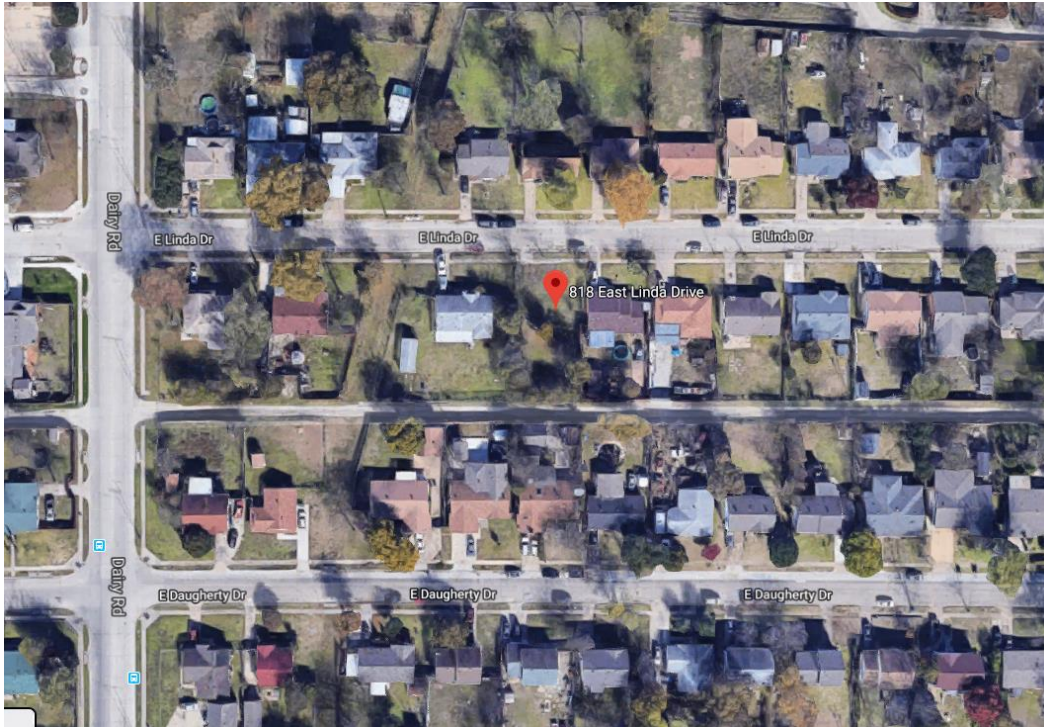
By: _____


Jed Reed
President, Board of Trustees

ATTEST:


Robert Selders, Jr.
Secretary, Board of Trustees
Garland Independent School District

818 E. Linda Drive Map and Picture



26356500270040000



GARLAND POLICY REPORT

City Council Work Session Agenda

2. f.

Meeting Date: October 7, 2019
Item Title: Sale of Property - 621 West Avenue G
Submitted By: Corey Worsham, Tax Administrator
Strategic Focus Areas: Vibrant Neighborhoods and Commercial Centers
Sound Governance and Finances

ISSUE

The City of Garland has received an unsolicited offer from Richard Blake Mann related to the purchase of City owned property obtained through a Sheriff's Sale. This property is located at 621 West Avenue G. Mr. Mann has presented an offer of \$5,138.53 for the property. The purchaser has also agreed to pay the post-judgment taxes at closing. The post-judgment taxes are approximately \$533.52 which will result in the total amount received at closing of approximately \$5,672.05. If approved, the City of Garland will receive sale proceeds totaling \$2,545.11.

OPTIONS

The City Council may:

1. Approve the sale of 621 West Avenue G and provide an executed deed without warranty,
or
2. Deny the offer presented by Mr. Mann.

RECOMMENDATION

Staff recommends that the City Council accept the offer and sell the property to Mr. Mann. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the October 22, 2019 Regular Meeting.

BACKGROUND

The property was struck off to the City of Garland at the Dallas County Sheriff's Sale on February 7, 2012. In accordance with Section 34.05 of the Texas Property Tax Code, the offer meets the minimum bid requirements and does not require the consent of other taxing entities. If the sale is approved, the City of Garland will accept payment on behalf of all entities and disperse all sale proceeds.

CONSIDERATION

This property has been held by the City of Garland since 2012. Pursuant to Section 34.05 of the Texas Property Tax Code it may be resold to a private entity with the approval of the governing body.

Attachments

621 W Ave G Resolution
621 W Ave G Offer
621 W Ave G Map and Picture
621 W Ave G Deed

RESOLUTION NO. _____

A RESOLUTION AGREEING TO THE SALE OF CERTAIN PROPERTY LOCATED WITHIN THE CITY OF GARLAND AND OWNED BY TAXING AUTHORITIES INCLUDING THE CITY OF GARLAND AS THE RESULT OF A TAX SALE; AUTHORIZING THE MAYOR TO EXECUTE A DEED WITHOUT WARRANTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, taxing entities including the City of Garland, Texas, have become owners of certain real property by virtue of a foreclosure sale conducted pursuant to an order of the 191st Judicial District Court of Dallas County, Texas in cause number TX10-40517, and

WHEREAS, it is to the benefit of all taxing entities that the property ultimately be returned to the tax rolls

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

Section 1

That City does hereby consent to the sale of property commonly known as 619 W. Avenue G, situated in the City of Garland, County of Dallas, State of Texas to wit:

BEING THE WEST 43' OF LOT 7, BLOCK 29, EMBREE ADDITION, aka 621 WEST AVENUE G, CITY OF GARLAND, DALLAS COUNTY, TEXAS ACCORDING TO THE PLAT RECORDED IN VOLUME 77, PAGE 441 OF THE DALLAS COUNTY DEED RECORDS (the "Property").

Section 2

That the Mayor is hereby authorized to execute a deed without warranty in the form and substance of that attached hereto as Exhibit "A".

Section 3

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

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

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



J. DOUGLAS BURNSIDE
Attorney at Law
1919 S. Shiloh Rd, Ste 310, LB 40
Garland, Texas 75042
p: 972-278-8282
f: 972-278-8222
w: www.pbfcml.com

May 14, 2019

Mr. Corey Worsham
Tax Assessor/Collector
City of Garland
217 N. 5th Street
Garland, Texas 75040

Via electronic-mail

Re: Offer from Richard Blake Mann to purchase
621 West Avenue G, Garland, Texas

Dear Mr. Worsham:

Richard Blake Mann has offered to purchase 621 West Avenue G, Garland, Texas (BEING THE WEST 43' OF LOT 7, BLOCK 29, EMBREE ADDITION, aka 621 WEST AVENUE G, CITY OF GARLAND, DALLAS COUNTY, TEXAS ACCORDING TO THE PLAT RECORDED IN VOLUME 77, PAGE 441 OF THE DALLAS COUNTY DEED RECORDS) for \$5,138.53. In addition to that amount, all post-judgment taxes for the years 2011-2012 will be paid at closing. The total amount of post-judgment taxes will be approximately \$533.52 of which the City of Garland will receive approximately \$148.53.

This property was sold at a Sheriff's Sale on February 7, 2012 pursuant to delinquent tax collection suit number TX10-40517. There were no bidders and the property was struck off to the City of Garland for itself and on behalf of the other taxing jurisdictions.

The property's most recent value according to the Appraisal District is \$9,410.00. The property was struck off for the total judgment amount, \$5,138.53, which includes taxes, penalties and interest, abatement liens, costs of court, and costs of sale.

Pursuant to the Texas Property Tax Code, City reimbursement for post-sale maintenance, court costs and costs of sale must be paid first out of the proceeds of a resale. Those expenses and costs total \$3,184.03. The remainder would be distributed to the taxing jurisdictions pro-rata. A breakdown of amounts each taxing entity will receive is enclosed.

Because the sale price is equal to the total amount due under the Judgment, this sale meets the criteria of §34.05(h) and does not require the consent of the other taxing units in the Judgment.

If the City decides to accept this offer, enclosed for execution is a Special Warranty Deed our office prepared for this resale. When the Deed is executed, please return it to me so that I may finalize the transaction.

If you have any questions or need additional information, please do not hesitate to call me.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Douglas Burnside", is centered within a light gray rectangular box.

J. Douglas Burnside

Enclosure

Exhibit A
Re-sale Disbursement Worksheet

CAD Acct #:	26165500290070000
Property address:	621 West Avenue G
Cause No.:	TX10-40517
Offer Amount:	\$5,138.53
DCAD Value:	\$9,410.00
Judgment Date:	May 5, 2011
Sheriff's Sale Date:	February 7, 2012
Judgment amount:	GISD 2006-2010 taxes \$629.08 (26.0%)
	City 1999-2010 taxes \$1,108.23 (45.9%)
	County 2003-2010 taxes \$678.58 (28.1%)
Total Judgment for Taxes:	\$2,415.89
City Abatement Liens:	\$690.84
Court costs:	\$870.98
Sheriff's fees for sale:	\$503.67
Publication fees for sheriff's sale, paid by Perdue Brandon:	\$309.38
Total Costs:	\$1,684.03

Funds to be disbursed as follows:

1.	Dallas County District Clerk	\$870.98
2.	Dallas County Sheriff	\$503.67
3.	Perdue Brandon Fielder Collins & Mott, LLP	\$309.38
4.	City of Garland (administrative fee)	\$1,500.00
5.	City of Garland (Pro-rata Judgment tax year distribution)	\$896.58
6.	Garland ISD (Pro-rata Judgment tax year distribution)	\$508.94
7.	Dallas County (Pro-rata Judgment tax year distribution)	\$548.98
	TOTAL Judgment Distribution	\$5,138.53

Post Judgment Distribution:

8.	City of Garland (Post Judgment tax year distribution)	\$148.53
9.	Garland ISD (Post Judgment tax year distribution)	\$253.20
10.	Dallas County (Post Judgment tax year distribution)	\$131.79
	TOTAL Post Judgment Distribution	\$533.52

	TOTAL Distribution	\$5,672.05
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621 W Avenue G
Map and Picture



DEED WITHOUT WARRANTY

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF DALLAS §

That the **City of Garland**, a Texas home-rule municipality ("Grantor"), for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration to Grantor, the receipt and sufficiency of which is hereby acknowledged, paid in hand by **Richard Blake Mann, 619 W. Avenue G, Garland, TX 75040** ("Grantee"), has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto Grantee that certain lot, tract, or parcel of land, commonly known as **621 West Avenue G**, situated in the City of Garland, County of Dallas, State of Texas, to wit:

BEING THE WEST 43' OF LOT 7, BLOCK 29, EMBREE ADDITION, aka 621 WEST AVENUE G, CITY OF GARLAND, DALLAS COUNTY, TEXAS ACCORDING TO THE PLAT RECORDED IN VOLUME 77, PAGE 441 OF THE DALLAS COUNTY DEED RECORDS (the "Property").

This Deed Without Warranty is subject to:

- (i) any and all visible and apparent easements and encroachments, whether of record or not;
- (ii) any and all covenants, conditions, reservations, restrictions, exceptions, easements, rights-of-way, mineral interests, mineral leases, or other instruments of record applicable to the land or any part thereof;
- (iii) rights of the public to any portion of the above described property lying within the boundaries of dedicated or existing roadways or which may be used for road or street purposes;
- (iv) rights of parties in possession; and
- (v) any right of redemption as specified in Chapter 34, Subchapter B, Texas Property Tax Code.

It is understood and agreed that Grantor is not making any warranties or representations of any kind or character, express, implied or statutory, with respect to the Property, its physical condition or any other matter or thing relating to or affecting the Property and that the Property is being conveyed and transferred to Grantee "AS IS, WHERE IS, AND WITH ALL FAULTS." Grantor does not warrant or make any representations, express or implied, as to fitness for a particular purpose, merchantability, design, quantity, physical condition, operation compliance with specifications, absence of latent defects or compliance with laws and regulations (including, without limitation, those relating to zoning, health, safety and the environment) or any other matter affecting the Property.

THIS DEED IS MADE WITHOUT WARRANTY, EXPRESS OR IMPLIED, AND GRANTOR EXPRESSLY DISCLAIMS, EXCEPTS AND EXCLUDES ANY AND ALL WARRANTIES OF TITLE OR OTHERWISE FROM THIS CONVEYANCE, INCLUDING, WITHOUT LIMITATION, ANY WARRANTIES ARISING UNDER COMMON LAW OR STATUTE.

The intent of this Deed Without Warranty is to transfer the Property foreclosed on by the Grantor taxing jurisdictions in Cause TX10-40517 in the 191st Judicial District Court, Dallas County, Texas, and no more.

When the context requires, singular nouns and pronouns include the plural.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto and in anywise belonging unto Grantee, his heirs, successors and assigns forever; **WITHOUT WARRANTY AND SUBJECT IN ALL RESPECTS TO THE DISCLAIMERS SET FORTH ABOVE.**

EXECUTED on the dates set forth in the acknowledgements below, to be EFFECTIVE on the _____ day of _____ 2019.

GRANTOR:

CITY OF GARLAND, a Texas home-rule
municipality

By: _____

Title: _____

THE STATE OF TEXAS §
 §
COUNTY OF DALLAS §

The foregoing instrument was acknowledged before me on the _____ day of _____, 2019, by _____, in his capacity as Mayor of the City of Garland.

NOTARY PUBLIC, STATE OF TEXAS

PRINTED NAME OF NOTARY

MY COMMISSION EXPIRES:



GARLAND POLICY REPORT

City Council Work Session Agenda

2. g.

Meeting Date: October 7, 2019

Item Title: Dallas Central Appraisal District (DCAD) Board of Directors
Nomination

Submitted By: Corey Worsham, Tax Administrator

Strategic Focus Areas: Sound Governance and Finances

ISSUE

The Texas Property Tax Code section 6.03, provides the method for establishing an Appraisal District Board of Directors. According to this statute, taxing jurisdictions within the district are entitled to appoint a candidate, who if elected, will serve a two-year term on the Board of Directors. Each of the incorporated Greater Dallas County cities and towns (30), except the City of Dallas, have the right to nominate a candidate. From the nominations received by the Appraisal District, the cities and towns shall have the right to elect by a majority vote one (1) member to the Dallas Central Appraisal District Board of Directors.

OPTIONS

The Council may:

1. Forgo a 2019 nominee.
2. Confirm a nominee by resolution and notify the Chief Appraiser before October 15, 2019.

RECOMMENDATION

Traditionally, the city has not submitted a nominee. Unless otherwise directed by Council, staff is recommending that the Appraisal District be provided with a notice of forbearance regarding a nomination as has been done in prior years.

BACKGROUND

The Dallas Central Appraisal District Board of Directors consists of six members. In accordance with the Tax Code the following appointment and election guidelines were adopted within Dallas County.

Appointments

- A. The City of Dallas will be entitled to one member.
- B. The Dallas Independent School District will be entitled to appoint one member.
- C. The Dallas County Commissioners Court may appoint one member.

Elections

D. Each incorporated city and town, except the City of Dallas, shall have the right to nominate the fourth board member.

E. Each Independent School District, except the Dallas, shall have the right to nominate the fifth member.

F. The County Tax Assessor/Collector serves as an Ex Officio Member in the sixth seat.

CONSIDERATION

Nominees must be submitted to the Appraisal District by October 15, 2019. The Chief Appraiser will prepare a resolution ballot of nominees by October 30, 2019. Entitled entities may provide a vote by resolution by December 16, 2019. Election results are affirmed on January 1, 2020.



GARLAND POLICY REPORT

City Council Work Session Agenda

2. h.

Meeting Date: October 7, 2019
Item Title: Investment Advisory Services Agreement
Submitted By: Matt Watson, Finance Director
Strategic Focus Areas: Sound Governance and Finances

ISSUE

Council is requested to consider a resolution authorizing the City Manager to execute an Investment Advisory Service Agreement with Hilltop Securities Asset Management, LLC.

OPTIONS

1. Approve a resolution authorizing the City Manager to execute an Investment Advisory Service Agreement.
2. Do not approve the resolution authorizing the City Manager to execute an Investment Advisory Service Agreement.

RECOMMENDATION

Unless otherwise directed by Council, this item will be scheduled for formal consideration at the October 8, 2019 Regular Meeting.

BACKGROUND

Pursuant to the Public Funds Investment Act, the City may contract with an investment advisory firm registered under the Investment Advisors Act of 1940 and the State Securities Board to provide for investment and non-discretionary management of its public funds under its control. Currently, the Financial Services Department does not utilize an investment advisory firm and has relied on internal staff to monitor market conditions, analyze portfolio risk and returns, and ultimately for the selection of appropriate investment security based upon cash flow requirements.

Entering into a contract with a non-discretionary investment advisory firm will allow the City to have access to experienced professionals who specialize in government investing. The investment advisory firm will aid the Financial Services staff in enhancing its risk management practices, assist in lowering transaction cost, improving efficiencies in reporting and transaction execution, and optimizing the interest income as authorized by City Council's Investment Policy and Strategy and in accordance with state law.

In June, the City requested proposals from eligible and qualified investment advisory firms (who

are registered under the Investment Advisory Act of 1940 and with the State Securities Board). The City received proposals from seven qualified firms and evaluated each firm based on the published criteria of qualifications and experience, technical ability, references, fees, and thoroughness of the response. Hilltop Securities Asset Management, LLC received the highest evaluated score, offering the Best Value for the City.

Hilltop will charge a flat monthly fee of \$6,500 or a total annual cost of \$78,000. However, the Financial Services Department will be able to eliminate its Bloomberg terminal (approximately \$25,000 annually) which was previously used by staff to access financial market data. This fee will be netted against interest revenue which is allocated across all City funds on a monthly basis. In addition, while not guaranteed, staff is hopeful that this change will enhance the City's interest earnings, resulting in a positive financial impact to the City.

CONSIDERATION

The Public Funds Investment Act requires Council approval in order to enter into a contract with an Investment Advisory Firm. It should be noted that the City will retain decision-making control offer investment purchases and at no time will the investment advisory firm be in control of the City's securities or cash.

Attachments

Resolution

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN INVESTMENT ADVISORY SERVICES AGREEMENT WITH HILLTOP SECURITIES ASSET MANAGEMENT, LLC; 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 execute an investment advisory services agreement with Hilltop Securities Asset Management, LLC in the form and substance of that attached hereto.

Section 2

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

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

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Work Session Agenda

3. a.

Meeting Date: October 7, 2019

Item Title: Community Services Committee Report

Submitted By: Kevin Slay, Managing Director

Summary of Request/Problem

Jason Chessher, Director of Health, will provide a Community Service Committee report on the process for the potential closure of a restaurant due to an excessive number of failing health scores.

Recommendation/Action Requested and Justification

Discuss the committee recommendation to permanently close an establishment receiving 3 failing health scores below a score of 60 over an 18-month period.



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Work Session Agenda

3. b.

Meeting Date: October 7, 2019

Item Title: Sex Offender Ordinance Update

Submitted By: Jeffrey Bryan, Chief of Police

Summary of Request/Problem

The Police Department will present data regarding registered sex offenders living in Garland and the option to adopt an ordinance placing residency restrictions around areas where children commonly gather.

Recommendation/Action Requested and Justification

Council discussion.

Attachments

Garland Sex Offender Ordinance Presentation

Sex Offender Residency Ordinance - DRAFT

GARLAND SEX OFFENDER ORDINANCE

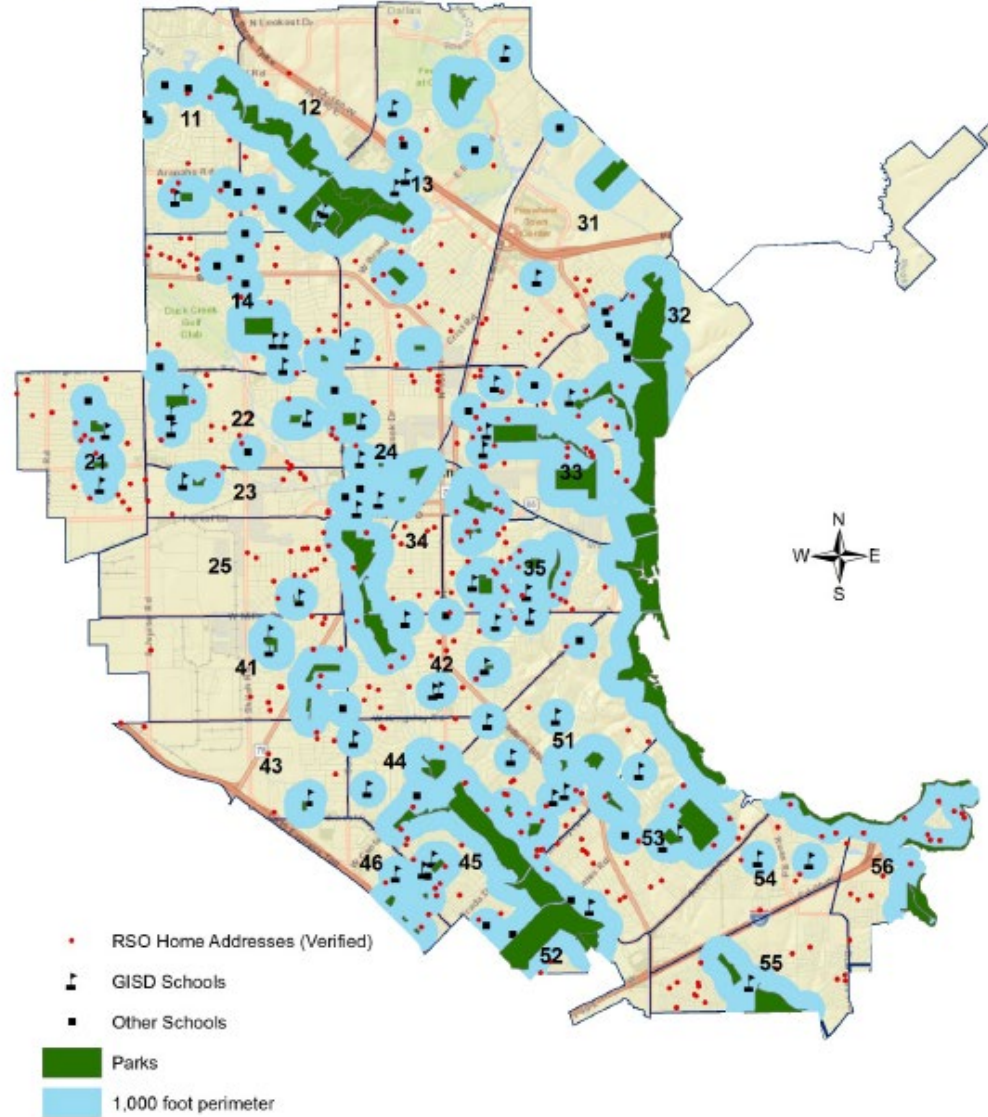


- ▶ For each person required to register on the Texas Department of Public Safety's Sex Offender Database (the "Database") because of a violation involving a victim who was less than 17 years of age, it is unlawful for that person to establish a permanent residence or temporary residence within 1,000 feet of any premises where children commonly gather, which, for purposes of this section, shall be a public park, private school, or public school as such terms are defined in the Garland Development Code.

PROPOSED ORDINANCE



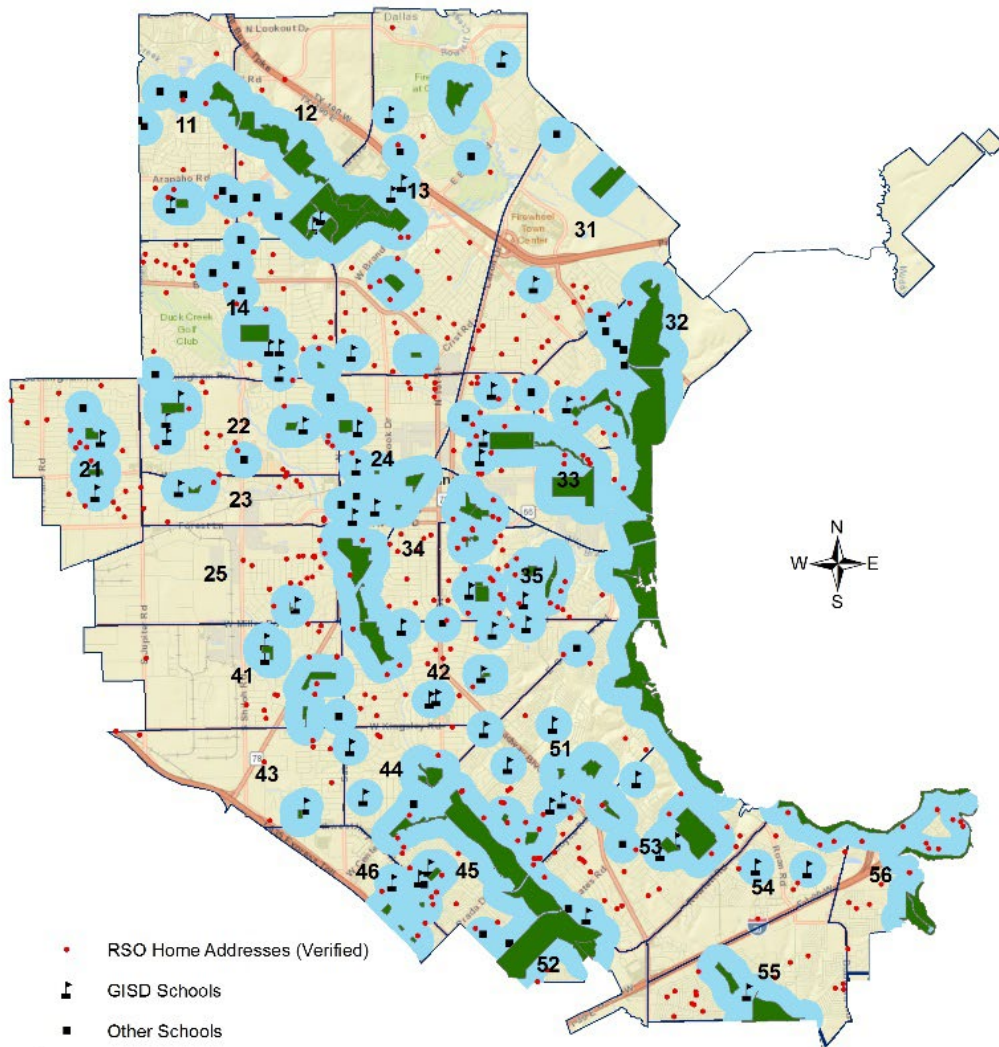
Registered Sex Offender Addresses 1,000 Foot Perimeter around Schools and Parks



Date: 8/12/2019



Registered Sex Offender Addresses 1,000 Foot Perimeter around Schools and Parks

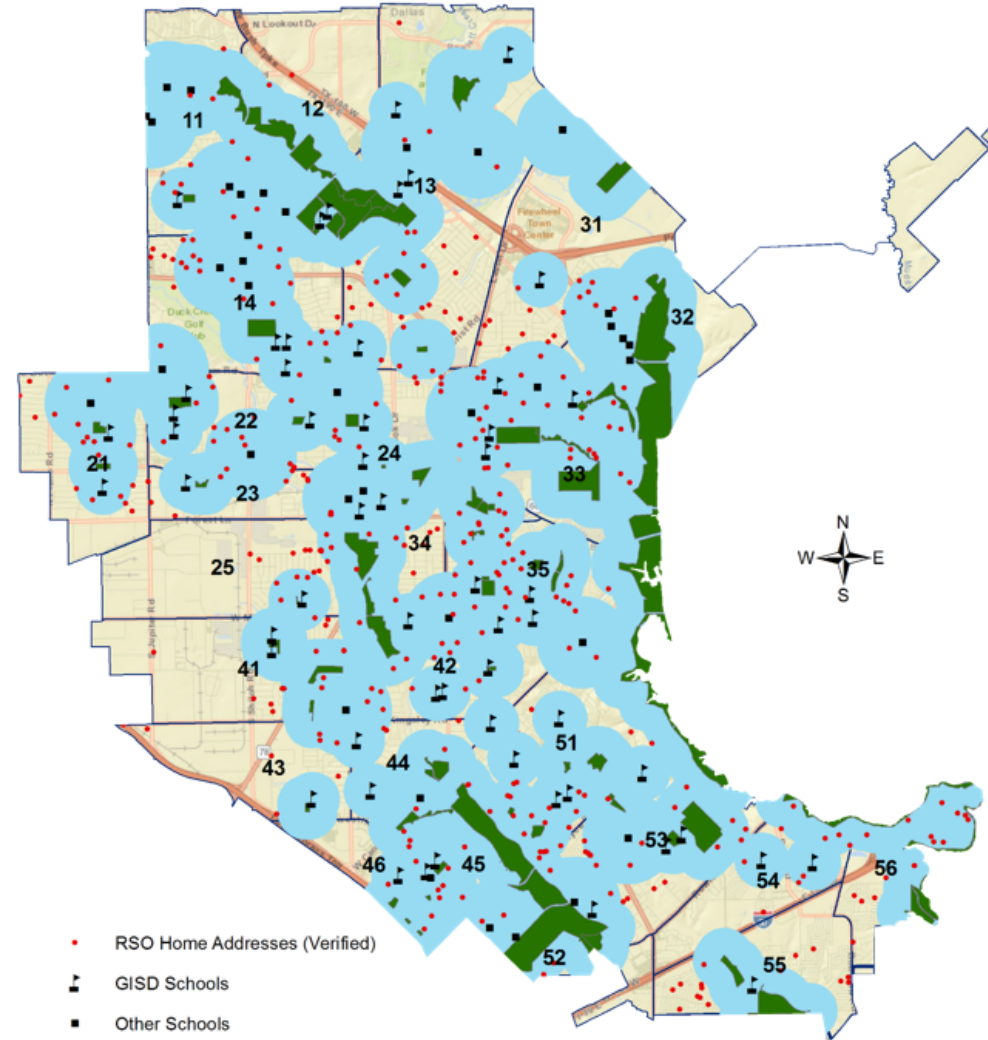


- RSO Home Addresses (Verified)
- GISD Schools
- Other Schools
- Parks
- 1,000 foot perimeter

Date: 8/12/2019



Registered Sex Offender Addresses 1,500 Foot Perimeter around Schools and Parks

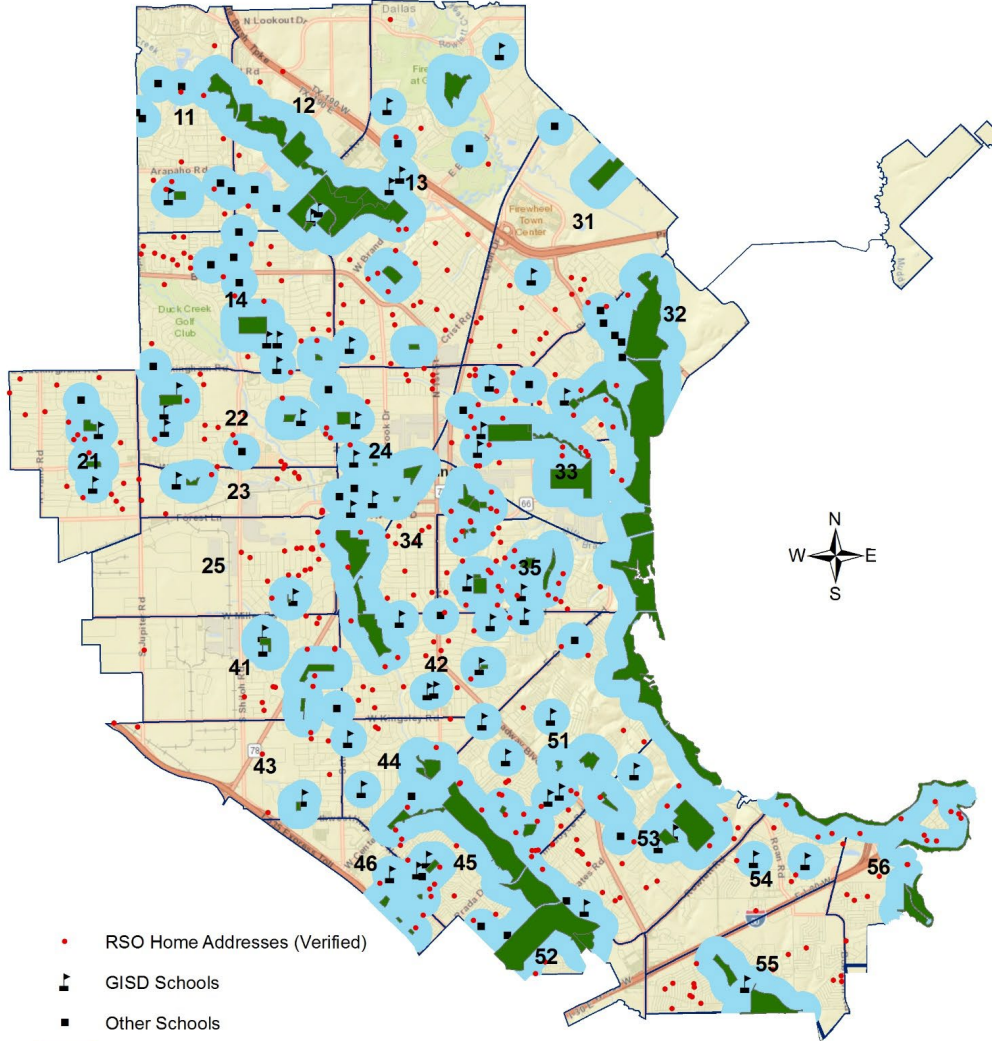


- RSO Home Addresses (Verified)
- GISD Schools
- Other Schools
- Parks
- 1,500 foot perimeter

Date: 9/4/2019



Registered Sex Offender Addresses 1,000 Foot Perimeter around Schools and Parks

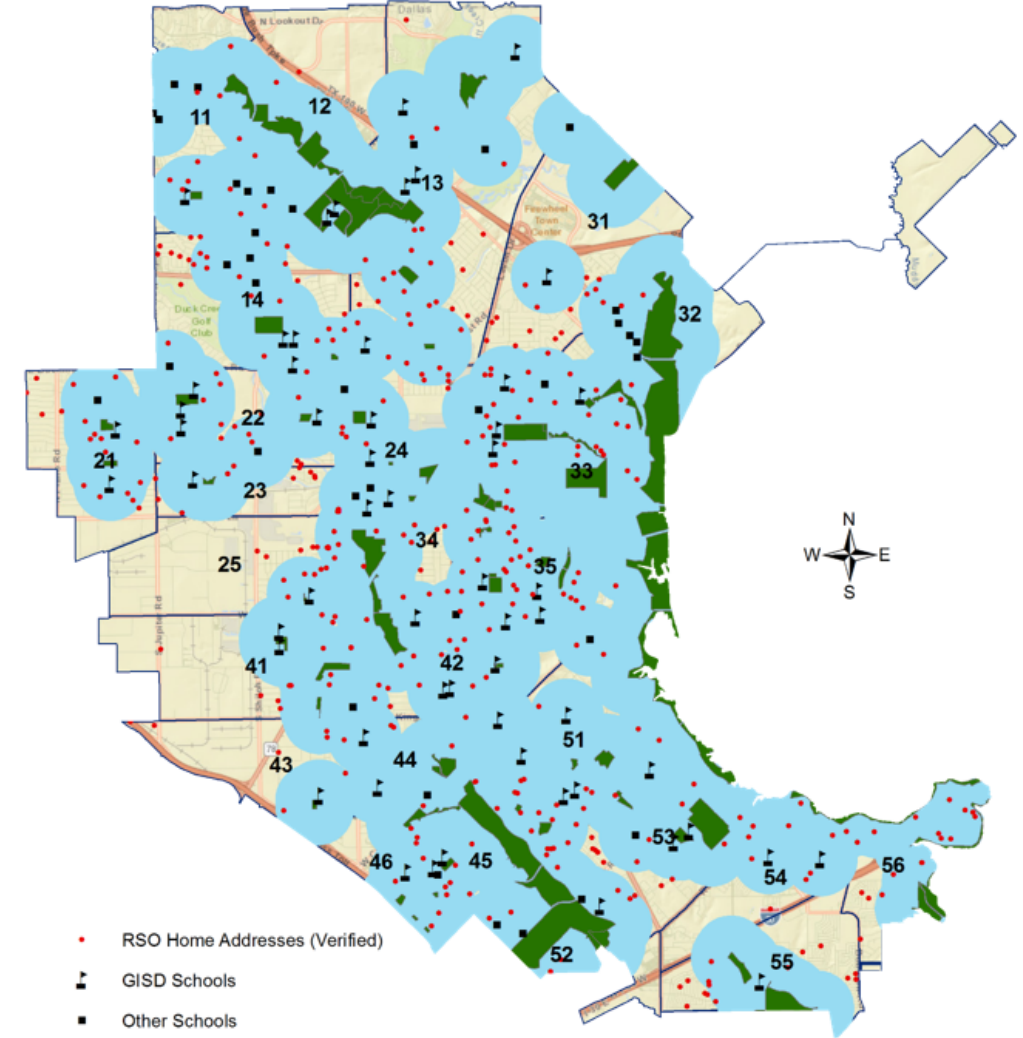


- RSO Home Addresses (Verified)
- GISD Schools
- Other Schools
- Parks
- 1,000 foot perimeter

Date: 8/12/2019



Registered Sex Offender Addresses 2,000 Foot Perimeter around Schools and Parks



- RSO Home Addresses (Verified)
- GISD Schools
- Other Schools
- Parks
- 2,000 foot perimeter

Date: 9/10/2019

- DRAFT -

For Discussion Purposes Only – Non-Final and Unapproved

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 26, "POLICE-MISCELLANEOUS PROVISIONS AND OFFENSES", OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS BY AMENDING ARTICLE III THEREOF RELATING TO SEX OFFENDERS; MAKING CERTAIN FINDINGS THEREON; 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

The City Council finds, determines and declares that:

- (1) Sex offenders are a serious threat to public safety;
- (2) The recidivism rate for released sex offenders is alarmingly high, especially for those who commit their crimes against children;
- (3) That establishing a policy to restrict the property available for residence of sex offenders will provide better protection for children gathering in the City; and
- (4) Article 42.12(13B) of the Texas Code of Criminal Procedure provides a 1000-foot safety zone for children, as a condition of probation for those convicted of certain sexual offenses which, as determined by the Texas Legislature, is a reasonable separation distance as a safety zone.

Section 2

That the title of Article III of Chapter 26, "Police - Miscellaneous Provisions and Offenses", of the Code of Ordinances of the City of Garland, Texas, is hereby amended to read, "Article III. LOITERING AND RESIDENCY RESTRICTIONS FOR SEX OFFENDERS"

Section 3

That Sec. 26.30 of Chapter 26, "Police - Miscellaneous Provisions and Offenses", of the Code of Ordinances of the City of Garland, Texas, is hereby amended by adding Subsection 26.30(10) to read as follows:

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

Section 4

That Chapter 26, "Police - Miscellaneous Provisions and Offenses", of the Code of Ordinances of the City of Garland, Texas, is hereby amended by adding a new section, Sec. 26.35, to read as follows:

"Sec. 26.35 Restrictions on sex offender residency

(A) No person who is required to register on the database because of a violation involving a victim who was less than 17 years of age at the time of the offense may establish a permanent residence or a temporary residence located within 1,000 feet of any public park or a public or private, religious or charter school as so classified in the Garland Development Code.

(B) The owner, operator, or person in control of a dwelling commits an offense if he or she, either personally or through an employee or agent, knowingly or recklessly rents or leases to a person who is required to register on the database because of a violation involving a victim who was less than 17 years of age at the time of the offense a permanent or temporary residence located within 1,000 feet of any public park or a public or private, religious or charter school as so classified in the Garland Development Code.

(C) It shall be prima facie evidence that this section applies to a person described in Subsection (A) if that person's record appears on the database and the database indicates that the victim was less than 17 years of age at the time of the offense.

(D) For the purposes of determining the minimum distance separation, the requirement shall be measured by following a

straight line from the outer property line of the permanent or temporary residence to the nearest property line of the prohibited area or, in the case of multiple residences on one property, measuring from the nearest property line of the premises on which the multiple residences are located to the nearest property line of the prohibited area.

(E) A map depicting prohibited areas within the City shall be maintained by the Police Department and shall be reviewed at least annually for changes. The map will be available to the public at the Police Department.

(F) Other than a violation of Subsection (B) of this section, neither allegation nor evidence of a culpable mental state is required for the proof of an offense defined by this section.

(G) It is an affirmative defense to prosecution that any of the following conditions apply:

(1) The person required to register on the database established the permanent or temporary residence prior to the date of the adoption of this section and has complied with all of the sex offender registration laws of the State of Texas.

(2) The person required to register on the database was a minor when he or she committed the offense requiring such registration and was not convicted as an adult.

(3) The person required to register on the database is a minor.

(4) The prohibited area at issue became a prohibited area after the person established the permanent or temporary residence and the person has complied with all sex offender registration laws of the State of Texas.

(5) The information on the database is incorrect, and, if corrected, this section would not apply to the person who was erroneously listed on the database."

Section 5

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 6

That Chapter 26, Police - Miscellaneous Provisions and Offenses, of the Code of Ordinances of the City of Garland, Texas, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

Section 7

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 8

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

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

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

PUBLISHED:



GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Work Session Agenda

3. c.

Meeting Date: October 7, 2019

Item Title: Update on New Year's Eve Fireworks Enforcement

Submitted By: Jeffrey Bryan, Chief of Police

Summary of Request/Problem

The Police Department will update the City Council on plans for fireworks enforcement over the New Year's Eve holiday.

Recommendation/Action Requested and Justification

Council discussion.

Attachments

Fireworks Enforcement - New Year's Eve Presentation

The background features abstract, overlapping green geometric shapes in various shades of lime and forest green, primarily located on the left and right sides of the frame. The central area is a plain white background.

Fireworks Enforcement

New Year's Eve

FIREWORKS PROHIBITED

CELEBRATE RESPONSIBLY

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**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Work Session Agenda

3. d.

Meeting Date: October 7, 2019

Item Title: GDC Amendment Regarding Makerspaces

Submitted By: Will Guerin, Planning Director

Summary of Request/Problem

Makerspaces (also referred to as “Hackerspaces”) are collaborative work spaces, usually indoors, intended for learning and making and often applying technology. This use is not currently defined in the Garland Development Code. At the request of the City Council, the subject of defining and creating regulations for Makerspace uses was discussed by the Development Services Committee and the draft amendments reflect their recommendation. The amendments were also reviewed and recommended accordingly by the Plan Commission during their September 23, 2019 meeting.

Recommendation/Action Requested and Justification

The draft amendments are attached for the Council's review. Unless otherwise directed by the Council, these amendments will be scheduled for formal consideration at the October 22, 2019 Regular Meeting.

Attachments

Draft ordinance

Staff Presentation

ORDINANCE NO. 7055

AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY UNDER THE PROVISIONS OF SECTION 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A SEVERABILITY CLAUSE; AND SETTING AN EFFECTIVE DATE.

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

Section 1

That Section 6.03, "Definitions," of Chapter 6, "Definitions" of the Garland Development Code of the City of Garland, Texas, is hereby amended by addition to define "Makerspace (Hackerspace)" to read as follows:

"Section 6.3 Definitions.

. . .

MAKERSPACE (HACKERSPACE): A facility where common or designated area(s) are provided to support education through peer learning and knowledge sharing and incorporating workspace for support of participants interests, such as but not limited to computers, software development, technology, science, digital art, 3d printing, sewing, metal work, welding, machining, and woodworking.

. . ."

Section 2

That the "Institutional and Educational Uses" section of the **Land Use Matrix** of Chapter 2, "Zoning Regulations" of the Garland Development Code of the City of Garland, Texas, is hereby amended by addition to include "Makerspace (Hackerspace)" in the first column of the table; that it be permitted by right ("P") in Industrial ("IN") zoning districts (16th column of the table); that the parking requirements (20th column of the table) be amended by addition to read as follows:

"1/3 students + 1/500 sq. ft gross floor area

workshop + 1/1000 sq. ft. gross floor area of warehouse"; and

That the final column of the Land Use Matrix, "Cross-references for Special Standards," be amended by addition in the row provided for "Makerspace (Hackerspace), to read "Sec. 2.52 (A) (36) ."

Section 3

That Section 2.52, "Special Standards for Certain Uses," of Chapter 2, "Zoning Procedures" of the Garland Development Code of the City of Garland, Texas, is hereby amended by adding Section 2.52(A) (36) to read as follows:

"(36) Makerspace (Hackerspace). Makerspace (Hackerspace) facilities must comply with the following provisions of this Subsection (35):

- (a) No portion of a facility may be used for any use or action that would otherwise be prohibited within the zoning district in which it is located;
- (b) Outside display is prohibited;
- (c) Where outside storage is permitted within the zoning district, it shall comply with Section 2.52 (A) (14) (C); and
- (d) A minimum of one heavy load vehicle loading berth must be provided in conformance with Section 4.22."

Section 4

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

Section 5

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 6

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

Section 7

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

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

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

Consider amendments to Chapter 2, Sections 2.51 and 2.52; and Chapter 6, Section 6.03 of the Garland Development Code creating a definition and regulations for “Makerspace (Hackerspace)” uses.

City Council Work Session
October 7, 2019



CHAPTER 2, SECTION 2.51 (LAND USE MATRIX)

Allow “Makerspace (Hackerspace)” uses in the Industrial (IN) District only, permitted by right.

CHAPTER 2, SECTION 2.51 (LAND USE MATRIX)

Proposed Parking Ratio:

- 1 space per 3 students;
- + 1 space per 500 square feet gross floor area workshop;
- + 1 space per 1,000 square feet gross floor area of warehouse.

CHAPTER 2, SECTION 2.52 (SPECIAL STANDARDS)

Additional Provisions:

- ✘ No portion of a facility may be used for any use or action that would otherwise be prohibited within the zoning district in which it is located;
- ✘ Outside display is prohibited;
- ✘ Where outside storage is permitted within the zoning district, it shall comply with Section 2.52(A)(14)(C); and
- ✘ A minimum of one heavy load vehicle loading berth must be provided in conformance with Section 4.22.

CHAPTER 6: DEFINITIONS

Makerspace (Hackerspace): A facility where common or designated area(s) are provided to support education through peer learning and knowledge sharing and incorporating workspace for support of participants' interests, such as but not limited to computers, software development, technology, science, digital art, 3d printing, sewing, metal work, welding, machining, and woodworking.



GARLAND

City Council Work Session Agenda

Meeting Date: October 7, 2019

Item Title: Boards and Commissions

Submitted By: Elisa Morales, Management Services Coordinator , Administration

Summary:

Council Member Deborah Morris

- Darryl Quigley - TIF Board South
-

Attachments

Darryl Quigley - TIF Board South



GARLAND

TEXAS MADE HERE



Application for City of Garland Boards/Commissions/Committees

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

Please Type or Print Clearly:

Date: September 16, 2019

Name: Darryl Douglas Quigley

Phone: _____

Address: 1012 W. Avenue G

Phone: _____

City, State, Zip: Garland, Tx. 75040

Email: _____

Resident of Garland for 59 years

Resident of Texas for 64 years

✓ Dallas County Voter Registration Number _____ Garland City Council District Number 2

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

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

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

None other than the fact that I have been a small business owner for 40 years and am now retired.

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

No

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

Garland CrimeStoppers, Garland Noon Exchange Club

What is your educational background?

High School Graduate, Texas Certified EMT/Paramedic (Retired)

What is your occupational experience?

Retired after serving 40 years as a owner/operator providing privately owned and operated EMS

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

Darryl D. Quigley

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	

T.I.F. Board
**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
Check Signature & Date

Yes _____ No ☒

Date Notified _____