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
March 4, 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. Bicycle & Pedestrian Plan Volunteer Advisory Committee

Several individuals have expressed interest in volunteering and being involved in the Bicycle & Pedestrian Mobility Plan, which will begin in 2019. The Council may appoint these individuals to serve as an advisory committee representing citizens and stakeholders, which is a common practice for community plans. The list of individuals is included in a written report in the agenda packet.

b. Youth Programs Standards of Care Ordinance

Council is requested to consider adopting an ordinance with public comments for Youth Programs Standards of Care to meet requirements of Texas Human Resources Code 42.041. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the March 19, 2019 Regular Meeting.

c. Sale of Property - 134 E. Kingsley Road

Council is requested to approve the sale of 134 Kingsley Road to Mr. Jeff Robertson and provide an executed deed without warranty. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the March 19, 2019 Regular Meeting.

d. Sale of Property - 814 Waikiki Drive

Council is requested to consider approving the sale of 814 Waikiki 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 March 19, 2019 Regular Meeting.

e. Sale of Property - 822 Greencove Drive

Council is requested to approve the sale of 822 Greencove 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 March 19, 2019 Regular Meeting.

f. Sale of Property - 145 Rio Rita Drive

Council is requested to approve the sale of 145 Rio Rita Drive to Jose Velasquez and provide an executed deed without warranty. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the March 19, 2019 Regular Meeting.

g. Sale of Property - 1105 Glynn Drive

Council is requested to approve the sale of 1105 Glynn Drive to Ryan Z and Associates, Inc. and provide an executed deed without warranty. Unless otherwise directed by Council, this item is scheduled for formal consideration at the March 19, 2019 Regular Meeting.

h. Sale of Property - 2510 Arcady Drive

Council is requested to approve the sale of 2510 Arcady Drive to Ryan Z and Associates, Inc. and provide an executed deed without warranty. Unless otherwise directed by Council, this item will be schedule for formal consideration at the March 19, 2019 Regular Meeting.

3. Verbal Briefings:

a. Temporary Change in Water Disinfection

The North Texas Municipal Water District (NTMWD) maintenance period begins March 4 and will end on April 1, 2019. There will be a temporary change in disinfection and this may increase the taste and smell of chlorine in our drinking water but by no means does it change the superior quality of our water. Our water is safe to drink and use in all of the ways we generally use water.

b. Cost of Service for Water and Wastewater

As an outcome of the recent changes to the water rate structure, the City Council requested that a comprehensive cost of service and rate design study be performed to determine what future amendments may be needed in overall water and wastewater rate levels or rate design. The City's rate consultant, NewGen Strategies & Solutions, will provide a presentation briefing to Council on the cost of service process and what to expect from the study. The presentation will focus on the key steps in the cost of service process and will outline the policy areas which will require input from Council as the study moves forward.

c. Needs Assessment on Strategic Master Plan for Parks and Recreation Department

The Park's Department and Brandstetter Carroll will update the Council on the Strategic Master Plan.

d. Public Safety Committee Report: Reimbursement from GISD for the School Resource Officer (SRO) Program

Deputy Mayor Pro Tem Scott LeMay, Chairman of the Public Safety Committee (PSC) and Deputy City Manager Mitch Bates, Staff Liaison to the Committee, will provide a committee report related to an item assigned to the PSC:

- *Reimbursement from Garland ISD for the cost of the Police Department School Resource Officer (SRO) program*

e. Discuss Flag Poles and Memorial in Heritage Crossing

Staff will brief Council on a proposal to use donations to place flags along with a Peace Officer Memorial in Heritage Crossing.

f. Transportation, Mobility and Infrastructure Committee Report

Mayor Pro Tem Rich Aubin, Chair of the Transportation, Mobility and Infrastructure Committee, will provide a committee report on the following items:

- *Discuss the cost analysis of acquisition and operations of an asphalt batch plant for supplying asphalt in Street Department operation.*
- *Review of City's Speed Hump Policy.*
- *Consider whether to retain the services of an outside Transportation Consultant.*

g. Transportation, Mobility and Infrastructure Committee Report

Mayor Pro Tem Rich Aubin, Chair of the Transportation, Mobility and Infrastructure Committee, will provide a committee report on the following items:

- *Continue discussion on the TxDOT feasibility study regarding realignment of SH 78.*

h. Update and recommendations from the Public Safety Committee regarding the Safelight Program

The Public Safety Committee recommends the University of Texas at Arlington be selected to conduct the Safelight Effectiveness Study. The Committee also recommends the Council approve changes to the city ordinance regulating the Safelight Program. Finally, the Committee recommends conducting the 12 engineering studies and referring the remaining recommended changes to the newly formed Safelight Committee.

i. Review and deliberation of 2019 Capital Improvement Program

The City Council will deliberate changes, if any, in the City Manager's Proposed 2019 Capital Improvement Plan:

1. *Staff updates.*
2. *Council deliberations.*
3. *Direction to staff on final changes to CIP.*

4. 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.

5. Council will move into Executive Session

**EXECUTIVE SESSION
AGENDA**

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

The City Council will convene in executive session under the provisions of 551.072, TEX. GOV'T CODE to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

The City Council will convene in executive session under the provisions of 551.087, TEX. GOV'T CODE to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect.

- Potential development of community medical services in the Shiloh-Walnut area

6. Adjourn

GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Work Session Agenda **2.a.**

Meeting Date: March 4, 2019

Item Title: Bicycle & Pedestrian Plan Volunteer Advisory Committee

Submitted By: Will Guerin, Planning Director

Summary of Request/Problem

Community plans (such as catalyst area plans) commonly have advisory/steering committees representing residents and stakeholders. Several individuals have expressed interest in volunteering and being involved in the Bicycle & Pedestrian Plan. Below is a list of those individuals: Jennifer and Al Reeder, Garland Residents Lori Mauldin, Garland Resident Cindi Foulk, Garland Resident Chip and Mary VanPelt, Garland Residents John Ball, Garland Resident Heather McNair, Bike DFW Director of Communications and Garland Resident Mike McNair, Bike DFW President and Garland Resident Mike Ramsey, Garland Resident Carmen Diaz, Engineering Teacher at Gilbreath-Reed Career and Technical Center

Recommendation/Action Requested and Justification

Unless otherwise directed by the Council, staff will proceed with the above list of interested individuals to serve on an Advisory Committee for the Bicycle & Pedestrian Plan.

GARLAND
POLICY REPORT

City Council Work Session Agenda		**2.b.**
Meeting Date:	March 4, 2019	
Item Title:	Youth Programs Standards of Care Ordinance	
Submitted By:	D'Lee Williams, Recreation Director	
Strategic Focus Areas:	Enhanced Quality of Life through Amenities, Arts, and Events Customer-Focused City Services	

ISSUE

Council is requested to consider adopting an ordinance with public comments for Youth Programs Standards of Care to meet requirements of Texas Human Resources Code 42.041.

OPTIONS

1. Adopt an ordinance with public comments for Youth Programs Standards of Care
2. Do not adopt an ordinance with public comments for Youth Programs Standards of Care

RECOMMENDATION

Option 1: Adopt an ordinance with public comments for Youth Programs Standards of Care. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the March 19, 2019 Regular Meeting.

BACKGROUND

Texas Human Resource Code, Section 42.041(b)(14) establishes requirements to exempt recreational programs for children operated by municipalities from state child care licensing. In order to receive exempt status for elementary age (ages 5-13) and teen recreation programs, a municipality must adopt a youth programs standards of care ordinance after a public hearing, then submit a copy of the standards, a notice of the public hearing for the program and a copy of the program and a copy of the ordinance adopting the standards to the state.

Parks, Recreation and Cultural Arts Department staff has formulated standards of care for youth programs that includes staffing ratios, minimum staff, qualifications, minimum facilities, health and safety standards, and a mechanism for monitoring and enforcing the local standards; and further provides for notifying parents that the program is not licensed by the state and that the program may not be advertised as a day care facility. The Parks and Recreation Board reviewed and approved the Standards of Care at their February 11, 2019 meeting.

CONSIDERATION

If adopted, the ordinance for Youth Programs Standards of Care will comply with the state code for children’s recreational programs.

Attachments

Standards of Care

Garland Standards of Care Ordinance

City of Garland
Youth Program Standards of Care

The following Youth Program Standards of Care ("Standards of Care") allow for exemption from state licensing by the City of Garland, Texas pursuant to Texas Human Resources Code §42.041(b)(14). The Standards of Care are intended to be minimum standards by which the City of Garland Parks, Recreation and Cultural Arts Department will operate the City's Youth Programs. The programs operated by the City are recreational in nature and are not day care programs.

GENERAL ADMINISTRATION

1) Organization
A. The governing body of the Programs is the City Council.
B. Implementation of the Standards of Care is the responsibility of the Director and department employees.
C. These Standards of Care apply to all programs.
D. Each Garland recreation center will have available for public review a current copy of the Standards of Care.
E. Parents will be provided access to a current copy of the Standards of Care through the City's web site.
F. Criminal background checks will be conducted on prospective program employees ages 18 and older. If results of that criminal check indicate that an applicant has been convicted of any of the following offenses, he or she will not be considered for employment:
(1) a felony or a misdemeanor classified as an offense against a person or family;
(2) a felony or misdemeanor classified as public indecency;
(3) a felony or misdemeanor violation of any law intended to control the possession or distribution of any controlled substance;
(4) any offense involving moral turpitude; or
(5) any offense that would potentially put youth participants or the City at risk.

2) Definitions
As used in these Standards of Care, the following words and phrases shall have the following meanings unless the context clearly indicates a different meaning:
A. *City*: City of Garland, a Texas home rule municipality located in Dallas County, Texas.
B. *City Council*: City Council of the City of Garland.
C. *Department*: City's Parks, Recreation and Cultural Arts Department.
D. *Director*: The Recreation Director of the Department or their designee.
E. *Employee(s)*: Term used to describe people who have been hired to work for the City and have been assigned responsibility for managing, administering, or implementing some portions of the

Programs.
F. *Parent(s)*: This term will be used to represent one or both parent(s) or adults who have legal custody and authority to enroll their child(ren) in Programs.
G. *Participant*: A youth whose parent(s) have completed all required registration procedures and determined to be eligible for a Program.
H. *Program* or *Youth Program*: City recreation programs consisting of the Standing Tall and Reaching for Success (STARS) Camp, the Duck Creek Adventure Camp, and such other recreation programs operated from time to time by the Department where the participants are Youth.
I. *Program Leader* or *Leader*: A Department part-time employee who has been assigned responsibility to implement the Programs.
J. *Program Manual*: Notebook of policies, procedures, required forms, and organizational and programming information relevant to Programs.
K. *Program Site*: The recreation center where program is located.
L. *Program Supervisor* or *Supervisor*: The Department's full-time Specialist who has been assigned administrative responsibility for one or more of the Programs.
M. *Recreation Center*: One of six facilities operated by the City of Garland.
N. *Youth*: A child who is at least five (5) years of age but not older than thirteen (13) years of age.
O. *Recreation Manager:* The Recreation Manager of the Department or their designee.

3) Inspections/Monitoring/Enforcement
A. The Director or Recreation Manager will make visual inspections of the Program based on the following schedule:
(1) The STARS and Duck Creek Adventure camps will be inspected twice during its summer schedule.
(2) Programs scheduled during winter break and spring break will be inspected once.
(3) The inspection schedule of other Programs shall be determined when established and will be based on the duration of the Program.
B. Complaints regarding enforcement of the Standards of Care will be directed to the Supervisor. The Supervisor will be responsible to take the necessary steps to resolve the problems. Complaints regarding enforcement of the Standards of Care and their resolution will be recorded by the Supervisor. Serious complaints regarding enforcement of the Standards of Care will be addressed by the Director and the complaint and the resolution will be noted.

4) Participation
A. Before a Youth can participate, a Parent must sign registration forms that contain:
(1) The name, address, phone number of the Youth;
(2) The name, address, and phone number of the Youth's Parent;
(3) The names and phone numbers of people to whom the Youth can be released;
(4) A statement/description of the Youth's special problems or needs;
(5) Emergency medical authorization;
(6) Proof of residency when appropriate; and
(7) A liability waiver.

5) Suspected Abuse
Program employees will report suspected child abuse or neglect in accordance with the Texas Family Code. In the case where a City employee is involved in an incident with a Youth that could be construed as child abuse, the incident must be reported immediately to the Recreation Manager or

the Director. The Recreation Manager or Director will immediately notify the Police Department and any other agency as may be appropriate. Texas state law requires the staff of the Programs to report any suspected abuse or neglect of a child to the Texas Department of Protective and Regulatory Services or a law enforcement agency. Failure to report suspected abuse is punishable by fines up to $1,000 and/or confinement up to 180 days. Confidential reports may be made by calling 1-800-252-5400.

STAFFING - RESPONSIBILITIES AND TRAINING

6) Youth Program Supervisor Qualifications

A. Supervisors will be full-time, professional employees of the City assigned to the Department and will be required to have all Program Leader qualifications as outlined in Section 7 of these Standards of Care.

B. Supervisors must be at least 21 years old

C. Supervisors must have a bachelor's degree from an accredited college or university or equivalent work experience.

Acceptable degrees include:

(1) Recreation Administration or General Recreation;

(2) Physical Education; or

(3) Any other comparable degree plan that would lend itself to working in a public recreation environment.

D. Supervisors must have one years' experience planning and implementing recreational activities or 2 years without a degree.

E. Supervisors must pass a background investigation including testing for illegal substances.

F. Supervisors must have successfully completed a course in first aid, Cardio Pulmonary Resuscitation (CPR), and AED based on either American Heart Association or American Red Cross standards.

7) Supervisor's Responsibilities

A. Supervisors are responsible to administer the Programs' daily operations in compliance with the adopted Standards of Care.

B. Supervisors are responsible to recommend for hire, supervise, and evaluate Leaders.

C. Supervisors are responsible to plan, implement, and evaluate programs.

8) Youth Program Leader Qualifications

A. Leaders will be part-time or temporary employees of the City assigned to the Department.

B. Leaders working with Youth must be age 18 or older; however, each age group will have at least one employee 18 years old or older present at all times.

C. Leaders should be able to consistently exhibit competency, good judgment, and self-control when working with Youth.

D. Leaders must relate to Youth with courtesy, respect, tolerance, and patience.

E. Leaders must have successfully completed a course in first aid, CPR, and AED based on either American Heart Association or American Red Cross standards. An exception can be made for no more than one staff person at each site, and that person shall successfully complete a first aid and CPR course within four weeks of starting work.

G. Leaders must pass a background investigation including testing for illegal substances.

9) Leader Responsibilities

A. Leaders will be responsible for providing Participants with an environment in which they can feel safe, can enjoy wholesome recreation activities, and can participate in appropriate social opportunities with their peers.
B. Leaders will be responsible to know and follow all City, Departmental, and Program standards, policies, and procedures that apply to the Youth Programs.
C. Leaders must ensure that Participants are released only to a Parent or an adult designated in writing by the Parent. A copy of the Department-approved plan to verify the identity of a person authorized to pick up a Participant if that person is not known to the Leader will be on file at the Recreation Center.

10) Training/Orientation
A. The Department is responsible for providing training and orientation to Program employees working with children and for specific job responsibilities. Supervisors will provide each Leader with a Program manual specific to Youth Programs.
B. Program employees must be familiar with the Standards of Care as adopted by the City Council.
C. Program employees must be familiar with the Program's policies including discipline, guidance, and release of participants as outlined in the Program Manual.
D. Program employees will be trained in appropriate procedures to handle emergencies.
E. Program employees will be trained in areas including City, Departmental, and Program policies and procedures, provision of recreation activities, safety issues, child psychology, and organization.
F. Program employees will be required to sign an acknowledgement that they received the required training.

OPERATIONS

11) Staff-Participant Ratio
A. The standard ratio of Participants to Leaders in the Programs will be 15 to 1. In the event a Leader is unable to report to work, a replacement will be assigned.
B. Each Participant shall have a Program employee who is responsible for the Participant and who is aware of the Participant's habits, interests, and any special problems as identified by the Participant's Parent(s) during the registration process.

12) Discipline
A. Program employees will implement discipline and guidance in a consistent manner based on the best interests of Program participants.
B. There must be no cruel or harsh punishment or treatment.
C. Program employees may use brief, supervised separation from the group if necessary.
D. As necessary, Program employees will initiate discipline reports to the Parent(s) of Participants. Parents will be asked to sign discipline reports to indicate they have been advised about specific problems or incidents.
E. A sufficient number and/or severe nature of discipline reports as detailed in the Program Manual may result in a Participant being suspended from the Program.
F. In instances where there is a danger to Participants or Program staff, offending Participants will be removed from the Program Site as soon as possible.

13) Programming

A. Program employees will attempt to provide activities for each group according to the Participants' ages, interests, and abilities. The activities must be appropriate to Participants' health, safety, and well-being. The activities also must be flexible and promote the Participants' emotional, social, and mental growth.
B. Program employees will attempt to provide time periods that include:
(1) lternating active and passive activities;
(2) opportunity for individual and group activities, and
(3) outdoor time each day as weather permits.
C. Program employees will be attentive and considerate of the participants' safety on field trips and during any transportation provided by the Program.
(1) During trips, Program employees supervising Participants must have immediate access to emergency medical forms and emergency contact information for each Participant.
(2) Program employees must have a written list of the Participants in the group and must check the roll frequently.
(3) Program employees must have first aid supplies and a guide to first aid and emergency care available on field trips.

14) Communication
A. Each age group will have communication availability to allow the age group to be contacted by Recreation Center personnel.
B. The Supervisor will make available the following phone numbers adjacent to a phone accessible to all Program employees at the Recreation Center:
(1) Garland ambulance or emergency medical services
(2) Garland Police Department
(3) Garland Fire Department
(4) Recreation Center
(5) Numbers at which Parents may be reached
(6) The phone number for the Program Site itself

15) Transportation
A. Before a Participant may be transported to and from the Program Site or other location by means of transportation provided by the City, a transportation form, completed by the Parent, must be filed with the Supervisor.
B. First aid supplies and a first aid and emergency care guide will be available in all Program vehicles that transport Participants.

FACILITY STANDARDS

16) Safety
A. Program employees will inspect Program areas daily to detect sanitation and safety concerns that might affect the health and safety of the Participants.
B. Buildings, grounds, and equipment on the Program site will be inspected, cleaned, repaired, and maintained to protect the health of the Participants.
C. Program equipment and supplies must be safe for the Participants' use.
D. Program employees must have first aid supplies readily available in a designated location at each Program Site, during transportation to an off-site activity, and for the duration of any off-site activity.

Program employees must have an immediately accessible guide to first aid and emergency care.
E. Air conditioners, electric fans, and heaters at the Program Site must be mounted out of Participants' reach or have safeguards that keep Participants from being injured.
F. Porches and platforms more than 30 inches above the ground at the Program Site must be equipped with railings Participants can reach.
G. All swing seats at Program Sites must be constructed of durable, lightweight, relatively pliable material.

17) Fire
A. In case of fire, danger of fire, explosion, or other emergency, Program employees' first priority is to evacuate the Participants to a designated safe area.
B. The Program Site will have an annual fire inspection and the resulting report will detail any safety concerns observed. The report will be forwarded to the Director who will review and establish deadlines and criteria for compliance.
C. All Program employees will be trained in the proper use of fire extinguishers as well as locations of fire extinguishers throughout the Recreation Center.
D. Fire drills will be initiated at the Recreation Center based on the following schedule:
(1) STARS and Duck Creek Adventure Camp: A fire drill twice during the summer sessions.
(2) Winter and spring break camps: A fire drill once during the winter and spring sessions.
(3) Other Programs: The time and frequency will be determined at the time the Program is established and will be based on the duration of the Program.

18) Health
A. *Illness or Injury*
(1) A Participant who is considered to be a health or safety concern to other Participants or Program employees will not be admitted to the Program.
(2) Illnesses and injuries will be handled in a manner to protect the health of all Participants and Program employees.
(3) Program employees will follow plans to provide emergency care for injured Participants with symptoms of an acute illness as specified in the Program manual.
(4) Program employees will follow the recommendation of the Texas Department of Health concerning the admission or readmission of any Participant after a communicable disease.

B. *Administration of Medication*
Program employees will administer medication to a Participant only if:
(1) Parent(s) complete and sign a medication form that provides authorization for staff to dispense medication with details as to time and dosages.
(2) Prescription medications are in the original containers labeled with the Participant's name, a date, directions, and the physician's name. Program employees will administer the medication only as stated on the label. Program employees will not administer medication after the expiration date.
(3) Nonprescription medications are labeled with the Participant’s name and the date the medication was brought to the Program. Nonprescription medication must be in the original container. Program employees will administer it only according to label direction.

(4) Medication dispensed will be limited to routine oral ingestion not requiring special knowledge or skills on the part of Program employees. No injections will be administered by the Program employees.
(5) Program employees must ensure medications are inaccessible to Participants or, if it is necessary to keep medications in the refrigerator (when available), medications will be kept separate from food.

C. *Toilet Facilities*
(1) The Program site will have inside toilets located and equipped so children can use them independently and Program staff can supervise as needed.
(2) There must be one flush toilet for every 30 children. Urinals may be counted in the ratio of toilets to children, but they must not exceed 50% of the total number of toilets.
(3) An appropriate and adequate number of lavatories will be provided.

D. *Sanitation*
(1) Each Program Site must have adequate light, ventilation, and heat.
(2) Each Program Site must have an adequate supply of water meeting the standards of the Texas Department of Health for drinking water and ensure that it will be supplied to the participants in a sanitary manner.
(3) Program employees must see that garbage is removed from buildings daily.

Ordinance NO. ___________

AN ORDINANCE OF THE CITY OF GARLAND, TEXAS, ADOPTING STANDARDS OF CARE FOR YOUTH PROGRAMS OFFERED BY THE CITY OF GARLAND PARKS, RECREATION, CULTURAL ARTS DEPARTMENT; DIRECTING THAT A COPY OF THIS ORDINANCE, THE ADOPTED STANDARDS OF CARE AND OTHER PROGRAM INFORMATION BE DELIVERED TO THE STATE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Texas Human Resource Code, Section (b) (14) establishes requirements to exempt recreational programs operated by municipalities for children from State child care licensing;

WHEREAS, in order to receive exempt status for an elementary age (ages 5-13) recreation program, a municipality must a standards of care ordinance after a public hearing for the program, then submit a copy of the standards, a notice of the public hearing for the program, a copy of the program, and a copy of the ordinance adopting the standards to the State;

WHEREAS, the City of Garland, Texas, has formulated standards of care that at a minimum includes staffing ratios, minimum staff, qualifications, minimum facilities, health and safety standards, and a mechanism for monitoring and enforcing the local standards; and further provides for notifying parents that the program is not licensed by the state and that the program may not be advertised as a day care facility; and

WHEREAS, the City Council after conducting a public hearing and affording a full and fair hearing to all citizens, and in the exercise of legislative discretion, has concluded that the attached standards of care should be approved.

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

Section 1.

The City of Garland, Texas, hereby adopts the standards of care for an elementary age recreation program, which is attached as Exhibit "A" and incorporated herein by reference, pursuant to Section 42.041 (b) (14), Texas Human Resource Code.

Section 2.

That the Managing Director of Parks, Recreation, and Cultural Arts shall cause a copy of the standards, a notice of the public hearing for the program, a copy of the program, and a copy of this Ordinance adopting the standards be delivered to the State in accordance with the applicable regulations.

Section 3.

This Ordinance shall become effective immediately upon its passage and approval.

PASSED AND APPROVED this the ________day of ________________________, 2019.

CITY OF GARLAND, TEXAS

____

Lori Dodson, Mayor

ATTEST:

Rene Dowl, City Secretary

By:_____________________________

Approved As To Legal Form:

Brad Neighbor, City Attorney

By:______________________________

GARLAND
POLICY REPORT

City Council Work Session Agenda **2.c.**

Meeting Date:	March 4, 2019
Item Title:	Sale of Property - 134 E. Kingsley Road
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 Mr. Jeff Robertson related to the purchase of City owned property obtained through a 2010 Sheriff's Sale. Mr. Robertson has presented an offer of $16,787.88 for the property located at 134 Kingsley Rd. Mr. Robertson has also agreed to pay the post-judgment taxes of approximately $1,212.12 at closing. If approved the City of Garland will receive approximately $4,666.29 in proceeds from this sale.

OPTIONS
The City Council May:
1. Approve the sale of 134 Kingsley Road to Mr. Robertson and provide an executed deed without warranty, or
2. Deny the offer presented by Mr. Robertson.

RECOMMENDATION
Staff recommends that the City Council accept the offer and sell the property to Mr. Robertson. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the March 19, 2019 Regular Meeting.

BACKGROUND
The property was struck off to the City of Garland at the Dallas County Sheriff's Sale in 2010. 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 2010. 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

134 Kingsley - Resolution
134 Kingsley - Deed
134 Kingsley - Offer
134 Kingsley - Map and Picture
134 Kingsley - GISD Consent
134 Kingsley - County 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 193rd Judicial District Court of Dallas County, Texas in cause number TX07-41768, and

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

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

Section 1

The City does hereby consent to the sale by public sale 134 Kingsley Road, situated in the City of Garland, Count of Dallas, State of Texas, to wit:

BEING LOT 5, BLOCK D OF THE VALLEY VIEW ADDITION TO THE CITY OF GARLAND, A/K/A 134 E. KINGSLEY ROAD, CITY OF GARLAND, DALLAS COUNTY, TEXAS AS DESCRIBED IN VOLUME 897, PAGE 0611 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

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

PASSED AND APPROVED this the ________ day of _____________, 2019.

CITY OF GARLAND, TEXAS

____
Mayor

ATTEST:

____
City Secretary

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 **Jeff Robertson, P.O. Box 3603, McKinney, TX 75070** ("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 **134 E. Kingsley Road**, situated in the City of Garland, County of Dallas, State of Texas, to wit:

> **BEING LOT 5, BLOCK D OF THE VALLEY VIEW ADDITION TO THE CITY OF GARLAND, A/K/A 134 E. KINGSLEY ROAD, CITY OF GARLAND, DALLAS COUNTY, TEXAS AS DESCRIBED IN VOLUME 897, PAGE 0611 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 TX07-41768 in the 193rd 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:

____

PERDUE BRANDON
FIELDERCOLLINS&MOTT LLP
ATTORNEYS AT LAW

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.pbfcm.com

November 6, 2018

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

Via electronic-mail

Re: Offer from Jeff Robertson to purchase
134 Kingsley Road, Garland, Texas

Dear Mr. Worsham:

Jeff Robertson has offered to purchase 134 Kingsley Road, Garland, Texas (BEING LOT 5, BLOCK D OF THE VALLEY VIEW ADDITION TO THE CITY OF GARLAND, A/K/A 134 E. KINGSLEY ROAD, CITY OF GARLAND, DALLAS COUNTY, TEXAS AS DESCRIBED IN VOLUME 897, PAGE 0611 OF THE DALLAS COUNTY DEED RECORDS) for $16,787.88. In addition to that amount, all post-judgment taxes for the years 2009-2010 will be paid at closing. The total amount of post-judgment taxes will be approximately $1,212.12 of which the City of Garland will receive approximately $276.48.

This property was sold at a Sheriff's Sale on May 4, 2010 pursuant to delinquent tax collection suit number TX07-41768. 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, $39,350.00.

The property's most recent value according to the Appraisal District is $18,000.00. The total judgment amount was $81,404.94, 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 $5,033.52. 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, $81,404.94, or the market value as stated in the judgment, $39,350.00, 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,

J. Douglas Burnside

Enclosure

Re-sale Disbursement Worksheet
City of Garland

CAD Acct #:	26617500040050000
Property address:	134 E. Kingsley Road
Cause No.:	TX07-41768
Judgment Date:	September 29, 2009
Sheriff's Sale Date:	May 4, 2010
Judgment amount:	GISD 2004-2008 taxes $7,974.86 (55.1%)
	City 2004-2008 taxes $3,558.96 (24.6%)
	County 2004-2008 taxes $2,942.32 (20.3%)
Total Judgment for Taxes:	$14,476.14
City Abatement Liens:	$6,482.60
City Demolition Lien:	$5,091.00
City Civil Penalties Lien:	$40,049.76
Court costs:	$1,939.00
Sheriff's fees for sale:	$1,285.14
Publication fees for sheriff's sale, paid by Perdue Brandon:	$309.38
Total Costs:	$3,533.52

Checks to be disbursed as follows:

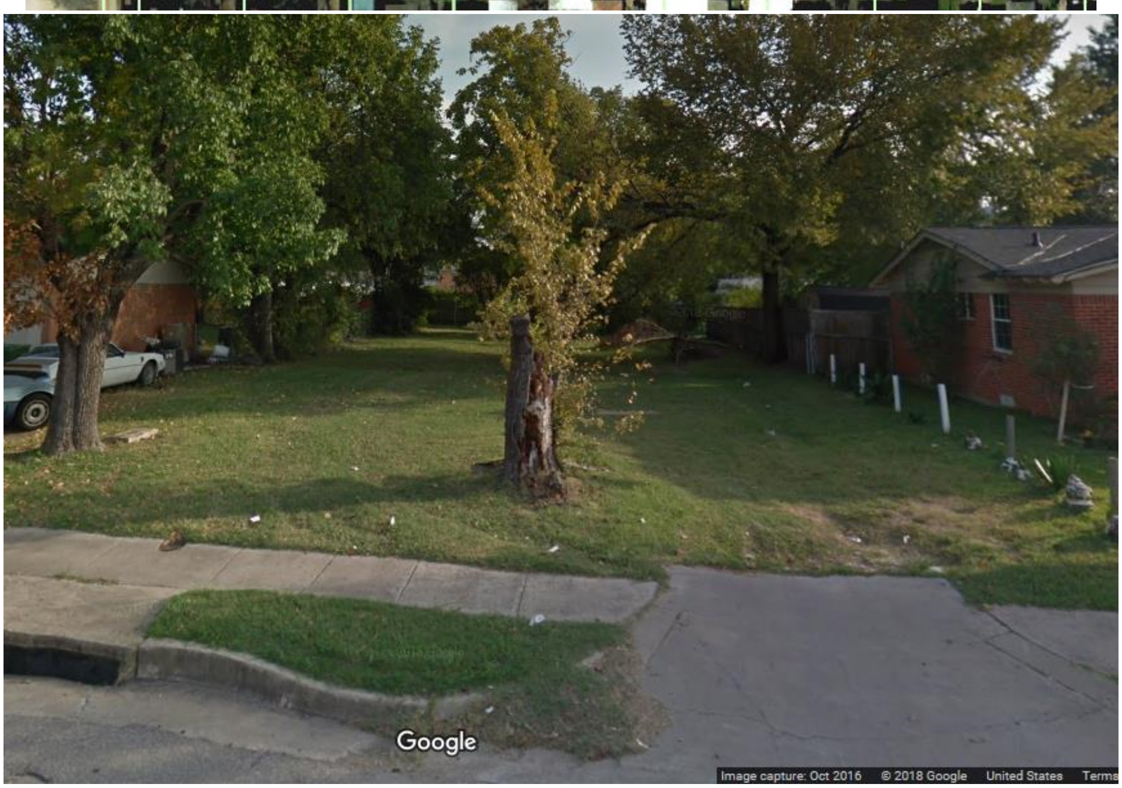
1.	**Dallas County District Clerk**	$1,939.00
2.	**Dallas County Sheriff**	$1,285.14
3.	**Perdue Brandon Fielder Collins & Mott, LLP**	$309.38
4.	**City of Garland (administrative fee)**	$1,500.00
5.	**City of Garland (Pro-rata Judgment tax year distribution)**	$2,889.81
6.	**Garland ISD (Pro-rata Judgment tax year distribution)**	$6,475.44
7.	**Dallas County (Pro-rata Judgment tax year distribution)**	$2,389.11
	TOTAL Judgment Distribution	$16,787.88

Post Judgment Distribution:

8.	**City of Garland (Post Judgment tax year distribution)**	$276.48
9.	**Garland ISD (Post Judgment tax year distribution)**	$621.40
10.	**Dallas County (Post Judgment tax year distribution)**	$314.24
	TOTAL Post Judgment Distribution	$1,212.12

	TOTAL Distribution	$18,000.00

134 E Kingsley Road
Map and Pictures



RESOLUTION

A RESOLUTION AUTHORIZING THE CITY OF GARLAND TO RE-SELL TAX FORECLOSED PROPERTY LOCATED AT 134 E. KINGSLEY ROAD, 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 134 E. Kingsley Road, 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 $16,787.88, 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 134 E. Kingsley Road, 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 134 E. Kingsley Road, Garland, Texas for an amount not less than $16,787.88 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 11th day of December, 2018, by the Board of Trustees for the Garland Independent School District.

GARLAND INDEPENDENT SCHOOL DISTRICT

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

ATTEST:

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

COURT ORDER
2018-1519

Request to Consent to Sale of Tax Foreclosed Properties Struck off to the City of Garland, Trustee: 134 E. Kingsley Road, 184 Waikiki

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

BRIEFING DATE: 12/18/2018
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 the tax foreclosed properties at 134 E. Kingsley Road and 814 Waikiki Drive in the City of Garland, further described in Exhibit "A", attached hereto and made a part hereof, to the highest qualified purchasers, even if the amounts tendered are less than the market values of the properties specified in the respective judgments of foreclosure or the total amount of the judgments against each respective property 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 December 18, 2018, by the following vote:

IN FAVOR: Honorable Clay Lewis Jenkins, County Judge
Commissioner Dr. Theresa M. Daniel, District 1
Commissioner Mike Cantrell, District 2
Commissioner John Wiley Price, District 3
Commissioner Dr. Elba Garcia, District 4
OPPOSED: None
ABSTAINED: None

Recommended by: Alberta Blair
Originating Department: Public Works

ABSENT: None

Recommended by: Alberta Blair
Originating Department: Public Works

EXHIBIT "A"

TAX FORECLOSURE PROPERTIES STRUCK OFF TO THE CITY OF GARLAND AS TRUSTEE FOR GARLAND I.S.D. AND DALLAS COUNTY

R&B DIST.	PROPERTY ADDRESS/ MAPSCO #	JUDGMENT CAUSE #	TAX YEARS INCLUDED IN JUDGMENT (COUNTY, CITY, SCHOOL)	DATE OF SHERIFF'S SALE	TAX ACCOUNT #	IMPROVED / UNIMP.	LAND SIZE (APPROX.)	Court Costs	CURRENT DCAD VALUE	MARKET VALUE IN JUDGMENT	STRIKE OFF AMOUNT	OFFER AMOUNT	POST JUDGMENT TAX YEARS & AMOUNT OWED (through [month/year] if applicable)	% OF DCAD VALUE (Offer Amt +Post Judgment Taxes (if applicable))	PURSUANT TO TAX CODE
1	134 E. Kingsley Rd., Garland **29A-N**	TX-07-41768 9/28/2009	County: 2004-2008 City: 2004-2008 GISD: 2004-2008	5/4/2010	26617500040050000	U	7,976 SF	$3,533.52	$18,000.00	$39,350.00	$39,350.00	$16,787.88	2009-2010 $1,212.12	100%	34.05 (i)
1	814 Waikiki Dr., Garland **29A-Z**	TX-10-40035 9/14/2011	County: 1994-1999, 2002-2010 City: 1996-2010 GISD: 1997-2010	3/6/2012	26574500030040000	U	7,366 SF	$5,184.19	$20,000.00	$67,780.00	$44,202.58	$15,577.96	2011-2012 $4,422.04	100%	34.05 (i)

11/13/2018 9:01 AM

GARLAND
POLICY REPORT

City Council Work Session Agenda **2.d.**

Meeting Date: March 4, 2019
Item Title: Sale of Property - 814 Waikiki 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 2012 Sheriff's Sale. Ryan Z and Associates, Inc has presented an offer of $17,000 for the property located at 814 Waikiki Drive. Ryan Z and Associates, Inc has also agreed to pay the post-judgment taxes of approximately $4,422.04 at closing. If approved, the City of Garland will receive approximately $7,527.86 in proceeds from this sale.

OPTIONS

The City Council May:

1. Approve the sale of 814 Waikiki 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 March 19, 2019 Regular Meeting.

BACKGROUND

The property was struck off to the City of Garland at the Dallas County Sheriff's Sale on March 6, 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

814 Waikiki - Resolution

814 Waikiki - Deed

814 Waikiki - Offer

814 Waikiki - Map and Picture

814 Waikiki - County Consent

814 Waikiki - 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 298th Judicial District Court of Dallas County, Texas in cause number TX10-40035, and

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

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

Section 1

The City does hereby consent to the sale by public sale 814 Waikiki Drive, situated in the City of Garland, Count of Dallas, State of Texas, to wit:

BEING LOT 4, BLOCK 3, SOUTHLAKE ESTATES NO. 1 ADDITION, AKA 814 WAIKIKI DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AS DESCRIBED IN VOLUME 79128, PAGE 1068 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

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

PASSED AND APPROVED this the ________ day of _____________, 2019.

CITY OF GARLAND, TEXAS

____
Mayor

ATTEST:

____
City Secretary

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 **814 Waikiki**, situated in the City of Garland, County of Dallas, State of Texas, to wit:

BEING LOT 4, BLOCK 3, SOUTHLAKE ESTATES NO. 1 ADDITION, AKA 814 WAIKIKI DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AS DESCRIBED IN VOLUME 79128, PAGE 1068 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 TX10-40035 in the 298th 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:
____

PERDUE BRANDON
FIELDER COLLINS & MOTT LLP
ATTORNEYS AT LAW

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.pbfcm.com

September 21, 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
814 Waikiki, Garland, Texas

Dear Mr. Worsham:

Ryan Z and Associates, Inc. has offered to purchase 814 Waikiki, Garland, Texas (BEING LOT 4, BLOCK 3, SOUTHLAKE ESTATES NO. 1 ADDITION, AKA 814 WAIKIKI DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AS DESCRIBED IN VOLUME 79128, PAGE 1068 OF THE DALLAS COUNTY DEED RECORDS) for $17,000.00. 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 $4,422.04 of which the City of Garland will receive approximately $1,230.42.

This property was sold at a Sheriff's Sale on March 6, 2012 pursuant to delinquent tax collection suit number TX10-40035. 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 $20,000.00. The property was struck off for the total judgment amount, $44,202.58, 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 $9,684.19. 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, $44,202.58, or the market value as stated in the judgment, $67,780.00, 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,

J. Douglas Burnside

Enclosure

Re-sale Disbursement Worksheet
City of Garland

CAD Acct #:	26574500030040000
Property address:	814 Waikiki
Cause No.:	TX10-40035
Judgment Date:	September 14, 2011
Sheriff's Sale Date:	March 6, 2012
Judgment amount:	GISD 1997-2010 taxes $21,375.18 (59.8%)
	City 1996-2010 taxes $8,783.82 (24.6%)
	County 1994-2010 taxes $5,592.19 (15.6%)
Total Judgment for Taxes:	$35,751.19
City Abatement Liens:	$1,060.39
City Post Judgment Demolition:	$3,000.00
Court costs:	$3,343.10
Sheriff's fees for sale:	$1,517.96
Publication fees for sheriff's sale, paid by lawfirm:	$323.13
Total Costs:	$5,184.19

Checks to be disbursed as follows:

1.	**Dallas County District Clerk**	$3,343.10
2.	**Dallas County Sheriff**	$1,517.96
3.	**Perdue Brandon Fielder Collins & Mott, LLP**	$323.13
4.	**City of Garland (administrative fee)**	$1,500.00
5.	**City of Garland (Post Judgment Demolition)**	$3,000.00
6.	**City of Garland (Pro-rata Judgment tax year distribution)**	$1,797.44
7.	**Garland ISD (Pro-rata Judgment tax year distribution)**	$4,374.03
8.	**Dallas County (Pro-rata Judgment tax year distribution)**	$1,144.34
	TOTAL	$17,000.00

Post Judgment Distribution:

9.	**City of Garland (Post Judgment tax year distribution)**	$1,230.42
10.	**Garland ISD (Post Judgment tax year distribution)**	$2,097.43
11.	**Dallas County (Post Judgment tax year distribution)**	$1,094.19
	TOTAL Post Judgment Distribution	$4,422.04

	TOTAL Distribution	$21,422.04

814 Waikiki

Map and Picture

26574500030040000

COURT ORDER
2018-1519

Request to Consent to Sale of Tax Foreclosed Properties Struck off to the City of Garland, Trustee: 134 E. Kingsley Road, 184 Waikiki

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

BRIEFING DATE:	12/18/2018
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 the tax foreclosed properties at 134 E. Kingsley Road and 814 Waikiki Drive in the City of Garland, further described in Exhibit "A", attached hereto and made a part hereof, to the highest qualified purchasers, even if the amounts tendered are less than the market values of the properties specified in the respective judgments of foreclosure or the total amount of the judgments against each respective property 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 December 18, 2018, by the following vote:

IN FAVOR:	Honorable Clay Lewis Jenkins, County Judge Commissioner Dr. Theresa M. Daniel, District 1 Commissioner Mike Cantrell, District 2 Commissioner John Wiley Price, District 3 Commissioner Dr. Elba Garcia, District 4
OPPOSED:	None
ABSTAINED:	None

Recommended by: Alberta Blair
Originating Department: Public Works

ABSENT: None

Recommended by: Alberta Blair
Originating Department: Public Works

EXHIBIT "A"

TAX FORECLOSURE PROPERTIES STRUCK OFF TO THE CITY OF GARLAND
AS TRUSTEE FOR GARLAND I.S.D. AND DALLAS COUNTY

R&B DIST.	PROPERTY ADDRESS/ MAPSCO #	JUDGMENT CAUSE #	TAX YEARS INCLUDED IN JUDGMENT (COUNTY, CITY, SCHOOL)	DATE OF SHERIFF'S SALE	TAX ACCOUNT #	IMPROVED / UNIMP.	LAND SIZE (APPROX.)	Court Costs	CURRENT DCAD VALUE	MARKET VALUE IN JUDGMENT	STRIKE OFF AMOUNT	OFFER AMOUNT	POST JUDGMENT TAX YEARS & AMOUNT OWED (through [month/year] if applicable)	% OF DCAD VALUE (Offer Amt +Post Judgment Taxes (if applicable))	PURSUANT TO TAX CODE
1	134 E. Kingsley Rd., Garland **29A-N**	TX-07-41768 9/28/2009	County: 2004-2008 City: 2004-2008 GISD: 2004-2008	5/4/2010	26617500040050000	U	7,976 SF	$3,533.52	$18,000.00	$39,350.00	$39,350.00	$16,787.88	2009-2010 $1,212.12	100%	34.05 (i)
1	814 Waikiki Dr., Garland **29A-Z**	TX-10-40035 9/14/2011	County: 1994-1999, 2002-2010 City: 1996-2010 GISD: 1997-2010	3/6/2012	26574500030040000	U	7,366 SF	$5,184.19	$20,000.00	$67,780.00	$44,202.58	$15,577.96	2011-2012 $4,422.04	100%	34.05 (i)

11/13/2018 9:01 AM

RESOLUTION

A RESOLUTION AUTHORIZING THE CITY OF GARLAND TO RE-SELL TAX FORECLOSED PROPERTY LOCATED AT 814 WAIKIKI, 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 814 Waikiki, 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 $15,577.96, 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 814 Waikiki, 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 814 Waikiki, Garland, Texas for an amount not less than $15,577.96 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 11th day of December, 2018, by the Board of Trustees for the Garland Independent School District.

GARLAND INDEPENDENT SCHOOL DISTRICT

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

ATTEST:

Robt L. 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:	March 4, 2019
Item Title:	Sale of Property - 822 Greencove 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 2010 Sheriff's Sale. Ryan Z and Associates, Inc has presented an offer of $18,500 for the property located at 822 Greencove Drive. Ryan Z and Associates, Inc has also agreed to pay the post-judgment taxes of approximately $4,510.83 at closing. If approved, the City of Garland will receive approximately $6,558.64 in proceeds from this sale.

OPTIONS

The City Council May:

1. Approve the sale of 822 Greencove 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 March 19, 2019 Regular Meeting.

BACKGROUND

The property was struck off to the City of Garland at the Dallas County Sheriff's Sale on February 2, 2010. 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 2010. 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

822 Greencove - Resolution

822 Greencove - Deed

822 Greencove - Offer

822 Greencove - Map and Picture

822 Greencove - County Consent

822 Greencove - 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 TX08-40739, and

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

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

Section 1

The City does hereby consent to the sale by public sale 822 Greencove Drive, situated in the City of Garland, Count of Dallas, State of Texas, to wit:

BEING LOT 6, BLOCK 18, SHOREHAVEN NO. 7 ADDITION, AKA 822 GREENCOVE DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AS RECORDED IN VOLUME 97135, PAGE 2228 OF THE DALLAS COUNTY DEED RECORDS (the "Property").

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

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

PASSED AND APPROVED this the ________ day of _____________, 2019.

CITY OF GARLAND, TEXAS

____
Mayor

ATTEST:

____
City Secretary

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 **822 Greencove Drive**, situated in the City of Garland, County of Dallas, State of Texas, to wit:

BEING LOT 6, BLOCK 18, SHOREHAVEN NO. 7 ADDITION, AKA 822 GREENCOVE DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AS RECORDED IN VOLUME 97135, PAGE 2228 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 TX08-40739 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:

____

PERDUE BRANDON
FIELDERCOLLINS&MOTT LLP
ATTORNEYS AT LAW

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.pbfcm.com

October 17, 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
822 Greencove Drive, Garland, Texas

Dear Mr. Worsham:

Ryan Z and Associates, Inc. has offered to purchase 822 Greencove Drive, Garland, Texas (BEING LOT 6, BLOCK 18, SHOREHAVEN NO. 7 ADDITION, AKA 822 GREENCOVE DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AS RECORDED IN VOLUME 97135, PAGE 2228 OF THE DALLAS COUNTY DEED RECORDS) for $18,500.00. In addition to that amount, all post-judgment taxes for the years 2009-2010 will be paid at closing. The total amount of post-judgment taxes will be approximately $4,510.83 of which the City of Garland will receive approximately $1,195.27.

This property was sold at a Sheriff's Sale on February 2, 2010 pursuant to delinquent tax collection suit number TX08-40739. 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, $91,900.00.

The property's most recent value according to the Appraisal District is $22,000.00. The total judgment amount was $460,075.12, which includes taxes, penalties and interest, abatement liens, civil penalties lien, 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 $4,483.48. 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 the judgment, $460,075.12, or the market value as stated in the judgment, $91,900.00, 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,

J. Douglas Burnside

Enclosure

Re-sale Disbursement Worksheet
City of Garland

CAD Acct #:	26527500180060000
Property address:	822 Greencove Drive
Cause No.:	TX08-40739
Judgment Date:	July 2, 2009
Sheriff's Sale Date:	February 2, 2010
Judgment amount:	GISD 2002-2008 taxes $13,941.68 (62.0%)
	City 2002-2008 taxes $6,200.28 (27.5%)
	County 2006-2008 taxes $2,352.99 (10.5%)
Total Judgment for Taxes:	$22,494.95
City Abatement Liens:	$1,268.40
City Civil Penalties Lien:	$329,532.49
Court costs:	$1,322.00
Sheriff's fees for sale:	$1,310.85
Publication fees for sheriff's sale, paid by Perdue Brandon:	$350.63
Total Costs:	$2,983.48

Checks to be disbursed as follows:

1.	**Dallas County District Clerk**	$1,322.00
2.	**Dallas County Sheriff**	$1,310.85
3.	**Perdue Brandon Fielder Collins & Mott, LLP**	$350.63
4.	**City of Garland (administrative fee)**	$1,500.00
5.	**City of Garland (Pro-rata Judgment tax year distribution)**	$3,863.37
6.	**Garland ISD (Pro-rata Judgment tax year distribution)**	$8,687.01
7.	**Dallas County (Pro-rata Judgment tax year distribution)**	$1,466.14
	TOTAL Judgment Distribution	$18,500.00

Post Judgment Distribution:

8.	**City of Garland (Post Judgment tax year distribution)**	$1,195.27
9.	**Garland ISD (Post Judgment tax year distribution)**	$2,206.31
10.	**Dallas County (Post Judgment tax year distribution)**	$1,109.25
	TOTAL Post Judgment Distribution	$4,510.83

	TOTAL Distribution	$23,010.83

822 Greencove Dr.
Map and Picture

COURT ORDER
2018-1520

Request to Consent to Sale of Tax Foreclosed Property Struck off to the City of Garland, Trustee, for property located at 822 Greencove Drive, Garland, Texas

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

BRIEFING DATE: 12/18/2018
FUNDING SOURCE: N/A

Be it resolved and ordered that the Dallas County Commissioners Court does hereby consents on 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 822 Greencove Drive, Garland, Texas, said parcel of land, described in Exhibit "A", attached hereto and made a part hereof, to the highest qualified purchaser, even if the amount tendered is less than the market value of the property specified in the judgment of foreclosure or the total amount of the judgment against the property 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 December 18, 2018, by the following vote:

IN FAVOR:	Honorable Clay Lewis Jenkins, County Judge Commissioner Dr. Theresa M. Daniel, District 1 Commissioner Mike Cantrell, District 2 Commissioner John Wiley Price, District 3 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"

PERDUE BRANDON
FIELDERCOLLINS&MOTT LLP
ATTORNEYS AT LAW

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.pbfcm.com

November 9, 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 822 Greencove Drive, Garland, Texas

Dear Ms. Easterling:

The above referenced property was struck off to the City of Garland on February 2, 2010 at a Sheriff's Sale pursuant to delinquent tax suit No. TX08-40739, City of Garland and Garland ISD v. Brent M. Klinger. 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 822 Greencove Drive, Garland, Texas, and described as LOT 6, BLOCK 18, SHOREHAVEN NO. 7 ADDITION, AKA 822 GREENCOVE DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AS RECORDED IN VOLUME 97135, PAGE 2228 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.

This 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"

TAX FORECLOSURE PROPERTIES STRUCK OFF TO THE CITY OF GARLAND AS TRUSTEE FOR GARLAND I.S.D. AND DALLAS COUNTY

R&B DIST.	PROPERTY ADDRESS/ MAPSCO #	JUDGMENT CAUSE #	TAX YEARS INCLUDED IN JUDGMENT (COUNTY, CITY, SCHOOL)	DATE OF SHERIFF'S SALE	TAX ACCOUNT #	IMPROVED / UNIMP.	LAND SIZE (APPROX.)	CURRENT DCAD VALUE	MARKET VALUE IN JUDGMENT	STRIKE OFF AMOUNT	OFFER AMOUNT	POST JUDGMENT TAX YEARS & AMOUNT OWED (through [month/year] if applicable)	% OF DCAD VALUE (Offer Amt +Post Judgment Taxes (if applicable))	PURSUANT TO TAX CODE
1	822 Greencove Drive, Garland Mapsco 19A-X	TX08-40739	County: 2006-2008 City: 2002-2008 GISD: 2002-2008	2/2/2010	26527500180060000	Unimproved	7,387 Sq. Ft	$40,000 *	$91,900	$91,900.00	$18,500	2009-2010 $4,510.83 Through December 2018	58%	34.05(i)

* The prospective purchaser will be paying $18,500 for the parcel of land, plus $4,510.83 in Post Judgment taxes if paid in December 2018, a total of $23,010.83 representing 58% of the 2018 certified DCAD value of $40,000, increased from $22,000 for the prior year.

11/13/2018 11:39 AM

RESOLUTION

A RESOLUTION AUTHORIZING THE CITY OF GARLAND TO RE-SELL TAX FORECLOSED PROPERTY LOCATED AT 822 GREENCOVE 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 822 Greencove 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 $18,500.00, 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 822 Greencove 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 822 Greencove Drive, Garland, Texas for an amount not less than $18,500.00 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 11th day of December, 2018, by the Board of Trustees for the Garland Independent School District.

GARLAND INDEPENDENT SCHOOL DISTRICT

By: Jed M. Reed

Jed Reed
President, Board of Trustees

ATTEST:

Robert L. Selders Jr.

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

GARLAND
POLICY REPORT

City Council Work Session Agenda		**2.f.**
Meeting Date:	March 4, 2019	
Item Title:	Sale of Property - 145 Rio Rita 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 Mr. Jose Velasquez related to the purchase of City owned property obtained through a 2011 Sheriff's Sale. Mr. Velasquez has presented an offer of $26,000 for the property located at 145 Rio Rita Drive. If approved, the City of Garland will receive approximately $7,630.81 in proceeds from this sale.

OPTIONS

The City Council May:

1. Approve the sale of 145 Rio Rita Drive to Jose Velasquez and provide an executed deed without warranty, or
2. Deny the offer presented by Jose Velasquez

RECOMMENDATION

Staff recommends that the City Council accept the offer and sell the property to Mr. Velasquez. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the March 19, 2019 Regular Meeting.

BACKGROUND

The property was struck off to the City of Garland at the Dallas County Sheriff's Sale on October 4, 2011. 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 2011. 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

145 Rio Rita - Resolution
145 Rio Rita - Deed
145 Rio Rita - Offer
145 Rio Rita - Map and Picture
145 Rio Rita - County Consent
145 Rio Rita - 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 95th Judicial District Court of Dallas County, Texas in cause number TX05-40785, and

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

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

Section 1

The City does hereby consent to the sale by public sale 145 Rio Rita Drive, situated in the City of Garland, Count of Dallas, State of Texas, to wit:

BEING LOT 14, BLOCK H OF THE ROUTH TERRACE, 2ND INSTALLMENT ADDITION, A/K/A 145 RIO RITA DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN THE DEED FILED AT VOLUME 68233, PAGE 0692, OF THE DALLAS COUNTY DEED RECORDS (the "Property").

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

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

PASSED AND APPROVED this the ________ day of _____________, 2019.

CITY OF GARLAND, TEXAS

____
Mayor

ATTEST:

____
City Secretary

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 **Jose Velasquez, 4513 Willett Lane, 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 **145 Rio Rita Drive**, situated in the City of Garland, County of Dallas, State of Texas, to wit:

BEING LOT 14, BLOCK H OF THE ROUTH TERRACE, 2ND INSTALLMENT ADDITION, A/K/A 145 RIO RITA DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN THE DEED FILED AT VOLUME 68233, PAGE 0692, 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 TX05-40785 in the 95th 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 2011 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:

____

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.pbfcm.com

September 24, 2018

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

Via electronic-mail

Re: Offer from Jose Velasquez to purchase
145 Rio Rita Drive, Garland, Texas

Dear Mr. Worsham:

Jose Velasquez has offered to purchase 145 Rio Rita Drive, Garland, Texas (BEING LOT 14, BLOCK H OF THE ROUTH TERRACE, 2ND INSTALLMENT ADDITION TO THE CITY OF GARLAND, COMMONLY KNOWN AS 145 RIO RITA DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN THE DEED FILED AT VOLUME 68233, PAGE 0692, OF THE DALLAS COUNTY DEED RECORDS) for $26,000.00.

This property was sold at a Sheriff's Sale on October 4, 2011 pursuant to delinquent tax collection suit number TX05-40785. 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 $14,000.00. The property was struck off for the total judgment amount, $19,293.19, 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, 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 $6,595.51. 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 $13,526.86 of which the City of Garland's portion is $3,793.44.

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,

J. Douglas Burnside

Enclosure

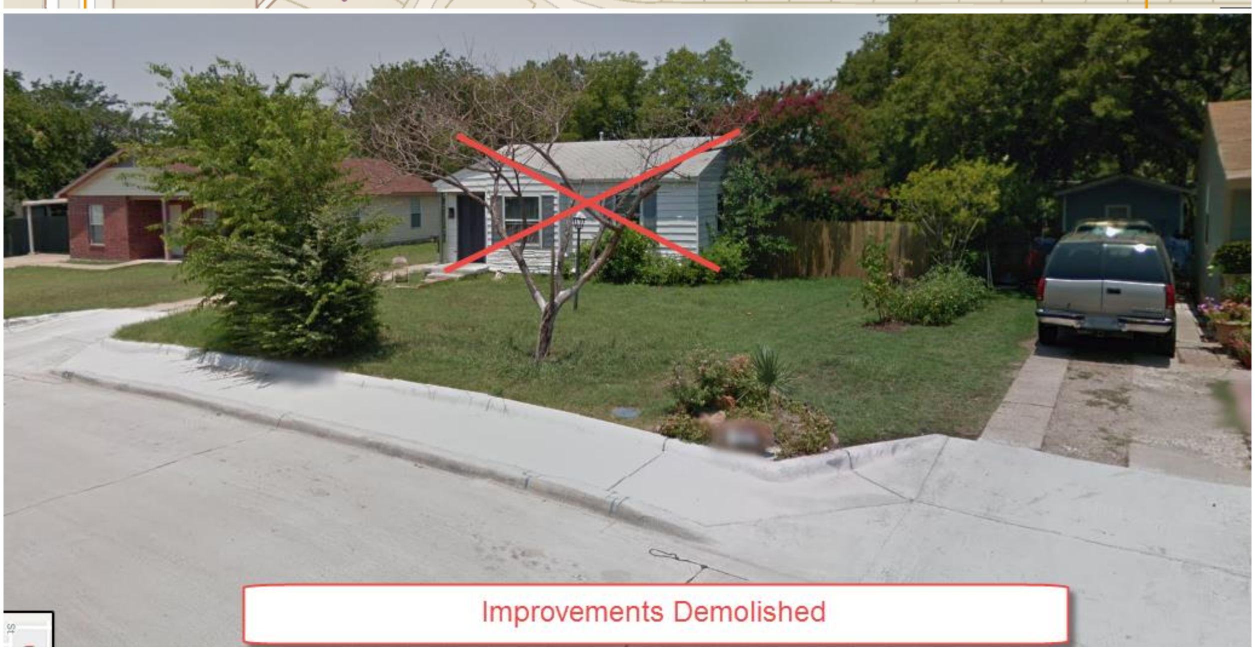
Re-sale Disbursement Worksheet
City of Garland

CAD Acct #:	26503500080140000
Property address:	145 Rio Rita Drive
Cause No.:	TX05-40785
Judgment Date:	April 2, 2007
Sheriff's Sale Date:	October 4, 2011
Judgment amount:	GISD 2003-2006 taxes $7,160.57 (67.1%)
	City 2003-2006 taxes $2,134.42 (20.0%)
	County 2003, 2005-2006 taxes $1,377.35 (12.9%)
Total Judgment for Taxes:	$10,672.34
Court costs:	$1,224.78
Sheriff's fees for sale:	$1,304.48
Publication fees for sheriff's sale, paid by lawfirm:	$316.25
Total Costs:	$2,845.51

Checks to be disbursed as follows:

1.	**Dallas County District Clerk**	$1,224.78
2.	**Dallas County Sheriff**	$1,304.48
3.	**Perdue Brandon Fielder Collins & Mott, LLP**	$316.25
4.	**City of Garland (administrative fee)**	$1,500.00
5.	**City of Garland (Post Judgment Demolition)**	$2,250.00
6.	**City of Garland (Pro-rata Judgment tax year distribution)**	$3,880.81
7.	**Garland ISD (Pro-rata Judgment tax year distribution**	$13,019.38
8.	**John Ames, Dallas County Tax Assessor (Pro-rata Judgment tax year distribution)**	$2,504.30
	TOTAL	$26,000.00

145 Rio Rita
Map and Picture



COURT ORDER
2019-0030

Request to Consent to Sale of Tax Foreclosed Properties Struck off to the City of Garland, Trustee located at 145 Rio Rita Dr., 2510 Arcady Dr., and 1105 Glynn, Garland

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 , 145 Rio Rita Drive as described in Exhibit “A”, 2510 Arcady Drive as described in Exhibit “B”, and 1105 Glynn as described in Exhibit “C”, 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

PERDUE BRANDON
FIELDERCOLLINS&MOTT LLP
ATTORNEYS AT LAW

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.pbfcm.com

November 9, 2018

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

Via electronic-mail

Re: Offer by Jose Velasquez to purchase 145 Rio Rita Drive, Garland, Texas

Dear Ms. Easterling:

The above referenced property was struck off to the City of Garland on October 4, 2011 at a Sheriff's Sale pursuant to delinquent tax suit No. TX05-40785, Garland ISD v. Cowetta Hall, 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 145 Rio Rita Drive, Garland, Texas, and described as BEING LOT 14, BLOCK H OF THE ROUTH TERRACE, 2ND INSTALLMENT ADDITION TO THE CITY OF GARLAND, COMMONLY KNOWN AS 145 RIO RITA DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN THE DEED FILED AT VOLUME 68233, PAGE 0692, 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 #:	26503500080140000
Property address:	145 Rio Rita Drive
Cause No.:	TX05-40785
Offer Amount:	$12,349.54
DCAD Value:	$26,000.00
Judgment Date:	April 2, 2007
Sheriff's Sale Date:	October 4, 2011
Judgment amount:	GISD 2000-2006 taxes $7,160.57 (67.1%)
	City 2003-2006 taxes $2,134.42 (20.0%)
	County 2003, 2005-2006 taxes $1,377.35 (12.9%)
Total Judgment for Taxes:	$10,672.34
City Post Sale Demolition:	$2,250.00
Court costs:	$1,224.78
Sheriff's fees for sale:	$1,304.48
Publication fees for sheriff's sale, paid by lawfirm:	$316.25
Total Costs:	$2,845.51

Checks to be disbursed as follows:

1.	**Dallas County District Clerk**	$1,224.78
2.	**Dallas County Sheriff**	$1,304.48
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)**	$2,250.00
6.	**City of Garland (Pro-rata Judgment tax year distribution)**	$1,150.78
7.	**Garland ISD (Pro-rata Judgment tax year distribution)**	$3,860.65
8.	**Dallas County (Pro-rata Judgment tax year distribution)**	$742.60
	TOTAL	$12,349.54

Post Judgment Distribution:

9.	**City of Garland (Post Judgment tax year distribution)**	$3,828.07
10.	**Garland ISD (Post Judgment tax year distribution)**	$6,572.65
11.	**Dallas County (Post Judgment tax year distribution)**	$3,249.74
	TOTAL Post Judgment Distribution	$13,650.46

	TOTAL Distribution	$26,000.00

Exhibit B

PERDUE BRANDON
FIELDERCOLLINS&MOTT LLP
ATTORNEYS AT LAW

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.pbfcm.com

November 9, 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 2510 Arcady drive, Garland, Texas

Dear Ms. Easterling:

The above referenced property was struck off to the City of Garland on June 7, 2011 at a Sheriff's Sale pursuant to delinquent tax suit No. TX05-41125, City of Garland v. Steve Summers, 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 2510 Arcady drive, Garland, Texas, and described as BEING LOT 22, BLOCK 29, MONICA PARK NO. 5 ADDITION, AKA 2510 ARCADY DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AS RECORDED IN VOLUME 99236, PAGE 2341 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

Exhibit B
Re-sale Disbursement Worksheet

CAD Acct #:	26356500290220000
Property address:	2510 Arcady drive
Cause No.:	TX05-41125
Offer Amount:	$2,742.25
DCAD Value:	$27,000.00
Judgment Date:	October 11, 2006
Sheriff's Sale Date:	June 7, 2011
Judgment amount:	GISD 2004-2005 taxes $2,806.69 (32.8%)
	City 1999-2005 taxes $3,778.37 (44.1%)
	County 2002-2005 taxes $1,979.75 (23.1%)
Total Judgment for Taxes:	$8,564.81
City Abatement Liens:	$2,697.14
City Post Sale Demolition:	$3,240.00
Court costs:	$2,226.15
Sheriff's fees for sale:	$1,273.52
Publication fees for sheriff's sale, paid by lawfirm:	$323.13
Total Costs:	$3,822.80

Checks to be disbursed as follows:

1.	**City of Garland (Post Sale Demolition)**	$2,742.25
	TOTAL	$2,742.25

Post Judgment Tax Distribution:

2.	**City of Garland (Post Judgment tax year distribution)**	$7,220.03
3.	**Garland ISD (Post Judgment tax year distribution)**	$13,037.72
	TOTAL Post Judgment Tax Distribution	$20,257.75

	TOTAL Distribution	$23,000.00

Please Note: All Dallas County judgment taxes post-judgment were paid after the date of the sale. There is $0.00 due to Dallas County on the account.

Exhibit C

PERDUE BRANDON
FIELDERCOLLINS&MOTT LLP
ATTORNEYS AT LAW

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.pbfcm.com

November 9, 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 1105 Glynn, Garland, Texas

Dear Ms. Easterling:

The above referenced property was struck off to the City of Garland on December 6, 2011 at a Sheriff's Sale pursuant to delinquent tax suit No. TX09-40521, City of Garland and Garland ISD v. Heirs and Unknown Heirs of Vernell Stephens. 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 1105 Glynn, Garland, Texas, and described as BEING LOT 29, BLOCK 3, GLYNNHILL ESTATES ADDITION, AKA 1105 GLYNN DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AS RECORDED AT VOLUME 73133, PAGE 1634 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

Exhibit C
Re-sale Disbursement Worksheet

CAD Acct #:	26242500030290000
Property address:	1105 Glynn
Cause No.:	TX09-40521
Offer Amount:	$13,500.00
DCAD Value:	$20,000.00
Judgment Date:	June 22, 2011
Sheriff's Sale Date:	December 6, 2011
Judgment amount:	GISD 1994-2010 taxes $25,174.79 (65.5%)
	City 1996-2010 taxes $8,284.38 (21.6%)
	County 1997-2010 taxes $4,971.24 (12.9%)
Total Judgment for Taxes:	$38,430.41
City Abatement Liens:	$6,970.96
Court costs:	$4,592.76
Sheriff's fees for sale:	$1,545.40
Publication fees for sheriff's sale, paid by Perdue Brandon:	$330.00
Total Costs:	$6,468.16

Funds to be disbursed as follows:

1.	**Dallas County District Clerk**	$4,592.76
2.	**Dallas County Sheriff**	$1,545.40
3.	**Perdue Brandon Fielder Collins & Mott, LLP**	$330.00
4.	**City of Garland (administrative fee)**	$1,500.00
5.	**City of Garland (Pro-rata Judgment tax year distribution)**	$1,192.49
6.	**Garland ISD (Pro-rata Judgment tax year distribution)**	$3,623.77
7.	**Dallas County (Pro-rata Judgment tax year distribution)**	$715.58
	TOTAL Judgment Distribution	$13,500.00

Post Judgment Distribution:

8.	**City of Garland (Post Judgment tax year distribution)**	$805.01
9.	**Garland ISD (Post Judgment tax year distribution)**	$1,372.23
10.	**Dallas County (Post Judgment tax year distribution)**	$712.65
	TOTAL Post Judgment Distribution	$2,889.89

	TOTAL Distribution	$16,389.89

RESOLUTION

A RESOLUTION AUTHORIZING THE CITY OF GARLAND TO RE-SELL TAX FORECLOSED PROPERTY LOCATED AT 145 RIO RITA 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 145 Rio Rita 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 $12,349.54, 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 145 Rio Rita 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 145 Rio Rita Drive, Garland, Texas for an amount not less than $12,349.54 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 11th day of December, 2018, by the Board of Trustees for the Garland Independent School District.

GARLAND INDEPENDENT SCHOOL DISTRICT

By: Jed M. Reed

Jed Reed
President, Board of Trustees

ATTEST:

Robert L. Selders, Jr.

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

GARLAND
POLICY REPORT

City Council Work Session Agenda		**2.g.**
Meeting Date:	March 4, 2019	
Item Title:	Sale of Property - 1105 Glynn 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 2011 Sheriff's Sale. Ryan Z and Associates, Inc. has presented an offer of $13,500 for the property located at 1105 Glynn Drive. In addition, the purchaser has also agreed to pay the post judgment taxes of approximately $2,889.89. If approved, the City of Garland will receive approximately $3,497.50 in proceeds from this sale.

OPTIONS
The City Council May:
1. Approve the sale of 1105 Glynn 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 March 19, 2019 Regular Meeting.

BACKGROUND
The property was struck off to the City of Garland at the Dallas County Sheriff's Sale on December 6, 2011. 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 2011. 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

1105 Glynn - Resolution
1105 Glynn - Deed
1105 Glynn - Offer
1105 Glynn - Map and Picture
1105 Glynn - County Consent
1105 Glynn - 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 192nd Judicial District Court of Dallas County, Texas in cause number TX09-40521, and

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

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

Section 1

The City does hereby consent to the sale by public sale 1105 Glynn Drive, situated in the City of Garland, Count of Dallas, State of Texas, to wit:

BEING LOT 29, BLOCK 3, GLYNNHILL ESTATES ADDITION, AKA 1105 GLYNN DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AS RECORDED AT VOLUME 73133, PAGE 1634 OF THE DALLAS COUNTY DEED RECORDS (the "Property").

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

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

PASSED AND APPROVED this the ________ day of _____________, 2019.

CITY OF GARLAND, TEXAS

____
Mayor

ATTEST:

____
City Secretary

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 **1105 Glynn**, situated in the City of Garland, County of Dallas, State of Texas, to wit:

> **BEING LOT 29, BLOCK 3, GLYNNHILL ESTATES ADDITION, AKA 1105 GLYNN DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AS RECORDED AT VOLUME 73133, PAGE 1634 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 TX09-40521 in the 192nd 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:
____

PERDUE BRANDON
FIELDERCOLLINS&MOTT LLP
ATTORNEYS AT LAW

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.pbfcm.com

October 17, 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
1105 Glynn, Garland, Texas

Dear Mr. Worsham:

Ryan Z and Associates, Inc. has offered to purchase 1105 Glynn, Garland, Texas (BEING LOT 29, BLOCK 3, GLYNNHILL ESTATES ADDITION, AKA 1105 GLYNN DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AS RECORDED AT VOLUME 73133, PAGE 1634 OF THE DALLAS COUNTY DEED RECORDS) for $13,500.00. In addition to that amount, all post-judgment taxes for the year 2011 will be paid at closing. The total amount of post-judgment taxes will be approximately $2,889.89 of which the City of Garland will receive approximately $805.01.

This property was sold at a Sheriff's Sale on December 6, 2011 pursuant to delinquent tax collection suit number TX09-40521. 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, $53,570.00.

The property's most recent value according to the Appraisal District is $16,000.00. The total judgment amount was $53,979.52, 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 $7,968.16. 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, $53,979.52, or the market value as stated in the judgment, $53,570.00, 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,

J. Douglas Burnside

Enclosure

Re-sale Disbursement Worksheet
City of Garland

CAD Acct #:	26242500030290000
Property address:	1105 Glynn
Cause No.:	TX09-40521
Judgment Date:	June 22, 2011
Sheriff's Sale Date:	December 6, 2011
Judgment amount:	GISD 1994-2010 taxes $25,174.79 (65.5%)
	City 1996-2010 taxes $8,284.38 (21.6%)
	County 1997-2010 taxes $4,971.24 (12.9%)
Total Judgment for Taxes:	$38,430.41
City Abatement Liens:	$6,970.96
Court costs:	$4,592.76
Sheriff's fees for sale:	$1,545.40
Publication fees for sheriff's sale, paid by Perdue Brandon:	$330.00
Total Costs:	$6,468.16

Funds to be disbursed as follows:

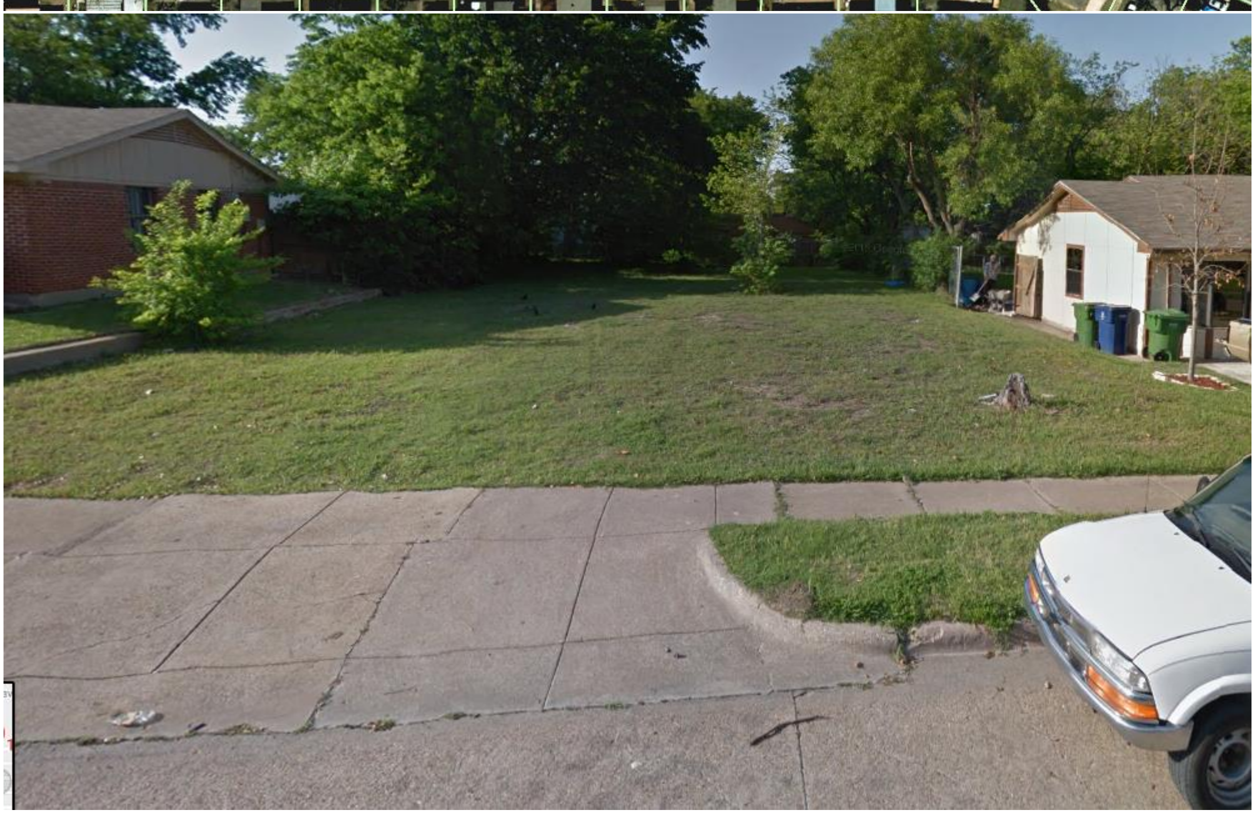
1.	**Dallas County District Clerk**	$4,592.76
2.	**Dallas County Sheriff**	$1,545.40
3.	**Perdue Brandon Fielder Collins & Mott, LLP**	$330.00
4.	**City of Garland (administrative fee)**	$1,500.00
5.	**City of Garland (Pro-rata Judgment tax year distribution)**	$1,192.49
6.	**Garland ISD (Pro-rata Judgment tax year distribution)**	$3,623.77
7.	**Dallas County (Pro-rata Judgment tax year distribution)**	$715.58
	TOTAL Judgment Distribution	$13,500.00

Post Judgment Distribution:

8.	**City of Garland (Post Judgment tax year distribution)**	$805.01
9.	**Garland ISD (Post Judgment tax year distribution)**	$1,372.23
10.	**Dallas County (Post Judgment tax year distribution)**	$712.65
	TOTAL Post Judgment Distribution	$2,889.89

	TOTAL Distribution	$16,389.89

1105 Glynn Dr
Map and Picture



COURT ORDER
2019-0030

Request to Consent to Sale of Tax Foreclosed Properties Struck off to the City of Garland, Trustee located at 145 Rio Rita Dr., 2510 Arcady Dr., and 1105 Glynn, Garland

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 , 145 Rio Rita Drive as described in Exhibit "A", 2510 Arcady Drive as described in Exhibit "B", and 1105 Glynn as described in Exhibit "C", 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

PERDUE BRANDON
FIELDERCOLLINS&MOTT LLP
ATTORNEYS AT LAW

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.pbfcm.com

November 9, 2018

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

Via electronic-mail

Re: Offer by Jose Velasquez to purchase 145 Rio Rita Drive, Garland, Texas

Dear Ms. Easterling:

The above referenced property was struck off to the City of Garland on October 4, 2011 at a Sheriff's Sale pursuant to delinquent tax suit No. TX05-40785, Garland ISD v. Cowetta Hall, 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 145 Rio Rita Drive, Garland, Texas, and described as BEING LOT 14, BLOCK H OF THE ROUTH TERRACE, 2ND INSTALLMENT ADDITION TO THE CITY OF GARLAND, COMMONLY KNOWN AS 145 RIO RITA DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN THE DEED FILED AT VOLUME 68233, PAGE 0692, 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

Exhibit A
Re-sale Disbursement Worksheet

CAD Acct #:	26503500080140000
Property address:	145 Rio Rita Drive
Cause No.:	TX05-40785
Offer Amount:	$12,349.54
DCAD Value:	$26,000.00
Judgment Date:	April 2, 2007
Sheriff's Sale Date:	October 4, 2011
Judgment amount:	GISD 2000-2006 taxes $7,160.57 (67.1%)
	City 2003-2006 taxes $2,134.42 (20.0%)
	County 2003, 2005-2006 taxes $1,377.35 (12.9%)
Total Judgment for Taxes:	$10,672.34
City Post Sale Demolition:	$2,250.00
Court costs:	$1,224.78
Sheriff's fees for sale:	$1,304.48
Publication fees for sheriff's sale, paid by lawfirm:	$316.25
Total Costs:	$2,845.51

Checks to be disbursed as follows:

1.	**Dallas County District Clerk**	$1,224.78
2.	**Dallas County Sheriff**	$1,304.48
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)**	$2,250.00
6.	**City of Garland (Pro-rata Judgment tax year distribution)**	$1,150.78
7.	**Garland ISD (Pro-rata Judgment tax year distribution)**	$3,860.65
8.	**Dallas County (Pro-rata Judgment tax year distribution)**	$742.60
	TOTAL	$12,349.54

Post Judgment Distribution:

9.	**City of Garland (Post Judgment tax year distribution)**	$3,828.07
10.	**Garland ISD (Post Judgment tax year distribution)**	$6,572.65
11.	**Dallas County (Post Judgment tax year distribution)**	$3,249.74
	TOTAL Post Judgment Distribution	$13,650.46

	TOTAL Distribution	$26,000.00

Exhibit B

PERDUE BRANDON
FIELDERCOLLINS&MOTT LLP
ATTORNEYS AT LAW

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.pbfcm.com

November 9, 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 2510 Arcady drive, Garland, Texas

Dear Ms. Easterling:

The above referenced property was struck off to the City of Garland on June 7, 2011 at a Sheriff's Sale pursuant to delinquent tax suit No. TX05-41125, City of Garland v. Steve Summers, 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 2510 Arcady drive, Garland, Texas, and described as BEING LOT 22, BLOCK 29, MONICA PARK NO. 5 ADDITION, AKA 2510 ARCADY DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AS RECORDED IN VOLUME 99236, PAGE 2341 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

Exhibit B
Re-sale Disbursement Worksheet

CAD Acct #:	26356500290220000
Property address:	2510 Arcady drive
Cause No.:	TX05-41125
Offer Amount:	$2,742.25
DCAD Value:	$27,000.00
Judgment Date:	October 11, 2006
Sheriff's Sale Date:	June 7, 2011
Judgment amount:	GISD 2004-2005 taxes $2,806.69 (32.8%)
	City 1999-2005 taxes $3,778.37 (44.1%)
	County 2002-2005 taxes $1,979.75 (23.1%)
Total Judgment for Taxes:	$8,564.81
City Abatement Liens:	$2,697.14
City Post Sale Demolition:	$3,240.00
Court costs:	$2,226.15
Sheriff's fees for sale:	$1,273.52
Publication fees for sheriff's sale, paid by lawfirm:	$323.13
Total Costs:	$3,822.80

Checks to be disbursed as follows:

1.	**City of Garland (Post Sale Demolition)**	$2,742.25
	TOTAL	$2,742.25

Post Judgment Tax Distribution:

2.	**City of Garland (Post Judgment tax year distribution)**	$7,220.03
3.	**Garland ISD (Post Judgment tax year distribution)**	$13,037.72
	TOTAL Post Judgment Tax Distribution	$20,257.75

	TOTAL Distribution	$23,000.00

Please Note: All Dallas County judgment taxes post-judgment were paid after the date of the sale. There is $0.00 due to Dallas County on the account.

Exhibit C

PERDUE BRANDON
FIELDER COLLINS & MOTT LLP
ATTORNEYS AT LAW

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.pbfcm.com

November 9, 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 1105 Glynn, Garland, Texas

Dear Ms. Easterling:

The above referenced property was struck off to the City of Garland on December 6, 2011 at a Sheriff's Sale pursuant to delinquent tax suit No. TX09-40521, City of Garland and Garland ISD v. Heirs and Unknown Heirs of Vernell Stephens. 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 1105 Glynn, Garland, Texas, and described as BEING LOT 29, BLOCK 3, GLYNNHILL ESTATES ADDITION, AKA 1105 GLYNN DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AS RECORDED AT VOLUME 73133, PAGE 1634 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

Exhibit C
Re-sale Disbursement Worksheet

CAD Acct #:	26242500030290000
Property address:	1105 Glynn
Cause No.:	TX09-40521
Offer Amount:	$13,500.00
DCAD Value:	$20,000.00
Judgment Date:	June 22, 2011
Sheriff's Sale Date:	December 6, 2011
Judgment amount:	GISD 1994-2010 taxes $25,174.79 (65.5%)
	City 1996-2010 taxes $8,284.38 (21.6%)
	County 1997-2010 taxes $4,971.24 (12.9%)
Total Judgment for Taxes:	$38,430.41
City Abatement Liens:	$6,970.96
Court costs:	$4,592.76
Sheriff's fees for sale:	$1,545.40
Publication fees for sheriff's sale, paid by Perdue Brandon:	$330.00
Total Costs:	$6,468.16

Funds to be disbursed as follows:

1.	**Dallas County District Clerk**	$4,592.76
2.	**Dallas County Sheriff**	$1,545.40
3.	**Perdue Brandon Fielder Collins & Mott, LLP**	$330.00
4.	**City of Garland (administrative fee)**	$1,500.00
5.	**City of Garland (Pro-rata Judgment tax year distribution)**	$1,192.49
6.	**Garland ISD (Pro-rata Judgment tax year distribution)**	$3,623.77
7.	**Dallas County (Pro-rata Judgment tax year distribution)**	$715.58
	TOTAL Judgment Distribution	$13,500.00

Post Judgment Distribution:

8.	**City of Garland (Post Judgment tax year distribution)**	$805.01
9.	**Garland ISD (Post Judgment tax year distribution)**	$1,372.23
10.	**Dallas County (Post Judgment tax year distribution)**	$712.65
	TOTAL Post Judgment Distribution	$2,889.89

	TOTAL Distribution	$16,389.89

RESOLUTION

A RESOLUTION AUTHORIZING THE CITY OF GARLAND TO RE-SELL TAX FORECLOSED PROPERTY LOCATED AT 1105 GLYNN, 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 1105 Glynn, 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 $13,500.00, 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 1105 Glynn, 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 1105 Glynn, Garland, Texas for an amount not less than $13,500.00 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 11th day of December, 2018, by the Board of Trustees for the Garland Independent School District.

GARLAND INDEPENDENT SCHOOL DISTRICT

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

ATTEST:

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

GARLAND
POLICY REPORT

City Council Work Session Agenda **2.h.**

Meeting Date: March 4, 2019
Item Title: Sale of Property - 2510 Arcady 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 2011 Sheriff's Sale. Ryan Z and Associates, Inc has presented an offer of $23,000 for the property located at 2510 Arcady Drive. If approved, the City of Garland will receive approximately $11,108.98 in proceeds from this sale.

OPTIONS

The City Council May:

1. Approve the sale of 2510 Arcady 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 March 19, 2019 Regular Meeting.

BACKGROUND

The property was struck off to the City of Garland at the Dallas County Sheriff's Sale on June 7, 2011. 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 2011. 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

2510 Arcady - Resolution
2510 Arcady - Deed
2510 Arcady - Offer
2510 Arcady - Map and Picture
2510 Arcady - County Consent
2510 Arcady - 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 116th Judicial District Court of Dallas County, Texas in cause number TX05-41125, and

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

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

Section 1

The City does hereby consent to the sale by public sale 2510 Arcady Drive, situated in the City of Garland, Count of Dallas, State of Texas, to wit:

BEING LOT 22, BLOCK 29, MONICA PARK NO. 5 ADDITION, AKA 2510 ARCADY DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AS RECORDED IN VOLUME 99236, PAGE 2341 OF THE DALLAS COUNTY DEED RECORDS (the "Property").

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

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

PASSED AND APPROVED this the ________ day of _____________, 2019.

CITY OF GARLAND, TEXAS

____
Mayor

ATTEST:

____
City Secretary

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 **2510 Arcady drive**, situated in the City of Garland, County of Dallas, State of Texas, to wit:

> **BEING LOT 22, BLOCK 29, MONICA PARK NO. 5 ADDITION, AKA 2510 ARCADY DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AS RECORDED IN VOLUME 99236, PAGE 2341 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 TX05-41125 in the 116th 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 2011 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:

____

PERDUE BRANDON
FIELDER COLLINS & MOTT LLP
ATTORNEYS AT LAW

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.pbfcm.com

September 27, 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
2510 Arcady drive, Garland, Texas

Dear Mr. Worsham:

Ryan Z and Associates, Inc. has offered to purchase 2510 Arcady drive, Garland, Texas (BEING LOT 22, BLOCK 29, MONICA PARK NO. 5 ADDITION, AKA 2510 ARCADY DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AS RECORDED IN VOLUME 99236, PAGE 2341 OF THE DALLAS COUNTY DEED RECORDS) for $23,000.00.

This property was sold at a Sheriff's Sale on June 7, 2011 pursuant to delinquent tax collection suit number TX05-41125. 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, $19,871.65, 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 $8,562.80. 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. 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. 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 $20,169.47 of which the City of Garland's portion is $7,188.46.

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,

J. Douglas Burnside

Enclosure

Re-sale Disbursement Worksheet
City of Garland

CAD Acct #:	26356500290220000
Property address:	2510 Arcady drive
Cause No.:	TX05-41125
Judgment Date:	October 11, 2006
Sheriff's Sale Date:	June 7, 2011
Judgment amount:	GISD 2004-2005 taxes $2,806.69 (32.8%)
	City 1999-2005 taxes $3,778.37 (44.1%)
	County 2002-2005 taxes $1,979.75 (23.1%)
Total Judgment for Taxes:	$8,564.81
City Abatement Liens:	$2,697.14
Court costs:	$2,226.15
Sheriff's fees for sale:	$1,273.52
Publication fees for sheriff's sale, paid by lawfirm:	$323.13
Total Costs:	$3,822.80

Checks to be disbursed as follows:

1.	**Dallas County District Clerk**	$2,226.15
2.	**Dallas County Sheriff**	$1,273.52
3.	**Perdue Brandon Fielder Collins & Mott, LLP**	$323.13
4.	**City of Garland (administrative fee)**	$1,500.00
5.	**City of Garland (Post Judgment Demolition)**	$3,240.00
6.	**City of Garland (Pro-rata Judgment tax year distribution)**	$6,368.98
7.	**Garland ISD (Pro-rata Judgment tax year distribution)**	$4,731.07
8.	**John Ames, Dallas County Tax Assessor (Pro-rata Judgment tax year distribution)**	$3,337.15
	TOTAL	$23,000.00

2510 Arcady
Map and Picture

COURT ORDER
2019-0030

Request to Consent to Sale of Tax Foreclosed Properties Struck off to the City of Garland, Trustee located at 145 Rio Rita Dr., 2510 Arcady Dr., and 1105 Glynn, Garland

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 , 145 Rio Rita Drive as described in Exhibit “A”, 2510 Arcady Drive as described in Exhibit “B”, and 1105 Glynn as described in Exhibit “C”, 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

PERDUE BRANDON
FIELDERCOLLINS&MOTT LLP
ATTORNEYS AT LAW

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.pbfcm.com

November 9, 2018

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

Via electronic-mail

Re: Offer by Jose Velasquez to purchase 145 Rio Rita Drive, Garland, Texas

Dear Ms. Easterling:

The above referenced property was struck off to the City of Garland on October 4, 2011 at a Sheriff's Sale pursuant to delinquent tax suit No. TX05-40785, Garland ISD v. Cowetta Hall, 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 145 Rio Rita Drive, Garland, Texas, and described as BEING LOT 14, BLOCK H OF THE ROUTH TERRACE, 2ND INSTALLMENT ADDITION TO THE CITY OF GARLAND, COMMONLY KNOWN AS 145 RIO RITA DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN THE DEED FILED AT VOLUME 68233, PAGE 0692, 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

Exhibit A
Re-sale Disbursement Worksheet

CAD Acct #:	26503500080140000
Property address:	145 Rio Rita Drive
Cause No.:	TX05-40785
Offer Amount:	$12,349.54
DCAD Value:	$26,000.00
Judgment Date:	April 2, 2007
Sheriff's Sale Date:	October 4, 2011
Judgment amount:	GISD 2000-2006 taxes $7,160.57 (67.1%)
	City 2003-2006 taxes $2,134.42 (20.0%)
	County 2003, 2005-2006 taxes $1,377.35 (12.9%)
Total Judgment for Taxes:	$10,672.34
City Post Sale Demolition:	$2,250.00
Court costs:	$1,224.78
Sheriff's fees for sale:	$1,304.48
Publication fees for sheriff's sale, paid by lawfirm:	$316.25
Total Costs:	$2,845.51

Checks to be disbursed as follows:

1.	**Dallas County District Clerk**	$1,224.78
2.	**Dallas County Sheriff**	$1,304.48
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)**	$2,250.00
6.	**City of Garland (Pro-rata Judgment tax year distribution)**	$1,150.78
7.	**Garland ISD (Pro-rata Judgment tax year distribution)**	$3,860.65
8.	**Dallas County (Pro-rata Judgment tax year distribution)**	$742.60
	TOTAL	$12,349.54

Post Judgment Distribution:

9.	**City of Garland (Post Judgment tax year distribution)**	$3,828.07
10.	**Garland ISD (Post Judgment tax year distribution)**	$6,572.65
11.	**Dallas County (Post Judgment tax year distribution)**	$3,249.74
	TOTAL Post Judgment Distribution	$13,650.46

	TOTAL Distribution	$26,000.00

Exhibit B

PERDUE BRANDON
FIELDER COLLINS & MOTT LLP
ATTORNEYS AT LAW

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.pbfcm.com

November 9, 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 2510 Arcady drive, Garland, Texas

Dear Ms. Easterling:

The above referenced property was struck off to the City of Garland on June 7, 2011 at a Sheriff's Sale pursuant to delinquent tax suit No. TX05-41125, City of Garland v. Steve Summers, 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 2510 Arcady drive, Garland, Texas, and described as BEING LOT 22, BLOCK 29, MONICA PARK NO. 5 ADDITION, AKA 2510 ARCADY DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AS RECORDED IN VOLUME 99236, PAGE 2341 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

Exhibit B
Re-sale Disbursement Worksheet

CAD Acct #:	26356500290220000
Property address:	2510 Arcady drive
Cause No.:	TX05-41125
Offer Amount:	$2,742.25
DCAD Value:	$27,000.00
Judgment Date:	October 11, 2006
Sheriff's Sale Date:	June 7, 2011
Judgment amount:	GISD 2004-2005 taxes $2,806.69 (32.8%)
	City 1999-2005 taxes $3,778.37 (44.1%)
	County 2002-2005 taxes $1,979.75 (23.1%)
Total Judgment for Taxes:	$8,564.81
City Abatement Liens:	$2,697.14
City Post Sale Demolition:	$3,240.00
Court costs:	$2,226.15
Sheriff's fees for sale:	$1,273.52
Publication fees for sheriff's sale, paid by lawfirm:	$323.13
Total Costs:	$3,822.80

Checks to be disbursed as follows:

1.	**City of Garland (Post Sale Demolition)**	$2,742.25
	TOTAL	$2,742.25

Post Judgment Tax Distribution:

2.	**City of Garland (Post Judgment tax year distribution)**	$7,220.03
3.	**Garland ISD (Post Judgment tax year distribution)**	$13,037.72
	TOTAL Post Judgment Tax Distribution	$20,257.75

	TOTAL Distribution	$23,000.00

Please Note: All Dallas County judgment taxes post-judgment were paid after the date of the sale. There is $0.00 due to Dallas County on the account.

Exhibit C

PERDUE BRANDON
FIELDERCOLLINS&MOTT LLP
ATTORNEYS AT LAW

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.pbfcm.com

November 9, 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 1105 Glynn, Garland, Texas

Dear Ms. Easterling:

The above referenced property was struck off to the City of Garland on December 6, 2011 at a Sheriff's Sale pursuant to delinquent tax suit No. TX09-40521, City of Garland and Garland ISD v. Heirs and Unknown Heirs of Vernell Stephens. 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 1105 Glynn, Garland, Texas, and described as BEING LOT 29, BLOCK 3, GLYNNHILL ESTATES ADDITION, AKA 1105 GLYNN DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AS RECORDED AT VOLUME 73133, PAGE 1634 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

Exhibit C
Re-sale Disbursement Worksheet

CAD Acct #:	26242500030290000
Property address:	1105 Glynn
Cause No.:	TX09-40521
Offer Amount:	$13,500.00
DCAD Value:	$20,000.00
Judgment Date:	June 22, 2011
Sheriff's Sale Date:	December 6, 2011
Judgment amount:	GISD 1994-2010 taxes $25,174.79 (65.5%)
	City 1996-2010 taxes $8,284.38 (21.6%)
	County 1997-2010 taxes $4,971.24 (12.9%)
Total Judgment for Taxes:	$38,430.41
City Abatement Liens:	$6,970.96
Court costs:	$4,592.76
Sheriff's fees for sale:	$1,545.40
Publication fees for sheriff's sale, paid by Perdue Brandon:	$330.00
Total Costs:	$6,468.16

Funds to be disbursed as follows:

1.	**Dallas County District Clerk**	$4,592.76
2.	**Dallas County Sheriff**	$1,545.40
3.	**Perdue Brandon Fielder Collins & Mott, LLP**	$330.00
4.	**City of Garland (administrative fee)**	$1,500.00
5.	**City of Garland (Pro-rata Judgment tax year distribution)**	$1,192.49
6.	**Garland ISD (Pro-rata Judgment tax year distribution)**	$3,623.77
7.	**Dallas County (Pro-rata Judgment tax year distribution)**	$715.58
	TOTAL Judgment Distribution	$13,500.00

Post Judgment Distribution:

8.	**City of Garland (Post Judgment tax year distribution)**	$805.01
9.	**Garland ISD (Post Judgment tax year distribution)**	$1,372.23
10.	**Dallas County (Post Judgment tax year distribution)**	$712.65
	TOTAL Post Judgment Distribution	$2,889.89

	TOTAL Distribution	$16,389.89

RESOLUTION

A RESOLUTION AUTHORIZING THE CITY OF GARLAND TO RE-SELL TAX FORECLOSED PROPERTY LOCATED AT 2510 ARCADY 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 2510 Arcady 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 $2,742.25, 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 2510 Arcady 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 2510 Arcady drive, Garland, Texas for an amount not less than $2,742.25 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 11th day of December, 2018, by the Board of Trustees for the Garland Independent School District.

GARLAND INDEPENDENT SCHOOL DISTRICT

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

ATTEST:

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

GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Work Session Agenda **3.a.**

Meeting Date: March 4, 2019

Item Title: Temporary Change in Water Disinfection

Submitted By: Wes Kucera, Managing Director

Summary of Request/Problem

Our water provider, the North Texas Municipal Water District (NTMWD) utilizes chloramination as their disinfection process for our drinking water. The chemistry of chloramines utilizes a combination of chlorine and a small amount of ammonia to keep the system safe from bacteria and viruses throughout the distribution system.

Over the last ten years and normally during the month of March, NTMWD removes the ammonia from their disinfection process and utilizes only chlorine for disinfection. This is a common practice to prepare their system for the high volume demands and hot temperatures of the summer. It is a fairly simple chemical change with no adverse effects on water quality.

The maintenance period this year begins March 4 and will end on April 1, 2019. This temporary change in disinfection may increase the taste and smell of chlorine in our drinking water but by no means does it change the superior quality of our water. Our water is safe to drink and use in all of the ways we generally use water.

In order to address public concern regarding the safety of our drinking water, our water quality team will continue to sample, test and trend our system for chemical parameters such as, chlorine, ammonia, nitrite, nitrate, pH, and Escherichia coli bacteria. Our field crews will operate and manage an aggressive flushing program to ensure the water moves swiftly throughout the system to avoid any water age issues.

The following information is included on our website at GarlandWater.org:

- Current and historical testing results,
- Water treatment terminology and treatment,
- State and Federal Guidelines,
- Direct communications from NTMWD,
- Links and information from the Environmental Protection Agency (EPA), the Texas Commission on Environmental Quality (TCEQ), the Centers for Disease Control (CDC) and the American Water Works Association (AWWA).

Our priority is to ensure we deliver safe, reliable water 24/7 to all of our customers. If there are any questions concerning our water, please contact our water dispatch center at 972-205-3210.

Recommendation/Action Requested and Justification

Information only.

Attachments

Temporary Change in Disinfection Council Briefing March 2019

GARLAND

TEXAS MADE HERE

Drinking Water

Temporary Change in Disinfection

Wes Kucera

Managing Director Water & Wastewater

GARLAND

WATER UTILITIES

GARLAND

TEXAS MADE HERE

Temporary Change in Disinfection

- Each year about this time, our water provider (NTMWD) removes the ammonia from their disinfection protocol and utilizes only chlorine for disinfection *(for the remaining months of the year they use a combination of ammonia and chlorine).*
- This is a common practice to prepare their system for the high volume demands and hot temperatures of the summer.
- **The maintenance period this year begins March 4 and will end on April 1, 2019.**
- This temporary change in disinfection sometimes comes with a stronger taste and smell of chlorine in our drinking water but by no means does it change the superior quality of our water.
- Our water is safe to drink and use.

GARLAND

WATER UTILITIES

Temporary Change in Disinfection

GARLAND

TEXAS MADE HERE

Chloramine Chemistry

$NH_3 + HOCl \longrightarrow NH_2Cl + H_2O$ = Monochloramine

- Reduces THM's, Haloacetic Acids
- Longer Lasting Disinfectant

\- Nitrification -

$NH_3 \longrightarrow NO_2 \longrightarrow NO_3$

Ammonia $\xrightarrow{\text{Nitrosomas}}$ Nitrite $\xrightarrow{\text{Nitrobacter}}$ Nitrate

Nitrosomas

Nitrobacter

GARLAND

WATER UTILITIES

GARLAND

TEXAS MADE HERE

Temporary Change in Disinfection

Every year, Garland Water Utilities performs over 20,000 laboratory tests on our drinking water

- **Daily / Weekly tests:** Total Coliform, Chlorine, pH, Ammonia, Nitrates, Nitrites, Temperature, Alkalinity
- **Quarterly tests:** Trihalomethanes / Haloacetic Acids
- **Yearly tests:** Lead and Copper
  Consumer Confidence Report
- **Weekends and Holidays:** Chlorine
- All testing parameters are posted on our website

GARLAND

WATER UTILITIES

Temporary Change in Disinfection

- NTMWD performs over 250,000 tests each year to ensure safe water that meets or surpasses state and federal public health standards
- TCEQ rates NTMWD public water system as “superior”
- Information posted on NTMWD.com – monthly and annual water quality reports
- Working with cities to inform customers about treatment and water quality testing

GARLAND

TEXAS MADE HERE

Temporary Change in Disinfection

- Environmental Protection Agency (EPA)
  - Sets drinking water standards, testing frequency and reporting protocol.
- Texas Commission on Environmental Quality (TCEQ)
  - Oversees and enforces drinking water standards, laboratory test results and reporting requirements.

The City of Garland and our water supplier, the North Texas Municipal Water District consistently meet all Drinking Water Standards.

GARLAND

WATER UTILITIES

GARLAND
TEXAS MADE HERE

Temporary Change in Disinfection

All of the information that has been developed for public information is easily accessed at GarlandWater.com

Advertised in the Garland City Press (January and March 2019 issues), Facebook, Twitter, City Home Page)

Information Sources

- Garland Water Utilities
- North Texas Municipal Water District
- Environmental Protection Agency (EPA)
- Texas Commission on Environmental Quality (TCEQ)
- Centers for Disease Control (CDC)

GARLAND
WATER UTILITIES

GARLAND

TEXAS MADE HERE

Temporary Change in Disinfection

GARLAND
TEXAS MADE HERE

Temporary Change in Disinfection

Questions

GARLAND
WATER UTILITIES

GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Work Session Agenda **3.b.**

Meeting Date: March 4, 2019
Item Title: Cost of Service for Water and Wastewater
Submitted By: Wes Kucera, Managing Director

Summary of Request/Problem

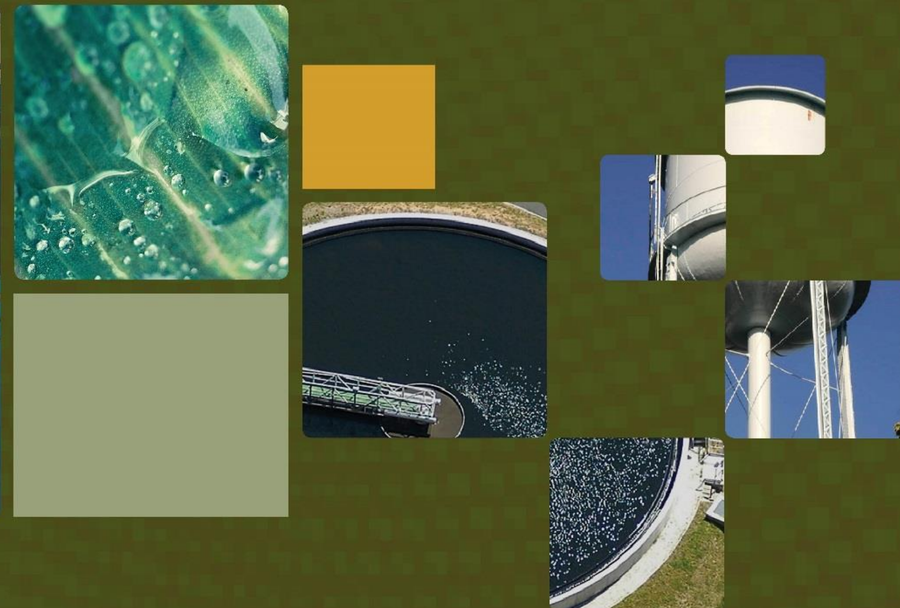
As an outcome of the recent changes to the water rate structure, the City Council requested that a comprehensive cost of service and rate design study be performed to determine what future amendments may be needed in overall water and wastewater rate levels or rate design. The City's rate consultant, NewGen Strategies & Solutions, will provide a presentation briefing to Council on the cost of service process and what to expect from the study. The presentation will focus on the key steps in the cost of service process and will outline the policy areas which will require input from Council as the study moves forward.

Recommendation/Action Requested and Justification

Council briefing.

Attachments

Cost of Service for Water and Wastewater



March 4, 2019

City of Garland, Texas

Overview of Water and Wastewater Cost of Service Rate Making

NewGen Strategies & Solutions

What is a Cost of Service Study?

- An analysis to equitably allocate the revenue needed by a utility to the various customer classes of service of the utility
- Assists in determining if cost differences exist between the types of customers served
  - Facility requirements
  - Usage characteristics

Why Perform a Cost of Service Study?

- A utility is a business and must generate sufficient revenue
  - Every water utility must receive sufficient total revenue to ensure… perpetuation of the system, and preservation of the utility’s financial integrity. (AWWA M1)
- The cost of service process defines the level of needed revenue and allocates and recovers the revenue based on the policies of the governing body

Role of City Council in COS Process

- Given that the utility is a business, the City Council serves as the Board of Directors of the business

- In this role, the City Council must provide guidance on key policy questions which arise during the COS process

Cost of Service Process

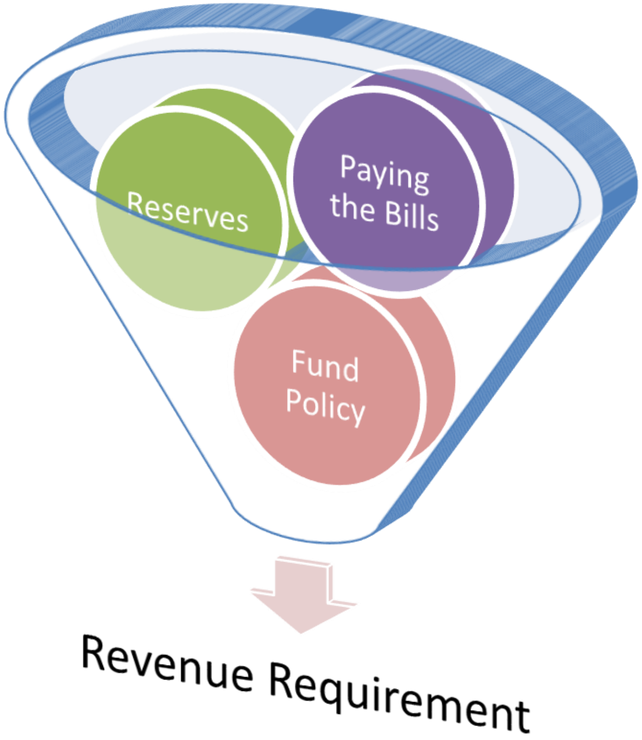
1. Revenue Requirements
   – How much revenue does the utility need?
2. Allocation of Costs
   – Who should be responsible for providing that revenue?
3. Rate Design
   – How should revenue be recovered?

Step 1
Revenue Requirements

What is a Revenue Requirement

Key Policy Questions to Consider:

- What financial resources are needed?
- What level of reserves are sufficient?



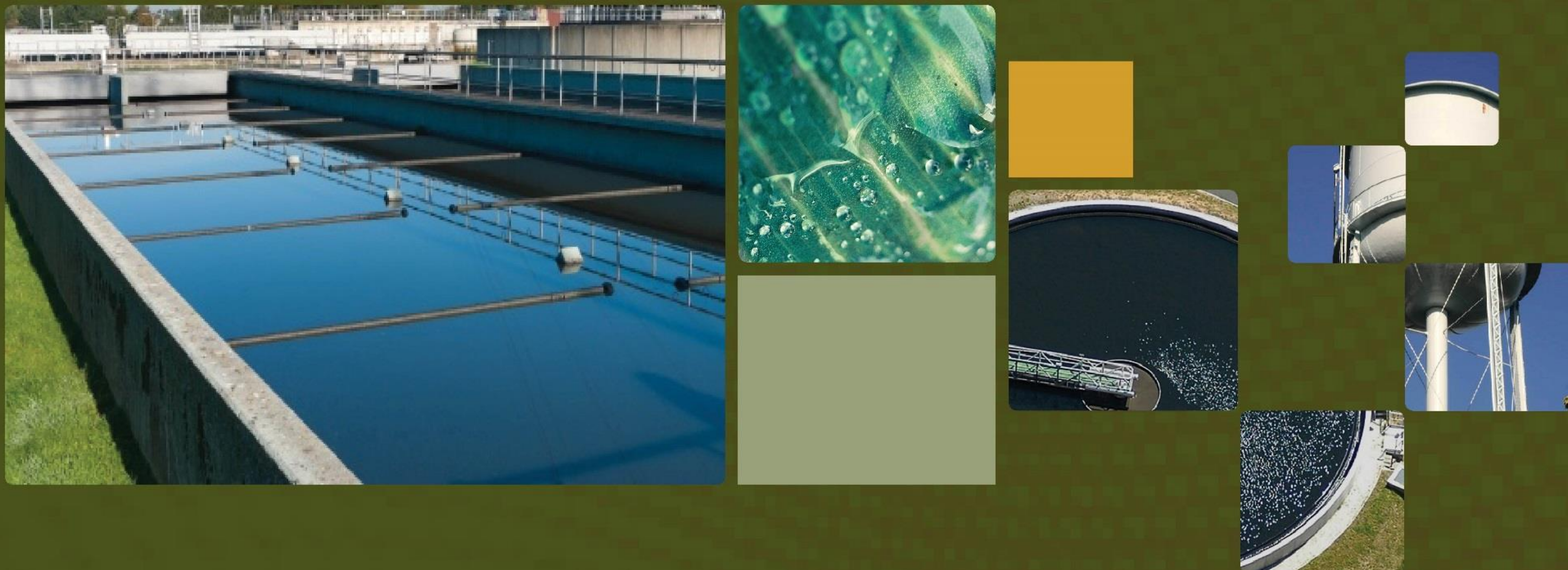
Revenue Requirement Basis

CASH NEEDS APPROACH	UTILITY BASIS
+ O&M Expenses	+ O&M Expenses
+ Taxes/Transfer Payments	+ Taxes/Transfer Payments
+ Debt Service (P&I)	+ Depreciation Expense
+ Capital Projects Funded from Rate Revenues	+ Return on Rate Base
Σ = Total Revenue Requirements	Σ = Total Revenue Requirements

Where: Rate Base =

+ Original Cost of Plant
– Accumulated Depreciation
= Net Plant in Service
+ Working Capital
– Contributions in Aid
= Rate Base

The cash needs approach will be utilized for the study as it best aligns with municipal budgeting practices



Step 2
Cost of Service

Cost Allocation and Cost of Service

- Key Questions to Answer:
  - Who are you providing service to?
  - How are they using the system?

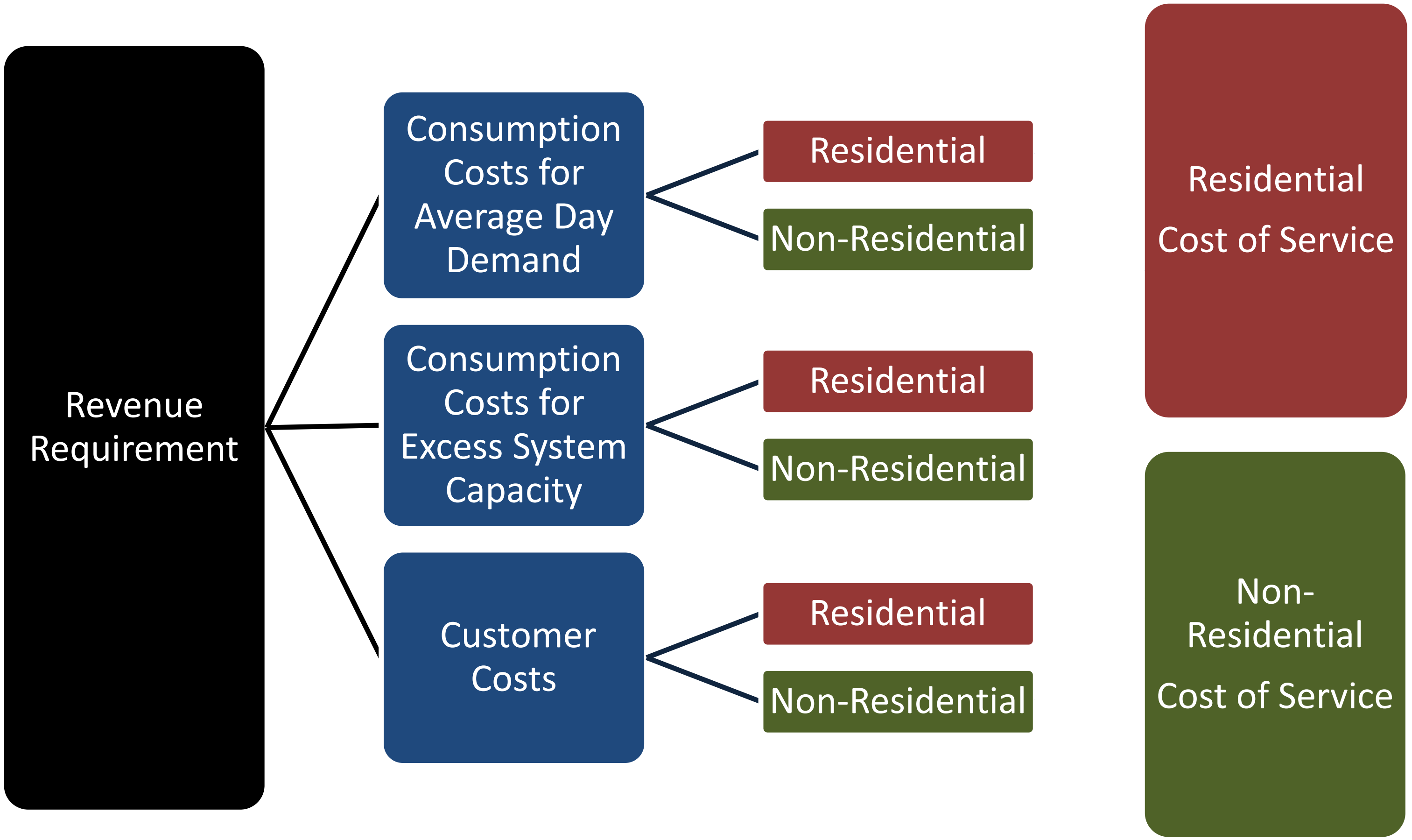
- Results of a customer class level study:
  - Understand where over or under recovery of revenue may exist specific to customer groups
  - Determine policy of maintaining or amending current revenue recovery

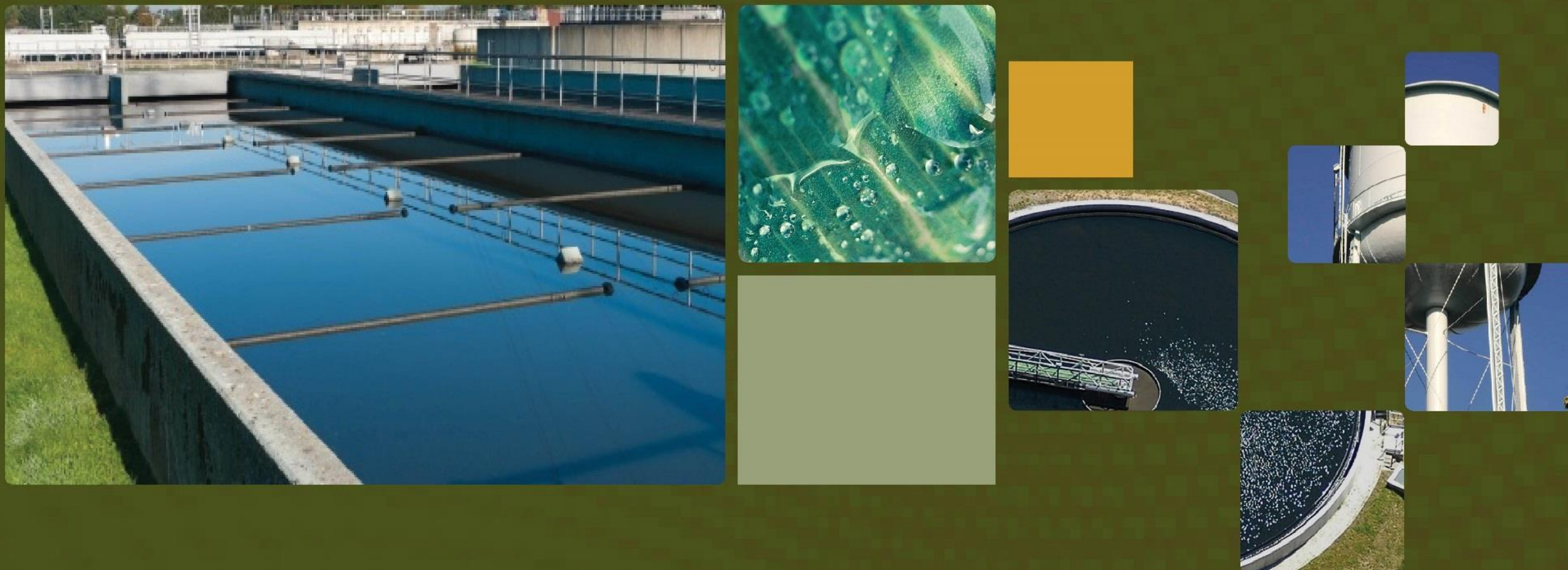
Cost of Service Method

- Base/Extra-Capacity will be Utilized
  - Allocates a portion of the costs among average day demands and peak demand periods based on peaking factors

- Process Steps:
  - Functionalization (allocation to functional area)
  - Classification (Base/Extra Capacity Allocation)
  - Allocation (Allocation to Customer classes)

Cost of Service Method (simplified)





Step 3
Rate Design

Key Rate Design Policy Questions

- What are our objectives?
  - Meeting revenue needs
  - Revenue stability
  - Affordability
  - Equity
  - Administration
  - Conservation
  - Economic Development
  - Transparency
  - Others?

- Do our rates address our objectives?

Rate Attributes and Criteria

Implementation	Equity	Customer	Conservation	Financial
Administrative Burden	Interclass	Affordability	Average-Day Savings	Revenue Sufficiency
Public Understanding	Intraclass	Economic Development	Peak-Season Savings	Revenue Stability
Political Acceptance	Intergenerational	Rate Shock / Volatility	Peak-Day Savings	Rate Stability
Implementation Risk	Inside/Outside	Understandability of Rates/Bill	Sustainability	Rate Predictability
Legal Defensibility	Industry Standards	Perception of Equity	Compliance	Financial Risk

Customer Classification and Equity in Rate Making

- Interclass
  - Between customer classes (e.g., Residential, Commercial)
- Intraclass
  - Between customers within a class (e.g., Small house, Big House)
- Intergenerational
  - Between generations (Addressed through other means)

Next Steps

Next Steps / Study Timeline

- Revenue Requirements - March / April
- Cost of Service – April / May
- Recommended Rates – May / June
- Anticipated Effective Date of New Rates – October 1st

Thank you for your time.

NewGen Strategies & Solutions

NewGen Strategies & Solutions
275 W. Campbell Rd., Suite 440
Richardson, Texas 75080

Feel free to contact me by phone at
972.232.2234
or via email at
cekrut@newgenstrategies.net
Chris Ekrut, Director

GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Work Session Agenda **3.c.**

Meeting Date: March 4, 2019

Item Title: Needs Assessment Presentation on Strategic Master Plan for Parks and Recreation Department

Submitted By: Skip Keller, Interim Parks Director

Summary of Request/Problem

The PRCAD Strategic Master Plan is a four-phase, 15-month long endeavor that will serve as the department's guiding document for the prioritization of funding and resources for the next ten years. The Plan consists of the Evaluate, Engage, Envision, and Plan phases. We have completed the first two of the four phases of the Plan, Evaluate and Engage. The master plan team has evaluated the department's programs, facilities, and administrative and operational functions, which provide us with the information and data to qualitatively assess those various areas.

The master plan team has engaged with the citizens of Garland through many various methods during the Engage phase. An online survey, provided in English, Spanish, and Vietnamese, was conducted that garnered over 1,100 responses. Additionally, a statistically-valid survey was sent to a random sample of 3,000 citizens among all census tracts in the City, and over 600 responses were received from that effort. Several city-wide public workshops were held, as well as internal staff workshops and external stakeholder group meetings to further solicit input from people who are familiar with the many programs and facilities in our system. Utilizing the data and feedback received in these first two phases, the team has generated a Needs Assessment, which is being presented to Council for informational purposes.

Next will be the Envision phase. In this phase, the department's staff, together with the consultant team, work together to create the mission, vision, values, goals, and objectives for the department. On January 24, 2019, the staff came together with our consultant for a day-long workshop to begin this process. Following the workshop, the consultant team is working to compile the feedback from staff and provide a final draft of the new vision. This phase will be completed in March 2019, which will lead us to our final phase, the Plan phase. The anticipated completion of all the phases of the Strategic Master Plan is September 2019.

Recommendation/Action Requested and Justification

No action is requested. This item is for informational purposes and Council discussion.

Attachments

Parks, Recreation & Cultural Arts Strategic Master Plan

Park Board & City Council Presentation

March, 2019

GARLAND

PARKS, RECREATION & CULTURAL ARTS

OUR Garland

PARKS, RECREATION & CULTURAL ARTS STRATEGIC MASTER PLAN

#OURGARLAND

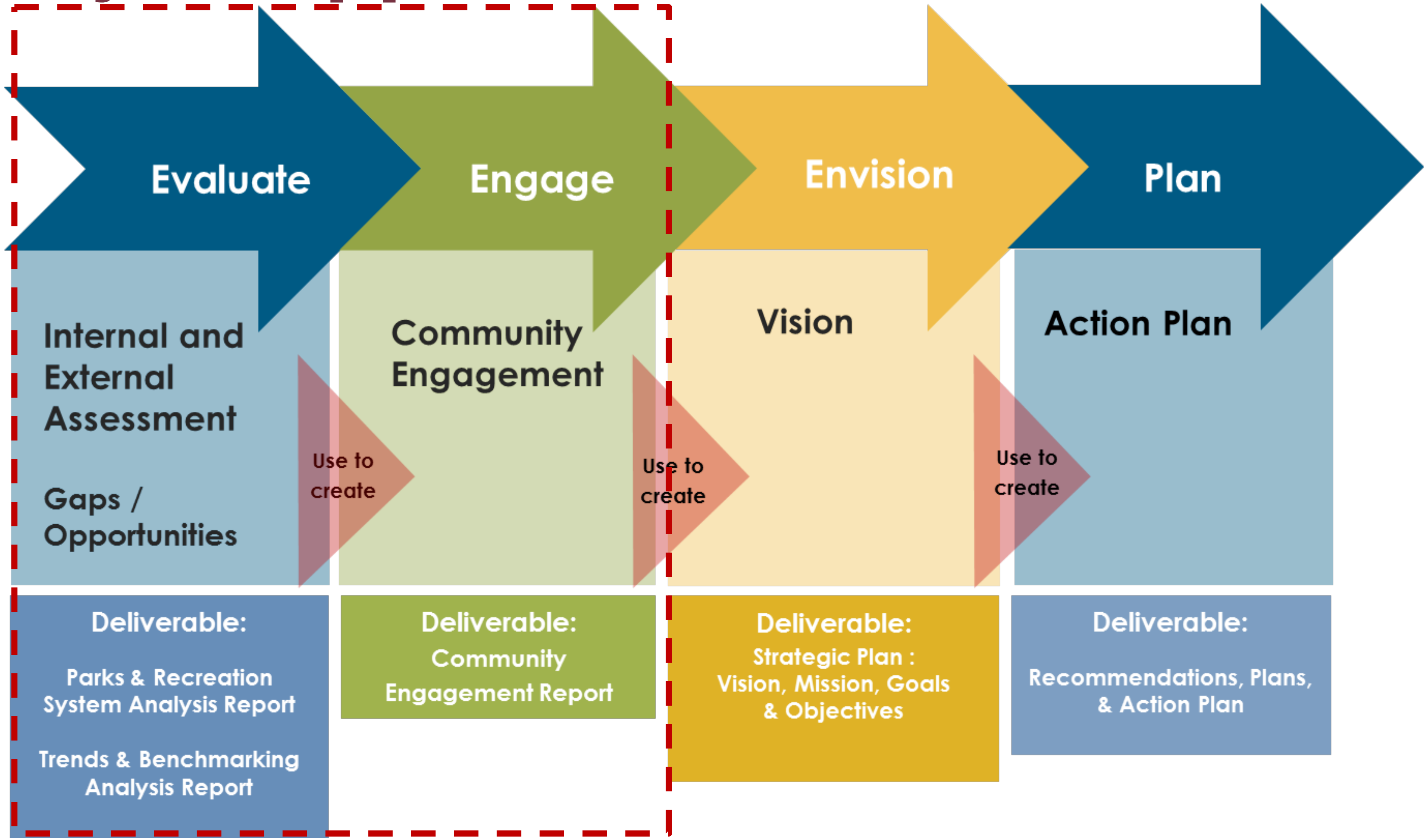
BRANDSTETTER CARROLL INC

ARCHITECTS . ENGINEERS . PLANNERS

Agenda

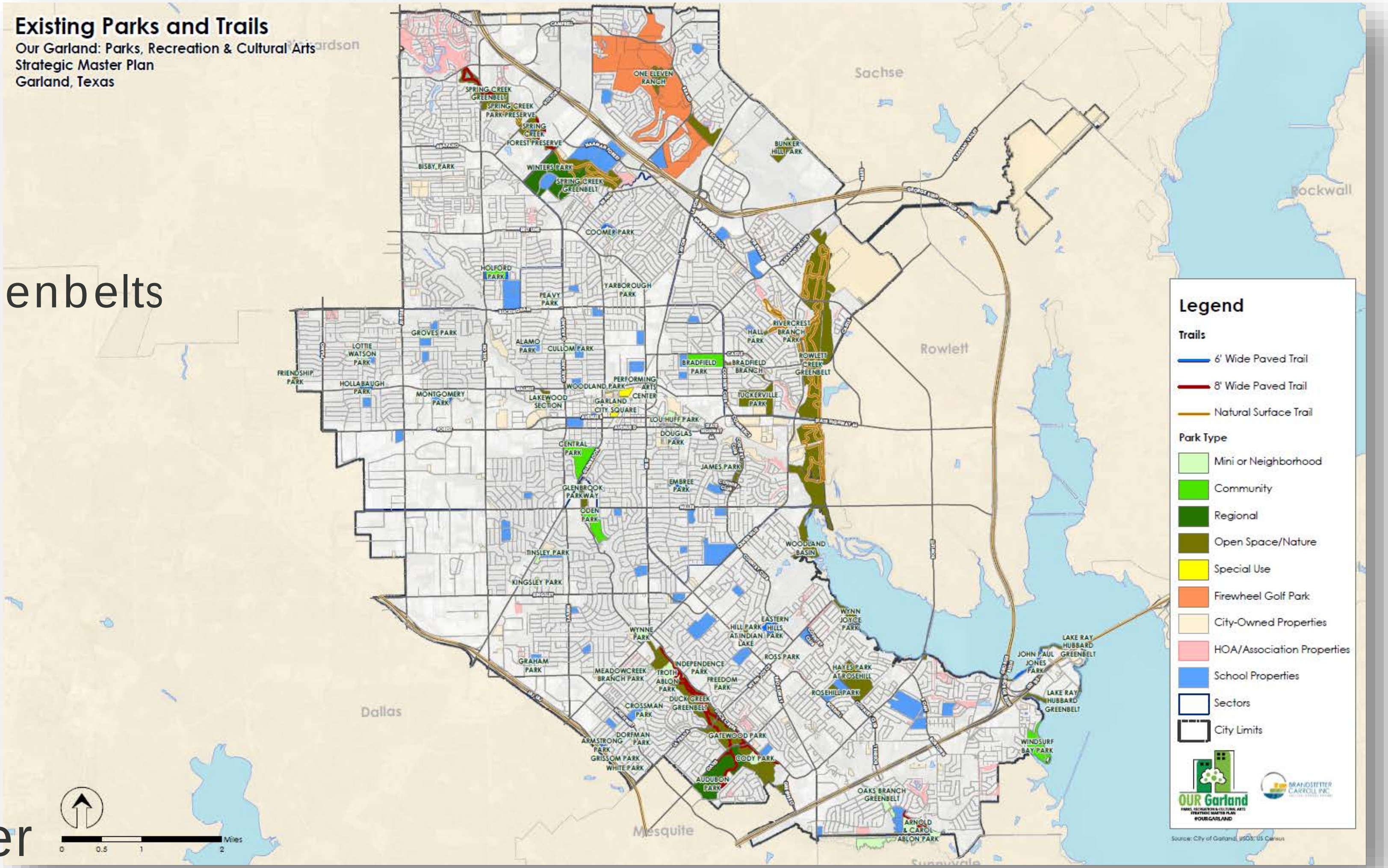
- **Existing Conditions**
  - Parks Inventory/Site Assessments
- **Priority Investment Areas**
- **Benchmarking Comparisons**
- **Community Engagement Summary**
- **Next Steps**

Project Approach



Parks & Facilities Inventory

- Over 2,800 Acres (including Golf Courses)
- Over 60 Parks, including
  - 13 Mini Parks
  - 21 Neighborhood Parks
  - 5 Community Parks
  - 2 Regional Parks
  - 7 Special Use Parks
  - 20+ Natural Areas and Greenbelts
- 32 Playgrounds
- 13½ Basketball Courts
- 24 Tennis Courts
- 33 Diamond Fields
- 30+ Rectangular Fields
- 4 Swimming Pools
- 6 Recreation Centers
- 2 Senior Centers
- 1 Performing Arts Center
- 1 Event Center



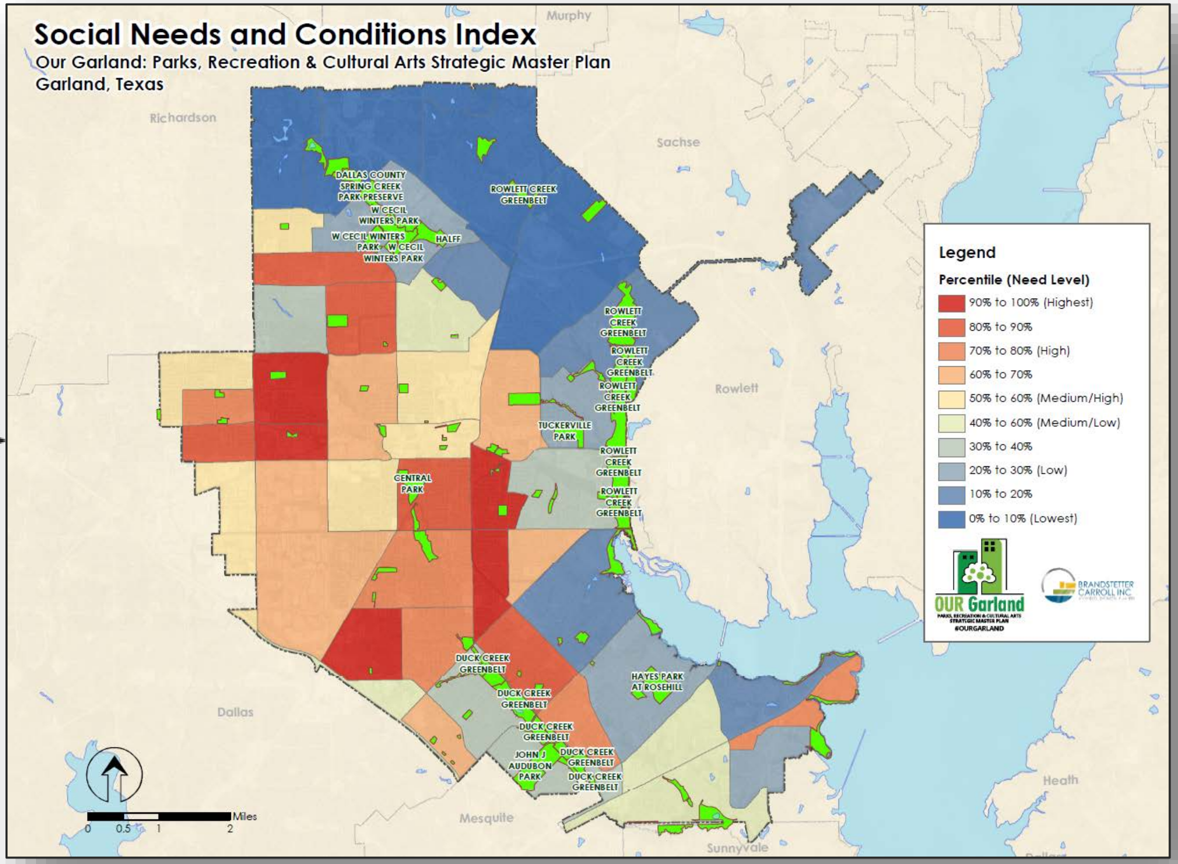
Social Needs and Conditions – 10 Factors

Social Needs Factors

Composite Social Needs Index

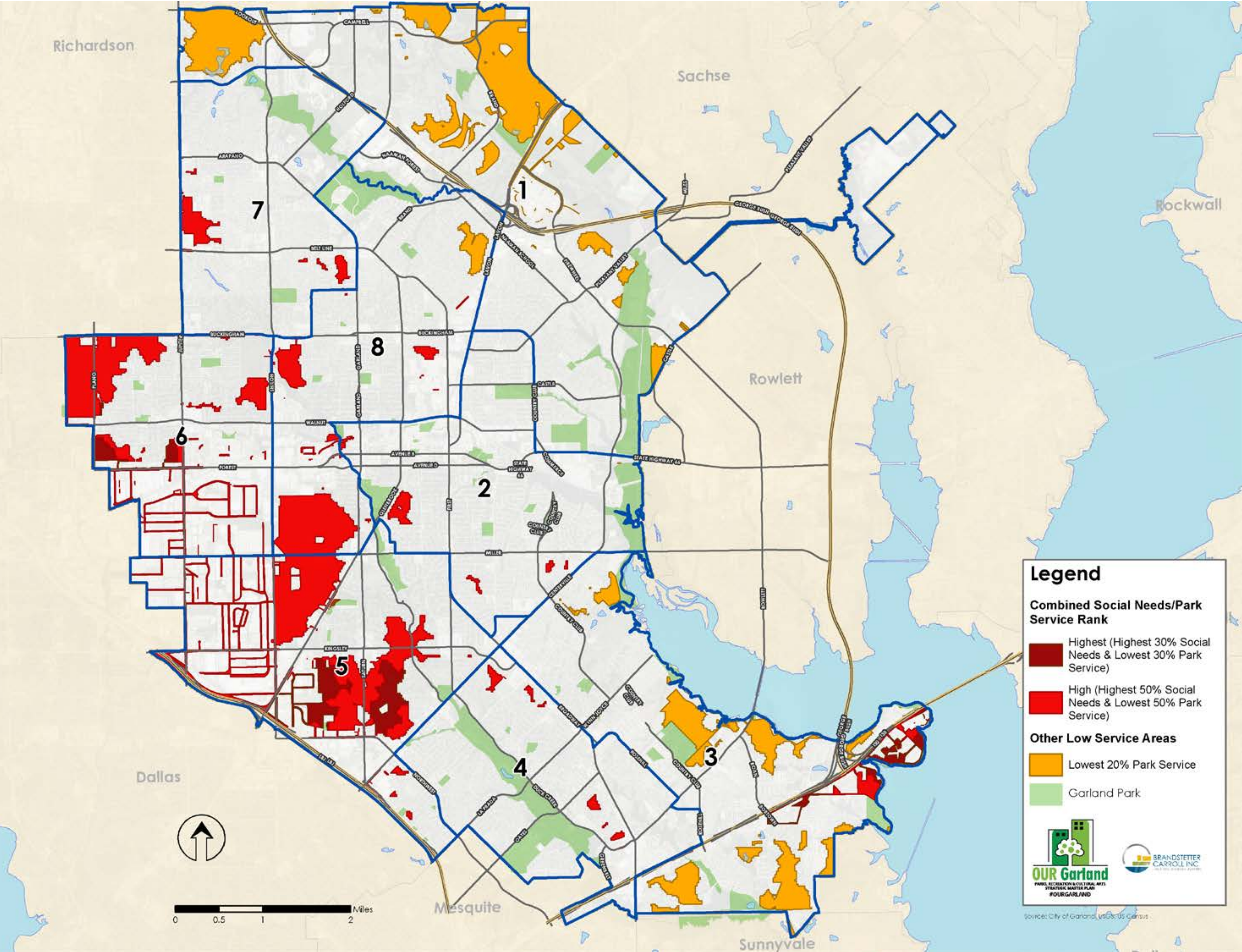
Social Needs Weighted and Scored by Census Tract

Percentile Mapping



Priority Investment Areas

- Based upon mapping of:
  - Walk & drive times to parks and facilities
  - Social Needs & Conditions© Factors



Benchmarking

Category	Garland	Benchmark*	Service Level
Acres per 1,000 population	9.5 acres	12.2 acres	Lower
Park acres as a percent of the City land area	6.2%	3.2%	Higher
Trail miles per 10,000 population	1.28 miles	1.73 miles	Lower
Percent of park land developed	31%	60%	
Full time equivalent staff per 1000 population	7.1 staff	9.8 staff	Lower
Operating expenditures per capita	$46	$75	Lower
Revenue generated per capita	$10	$26	Lower
Playgrounds, tennis, basketball, youth ball diamonds			Lower
Rectangular fields (Population per facility)	11,252	13,625	Higher
Outdoor aquatics (Population per facility)	59,073	64,668	Higher

*Based upon 21 agencies in the NRPA ParkMetrics Program with populations between 100,000 and 400,000 in the USA Southwest and South

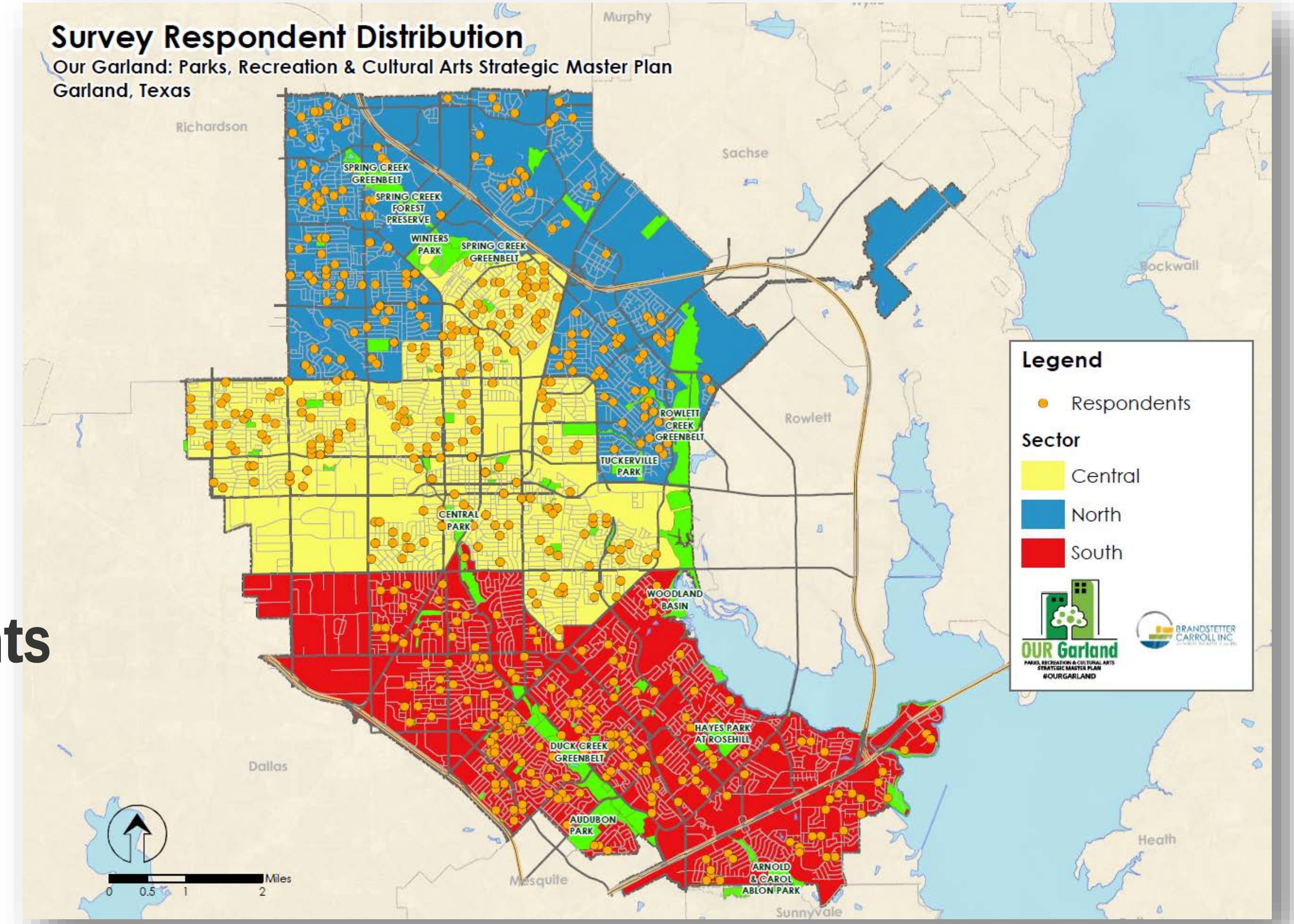
Community Engagement

GARLAND
PARKS, RECREATION & CULTURAL ARTS

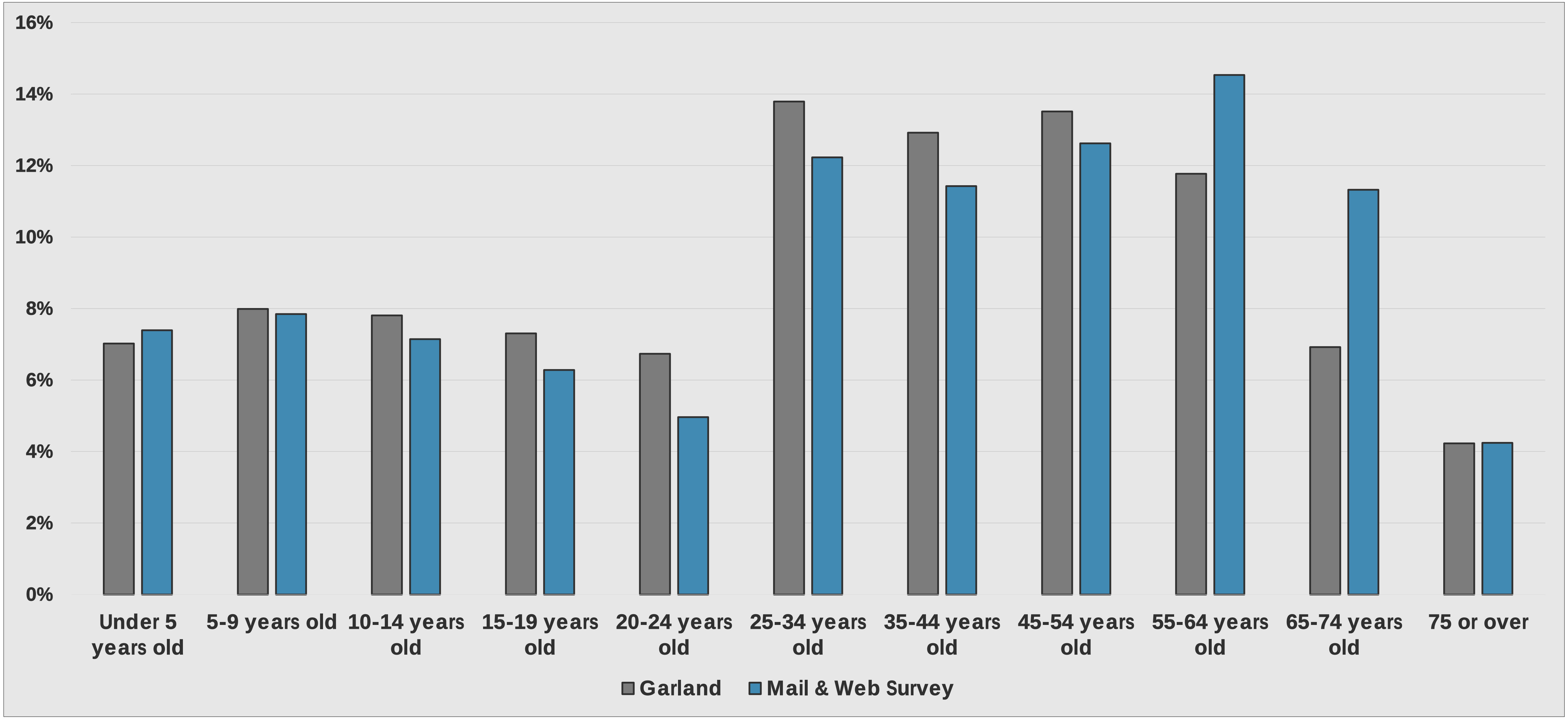
BRANDSTETTER CARROLL INC

Public Input

- **Statistically Valid Survey**
  - Mailed to 3,000 households
  - 602 received
  - Divided among 3 sectors
- **Web and Handout Survey**
  - 1,191 completed
- **Public Open Houses/Events**
  - 4 locations
- **Stakeholder Meetings**
  - 28 organizations
- **9 Staff Stakeholder Meetings – 124 staff**
- **Over 2,400 people directly engaged**



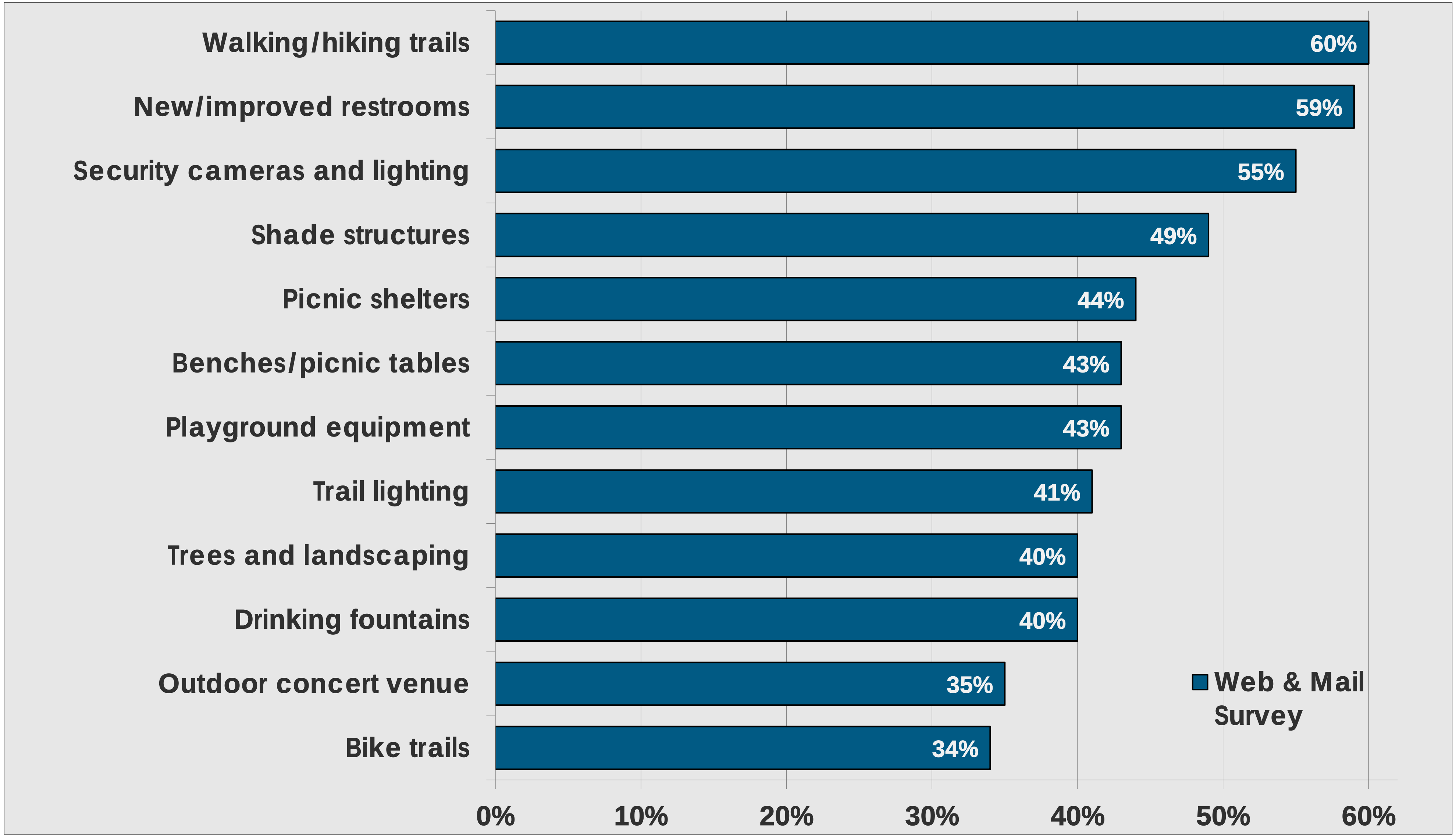
Survey Demographics (Ages of people in households)



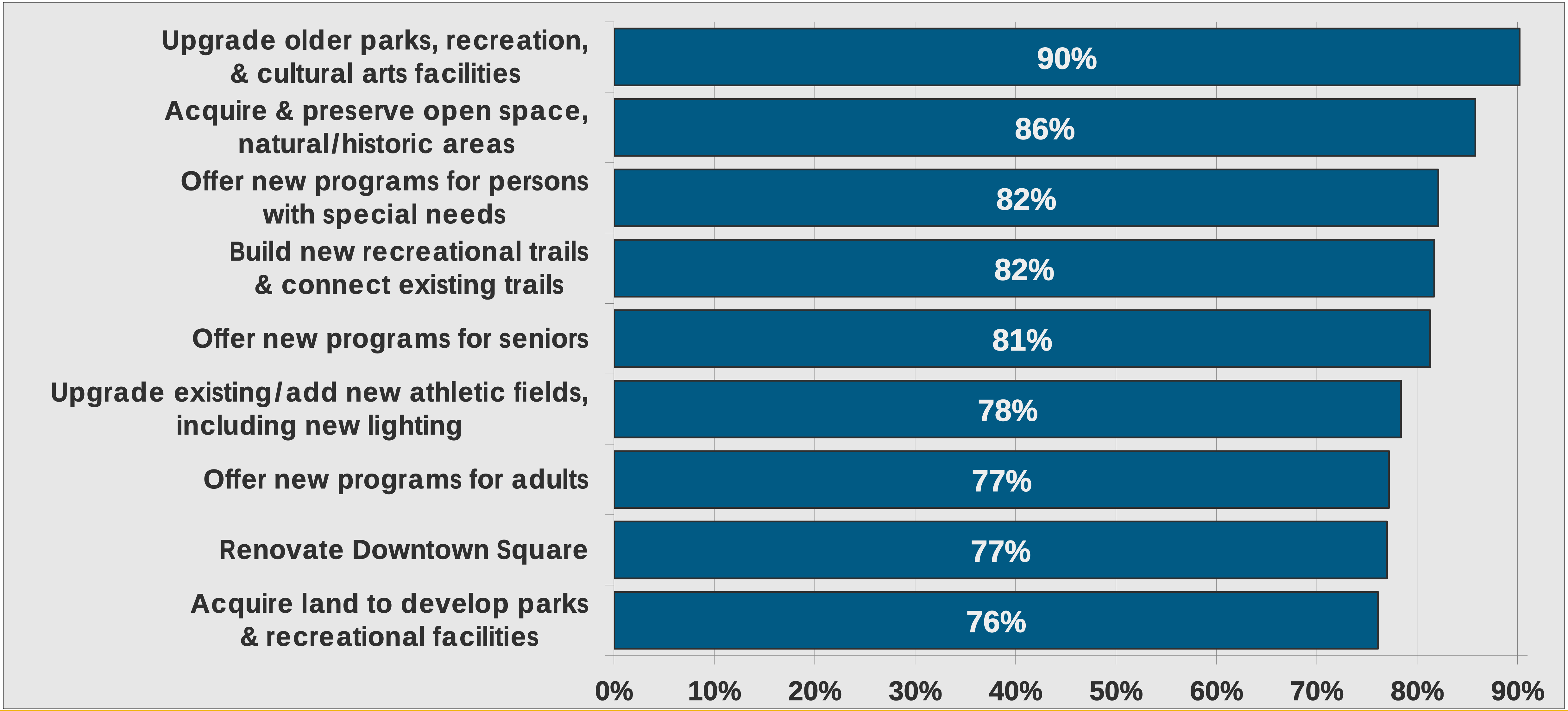
What We Heard in the Engage Phase

- **Upgrade Existing Parks and Facilities**
  - Upgraded recreation centers
  - Add/improve restrooms
  - Athletic fields
  - Aquatic facilities
  - Playgrounds
  - Shade
  - Picnic shelters
  - Neighborhood Parks
  - Security
  - Trees
  - Roads/parking
- **Trails/Connectivity**
- **Natural Areas**
- **Marketing/Communications**
- **New Facilities**
  - Amphitheater
  - Dog parks
  - Skate parks
  - Indoor pool
  - Splash pads
  - Larger recreation center
  - Public art
- **More Programs and Events**
  - Concerts
  - Events/festivals
  - Fitness
  - Nature
  - Senior/adult programs
- **Technology**

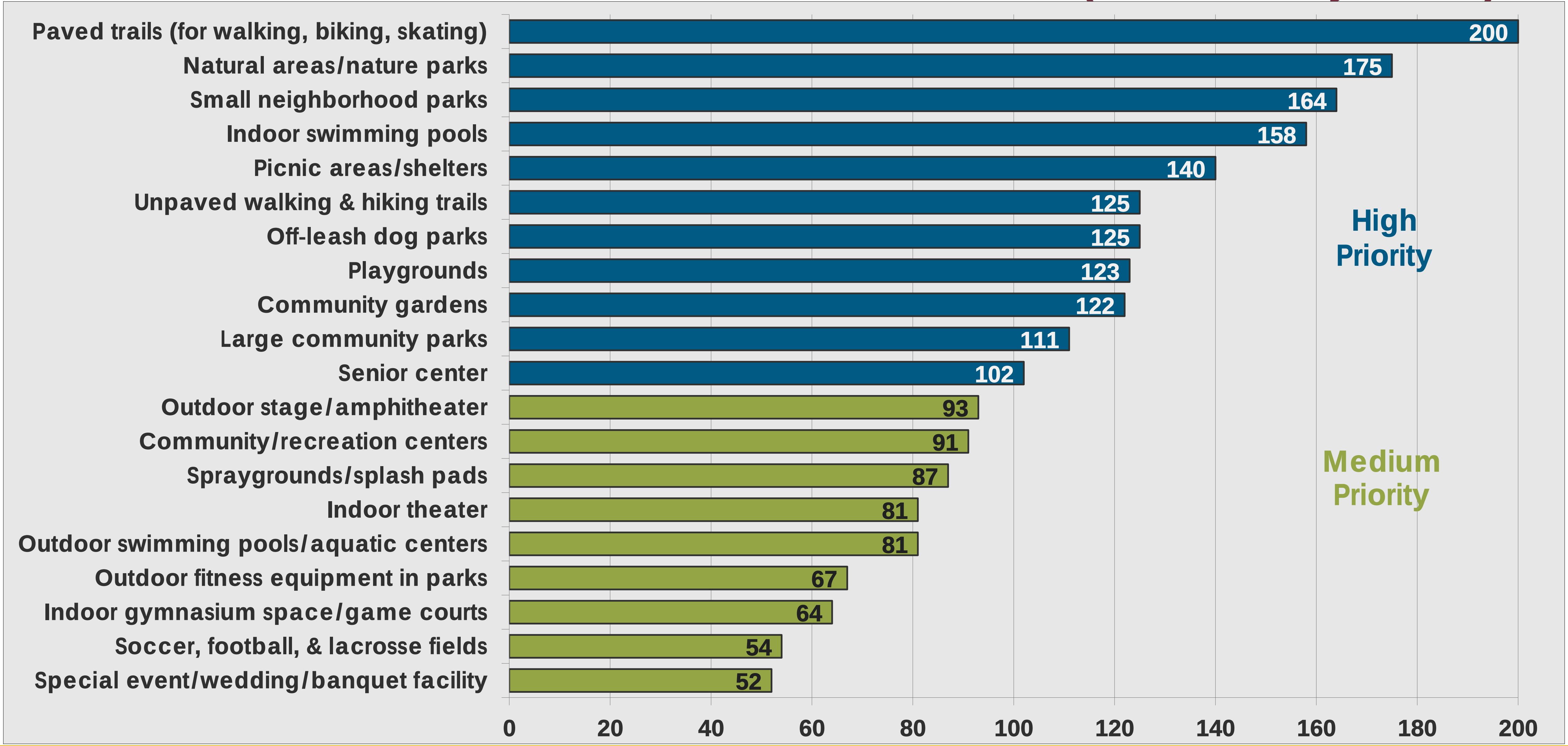
Upgrades to Existing Parks (Citizen Survey Results)



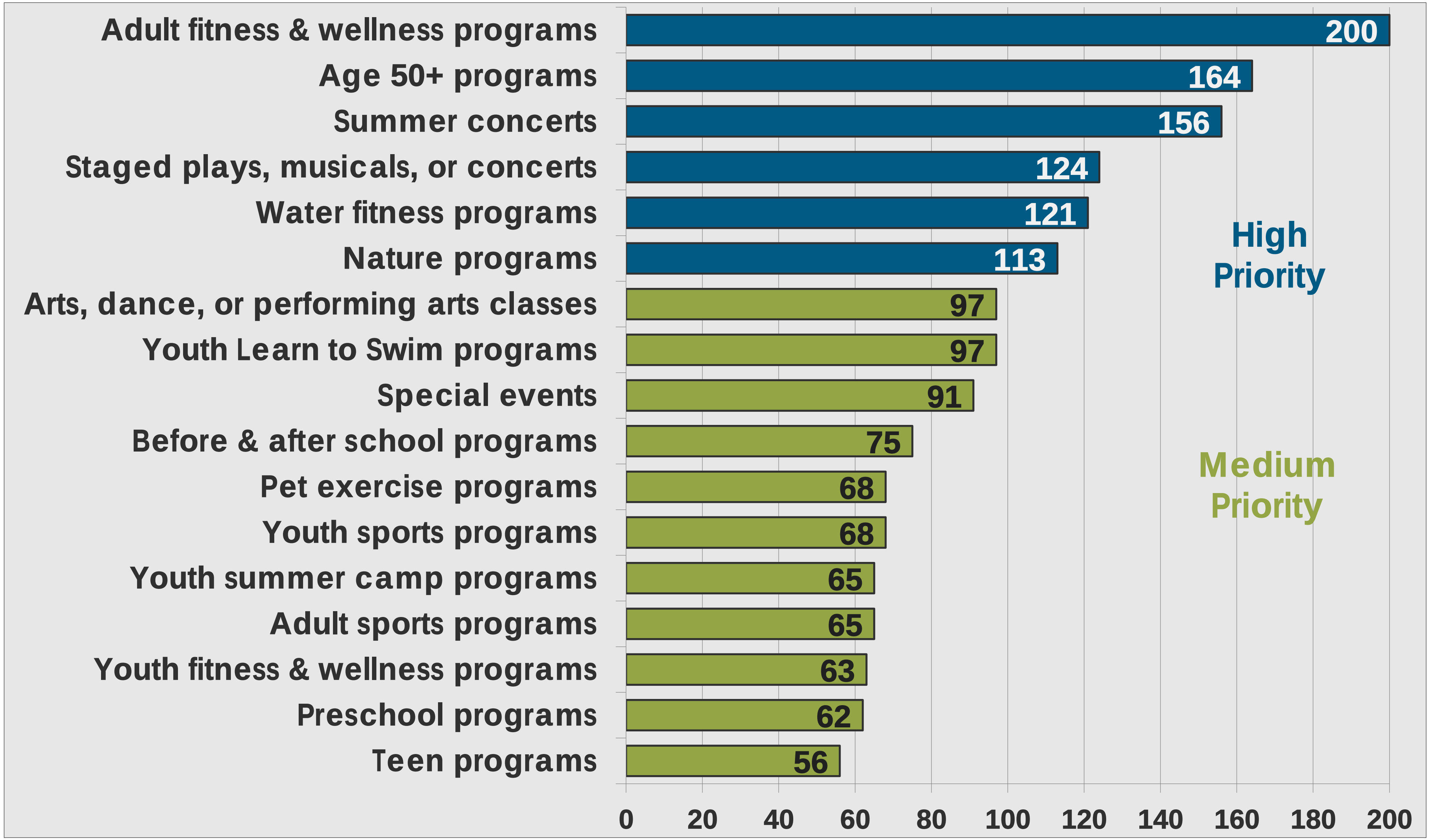
Support for Actions to Improve Parks, Recreation & Cultural Arts
(Citizen Survey-Very & Somewhat Supportive)



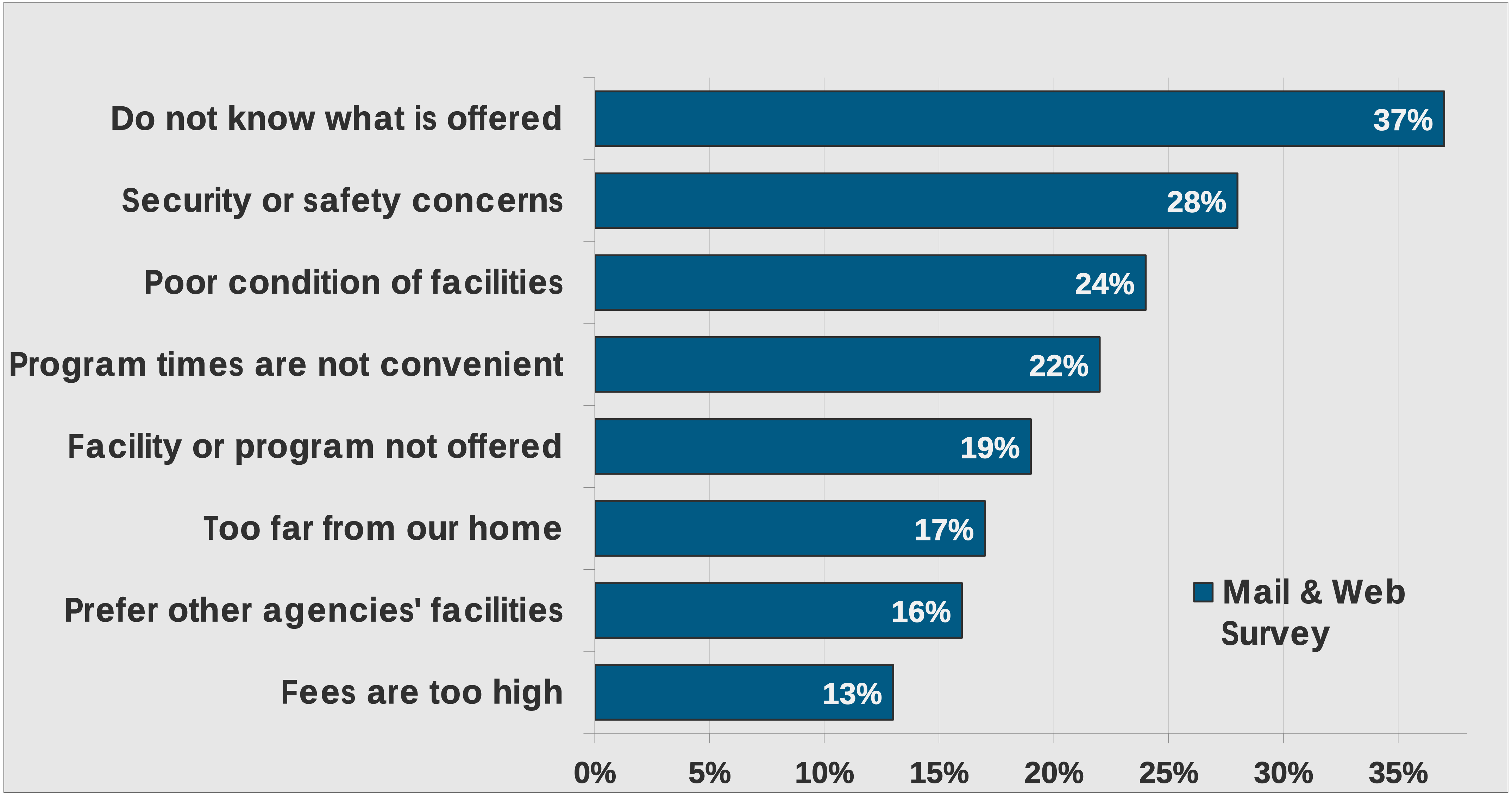
Priorities for Investment – Facilities (Citizen Survey Results)



Priorities for Investment - Programs (Citizen Survey Results)



Reasons for Not Using Parks & Programs (Survey Results)



What happens now in the planning process?

Envision

- **What does Your City's envisioned future look like?**
  - Connection to tourism & economic development
  - Innovation and Use
- **How do we become a greater City?**
  - Increased Quality of Life
  - Improved Service Delivery

How:
- Visioning Sessions
  - Vision, Mission, Goals, Objectives
- Planning Sessions
  - Evaluate Phase Review
  - Citywide Mapping
  - Facility Improvements
  - Programming/Events Improvements
  - Capital Improvements
  - Service Delivery

Recommended Vision

Use to create

Plan

What happens next in the planning process?

Plan

We will
transform the innovative thinking and collective body of work into a
REALISTIC, PRACTICAL
Plan that can be
FUNDED and IMPLEMENTED
with energy and passion for Your Parks!

How:

- Committee Sessions
    - Revised Strategic Plan
    - Public Review
    - Development of Action Plan
        - Strategies and Prioritization
        - Timing and Costs
- Park and Recreation Board and Council
    - Review and Adoption

Completed Plan

Planning Phase – Action Plan

Detailed Implementation Plan

- **Timeline and Action Strategies for:**
  - Land Acquisition/New Parks
  - Potential Land Disposition / Decommission
  - Facility Recommendations
    - Trails & Greenways
    - Open Space
    - Active and passive park facilities
    - Athletic fields
  - Special Events

- Budget and Funding
- Revenue Generation Strategies
- Operations & Maintenance
- Programs and Services
- Cultural Arts
- Design & Development
- How to invest your Bond Funds?

Questions

OUR Garland
PARKS, RECREATION & CULTURAL ARTS
STRATEGIC MASTER PLAN
#OURGARLAND

GARLAND
PARKS, RECREATION & CULTURAL ARTS

BRANDSTETTER CARROLL INC

GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Work Session Agenda **3.d.**

Meeting Date: March 4, 2019

Item Title: Public Safety Committee Report: Reimbursement from GISD for the School Resource Officer (SRO) Program

Submitted By: Jeffrey Bryan, Chief of Police

Summary of Request/Problem

Deputy Mayor Pro Tem Scott LeMay, Chairman of the Public Safety Committee (PSC) and Deputy City Manager Mitch Bates, Staff Liaison to the Committee, will provide a committee report related to an item assigned to the PSC:

- Reimbursement from Garland ISD for the cost of the Police Department School Resource Officer (SRO) program

Recommendation/Action Requested and Justification

Council discussion.

GARLAND

CITY COUNCIL ITEM SUMMARY SHEET

City Council Work Session Agenda **3.e.**

Meeting Date: March 4, 2019

Item Title: Discuss Flag Poles and Memorial in Heritage Crossing

---

Summary of Request/Problem

Staff will brief Council on a proposal to use donations to place flags along with a Peace Officer Memorial in Heritage Crossing.

Recommendation/Action Requested and Justification

Council discussion.

GARLAND

CITY COUNCIL ITEM SUMMARY SHEET

City Council Work Session Agenda **3.f.**

Meeting Date: March 4, 2019

Item Title: Transportation, Mobility and Infrastructure Committee Report

---

Summary of Request/Problem

Mayor Pro Tem Rich Aubin, Chair of the Transportation, Mobility and Infrastructure Committee, will provide a committee report on the following items:

- Discuss the cost analysis of acquisition and operations of an asphalt batch plant for supplying asphalt in Street Department operation.
- Review of City's Speed Hump Policy.
- Consider whether to retain the services of an outside Transportation Consultant.

Recommendation/Action Requested and Justification

Council discussion.

GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Work Session Agenda **3.g.**

Meeting Date: March 4, 2019

Item Title: Transportation, Mobility and Infrastructure Committee Report

---

Summary of Request/Problem

Mayor Pro Tem Rich Aubin, Chair of the Transportation, Mobility and Infrastructure Committee, will provide a committee report on the following items:

- Continue discussion on the TxDOT feasibility study regarding realignment of SH 78.

Recommendation/Action Requested and Justification

Council discussion.

GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Work Session Agenda **3.h.**

Meeting Date: March 4, 2019

Item Title: Update and the Recommendations from the Public Safety Committee regarding the Safelight Program

Submitted By: Mitch Bates, Deputy City Manager

Summary of Request/Problem

Previously, City Council discussed nine recommended changes for the Safelight Program. On August 20, 2018, Council requested a study evaluating the effectiveness of the Safelight Program be conducted. On February 4, 2019, the Public Safety Committee met to discuss these items related to the Safelight Program.

The Committee discussed the two organizations who responded to the Safelight Effectiveness Study RFP. Those two organizations are:

- University of Texas at Arlington's Center for Transportation Studies (Part of the Department of Civil Engineering); and
- Big Red Dog, an engineering and consulting firm.

After discussion, the Public Safety Committee unanimously recommended using the University of Texas at Arlington for the Safelight Effectiveness Study. The cost is $101,213.00. Funding is already available in the Safelight Fund for the study.

The Public Safety Committee also discussed the previous recommended changes to the Safelight Program. The Committee recommended moving forward with the changes that require revisions to the city ordinance related to the Safelight Program. A draft of those ordinance changes is attached. The Committee recommended moving forward with engineering studies for the 12 existing Safelight intersections. Funding for those engineering studies has previously been approved. Finally, the Committee recommended the remaining changes be sent to the newly formed Safelight Committee.

Unless otherwise directed by Council, these items will be scheduled for formal consideration at the March 19, 2019 Regular Meeting.

Recommendation/Action Requested and Justification

The Public Safety Committee recommends the University of Texas at Arlington be selected to conduct the Safelight Effectiveness Study. The Committee also recommends the Council approve changes to the city ordinance regulating the Safelight Program. Finally, the Committee recommends conducting the 12 engineering studies and referring the remaining recommended changes to the newly formed Safelight Committee.

Attachments

Safelight Ordinance Changes

- DRAFT -

For Discussion Purposes Only – Non-Final and Unapproved
Additions are indicated by <u>underlining</u>
Deletions are indicated as strike-throughs

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 26, "POLICE-MISCELLANEOUS PROVISIONS AND OFFENSES", OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1

That Sec. 26.62(B) of Chapter 26, "Police - Miscellaneous Provisions and Offenses", of the Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows:

"(B) <u>For the purposes of section 707.003(e), Texas Transportation Code, a citizen advisory committee is hereby created to be known as the Photographic Traffic Signal Enforcement System Citizen Advisory Committee. The committee shall consist of nine members appointed by the City Council. The City Council may each appoint a member to the committee who shall serve a term to coincide with that of the appointing member of the City Council. The committee shall meet at least annually.</u> To the extent that section 707.003, Texas Transportation Code is applicable to the City,<u> if at all,</u> the engineering study described in section 707.003(c) shall be reported to the City Council <u>through the committee.</u> ~~which, for the purposes of section 707.003(e), Texas Transportation Code, hereby appoints the members of the Plan Commission as a citizen advisory committee~~"

Section 2

That Sec. 26.62(D)(10)(b) of Chapter 26, "Police – Miscellaneous Provisions and Offenses", of the Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows:

"(b) That imposition of the civil penalty may be contested by submitting a written request for an administrative adjudication hearing or a written declaration as provided in Sec. 26.63(A) before the expiration of the period specified under subsection (8);"

Section 3

That Sec. 26.63(A) of Chapter 26, "Police - Miscellaneous Provisions and Offenses", of the Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows:

(A) A person who receives a notice of violation under this article may contest the imposition of the civil penalty by requesting in writing an administrative adjudication of the civil penalty within 30 days following the mailing of the notice. Upon receipt of the request, the department shall notify the person of the date and time of the hearing on the administrative adjudication. The administrative adjudication hearing shall be held before a hearing officer appointed under, and having the authority provided by, the provisions of chapter 24. A person who timely requests an administrative adjudication may, in lieu of making a personal appearance, submit a written declaration, under oath, containing a reasonably sufficient detail of the facts and legal arguments as to why a civil penalty should not assessed. The written declaration must be submitted within 60 days following the mailing of the notice of violation."

Section 4

That Sec. 26.63(J) of Chapter 26, "Police - Miscellaneous Provisions and Offenses", of the Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows:

"(J) The owner of a motor vehicle who is found liable after an administrative adjudication hearing may appeal that finding of liability to the municipal court by filing an appeal petition with the clerk of the municipal court. The appeal petition must be filed not later than the 31st day after the date on which the hearing officer entered the finding of liability and shall be accompanied by the payment of an appellate filing fee of $50.00 and a notarized statement of personal financial obligation. A timely and properly perfected appeal stays the enforcement and collection of the civil penalty. An appeal shall be determined ~~by a judge of the municipal court~~ by trial de novo before the judge or a jury composed as provided in other cases in the municipal court. Affidavits and proof submitted under sections 707.013 and 707.014, Texas Transportation Code and any written declaration submitted under

Sec. 26.63(A) shall be admitted by the municipal judge in the trial de novo and submitted to the jury, if any, and the issues must be proved by a preponderance of the evidence. If a written declaration has been submitted under Sec. 26.63(A), de novo review shall be based upon and limited to the written record."

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

GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Work Session Agenda **3.i.**

Meeting Date: March 4, 2019

Item Title: Review and Deliberation of 2019 Capital Improvement Program

Submitted By: Ron Young, Budget Director

Summary of Request/Problem

The City Council will deliberate changes, if any, in the City Manager's Proposed 2019 Capital Improvement Plan:

1. Staff updates.
2. Council deliberations.
3. Direction to staff on final changes to CIP.

Recommendation/Action Requested and Justification

Provide direction to staff regarding changes to the 2019 Proposed CIP.

Attachments

2019 Proposed CIP

City of Garland

2019 Capital Improvement Program

Overview of Changes – Council Work Session

March 4, 2019

Capital Improvement Program

Overview of Proposed Changes

- **Adjustment to project costs for the Fencing at the Audubon and Winters Soccer Complexes in the 2019 Park CIP.**
  - A $10,000 estimate was included through 12-2018 that did not materialize. The 2019 project costs have been updated to reflect this $10,000 as available to spend.

- **Removal of $1,578,000 for the Greenbelt Drainage Improvements project in the 2019 Park CIP.**
  - Project Costs moved to 2020: $1,578,000

- **Increase to 2019 calendar year project costs for Electric's Substations Upgrades program.**
  - Substations Upgrades program increased by $2,650,000 for 2019 to include an autotransformer at the McCree Substation and MVAR capacitors at the Lookout Substation.

Capital Improvement Program

Overview of Proposed Changes *(Continued)*

- **Adjustment to the project costs for the Central Library Life and Safety Upgrades projects based on City Council direction received on February 26, 2019:**
  - Proceed with L02 Improvements for 2019 and Delay L03 Improvements until the completion of the Library Master Plan and voter approval of the 2019 Bond Program.
  - L02 – Central Library Life and Safety Upgrades A
    - Scope in 2019: Upgrade of two stairwells, upgrade of and additional parking lot lighting and resurfacing, addition of security cameras and access controls, and work in both sets of public restrooms.
    - 2019 Project Cost: $1,128,000
  - L03 – Central Library Life and Safety Upgrades B
    - Scope Delayed to 2020: Design and installation of fire sprinklers on the main floor of the Library; replacement of the lights, ceiling tile, and grid; and work in the North Program Room.
    - 2020 Project Cost: $2,505,000

Overview of Proposed Changes – Expenditures

Program Section – Expenditures	Initial 2019 Proposed CIP	Proposed Changes	Final 2019 Proposed CIP
Park	$ 16,266,000	$(1,568,000)	$ 14,698,000
Street/Transportation	39,400,000	-	39,400,000
Drainage	6,503,000	-	6,503,000
Library	2,416,000	(688,000)	1,728,000
Public Safety	6,129,000	-	6,129,000
Economic Development	4,760,000	-	4,760,000
Municipal Facilities and Miscellaneous	7,074,000	-	7,074,000
Landfill/Transfer Station	7,519,000	-	7,519,000
Environmental Waste Services	3,377,000	-	3,377,000
Stormwater Management	300,000	-	300,000
Internal Services	1,390,000	-	1,390,000
Water	25,614,000	-	25,614,000
Wastewater	41,328,000	-	41,328,000
Electric	117,246,000	2,650,000	119,896,000
Total 2019 Proposed CIP	**$279,322,000**	$ 394,000	**$279,716,000**

Overview of Proposed Changes – Debt Issuance

Program Section – Debt Issuance	Initial 2019 Proposed CIP	Proposed Changes	Final 2019 Proposed CIP
Park	$ 8,217,000	$(1,327,000)	$ 6,890,000
Street/Transportation	16,075,000	-	16,075,000
Drainage	4,629,000	-	4,629,000
Library	-	-	-
Public Safety	3,572,000	-	3,572,000
Economic Development	2,654,000	-	2,654,000
Municipal Facilities and Miscellaneous	2,019,000	-	2,019,000
Landfill/Transfer Station	266,000	-	266,000
Total Tax-Supported Required	**$37,432,000**	$(1,327,000)	**$36,105,000**
Environmental Waste Services	$ 2,894,000	-	$ 2,894,000
Stormwater Management	54,000	-	54,000
Internal Services	883,000	-	883,000
Water	14,035,000	-	14,035,000
Wastewater	20,025,000	-	20,025,000
Electric	52,682,000	$ 2,650,000	55,332,000
Total Revenue-Supported Required	**$90,573,000**	$ 2,650,000	**$93,223,000**