GARLAND

AGENDA

CITY COUNCIL WORK SESSION
City of Garland
Work Session Room, City Hall
200 North Fifth Street
Garland, Texas
January 3, 2017
5:30 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. Written Briefing(s):

a. Interlocal Agreement with GISD

Council is requested to consider entering into an Interlocal Agreement with GISD to remove the existing barricade at Homer B. Johnson Stadium and replace it with a knox box (fire access key box). The agreement will provide accountability for who is authorized to open the gate, the conditions under which it can be opened, and a termination clause by either party. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the January 17, 2017 Regular Meeting.

b. Parking Restrictions on O'Banion Road

Council is requested to consider permanent restriction of parking on the south side of O'Banion between Valley Cove Drive and Meadowhill Drive. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the January 17, 2017 Regular Meeting.

c. Rescheduling of July 4, October 3, and December 19 City Council Meetings

Council is requested to consider rescheduling the July 4, 2017 Regular Meeting to July 3, 2017 to observe the July 4 holiday. Reschedule the October 3, 2017 Regular Meeting to October 2, 2017 in order to allow the Mayor and Council the opportunity to participate in local National Night Out activities. Finally, Council will also consider rescheduling the December 19, 2017 Regular Meeting to December 12, 2017. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the January 3, 2017 Regular Meeting.

d. Reasonable Accommodations

Council is requested to consider changes to Section 2.24 of the Garland Development Code (GDC) regarding the process for Reasonable Accommodation requests per the recommendation of the City Attorney's Office. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the January 17, 2017 Regular Meeting.

2. Verbal Briefing(s):

a. Mayor Pro Tem LeMay, Chair of the Community Services Committee, will provide a committee report on the following items:

- *Sanitation Ordinance (Chapter 52)*
- *Outdoor Display of Goods & Merchandise*
- *Temporary Sign Ordinance*
- *Food Code Variance to Allow Dogs in the Outdoor Areas of Food Establishments*

b. Council Member Jim Cahill, Chair of the Internal Audit Committee will provide a committee report on the following items:

- *Recognition of Amanda Harris for preventing Fraud*
- *Kraft Retention Audit*
- *Wastewater Investigation Follow-up*
- *Community Development Block Grant (CDBG) Audit*
- *City Council Business Expense Audit*

3. Consider the Consent Agenda

A member of the City Council may ask that an item on the consent agenda for the next regular meeting be pulled from the consent agenda and considered separate from the other consent agenda items. No substantive discussion of that item will take place at this time.

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. Adjourn

GARLAND
POLICY REPORT

City Council Work Session Agenda **Work Session Item 1. a.**

Meeting Date: January 3, 2017

Item Title: Interlocal Agreement with GISD

Submitted By: Paul Luedtke, Transportation Director

Council Goal: Consistent Delivery of Reliable City Services

ISSUE

Presently, a gate that provides access between the parking lot of Homer B Johnson Stadium and the adjacent neighborhood is permanently barricaded to prevent unauthorized access. GISD has asked for this barricade to be removed and a gate with a knox box (fire access key box) be added to enable the gate to be opened if an emergency necessitated the evacuation of the stadium.

RECOMMENDATION

Unless otherwise directed by Council, this item will be scheduled for formal consideration at the January 17, 2017 Regular Meeting.

BACKGROUND

Three streets from the Monica Park subdivision terminate at the stadium grounds of Homer B Johnson Stadium. One of these streets, Hardy Drive, connects with the parking lot of the stadium. A gate is located on this entrance. A guardrail barrier has been placed across Hardy Drive in front of this gate to prevent access to the neighborhood from the stadium. This gate was opened in 2014 to allow for school buses to access the neighborhood due to the reconstruction of residential streets in Monica Park. During that time GISD personnel requested the permanent opening of this gate at that time to assist with the evacuation of the stadium. Residents in Monica Park strongly objected and the City staff did not move forward with reopening this gate on a permanent basis.

In 2016, risk management personnel from GISD approached the City again about allowing access to the stadium only in the event of an emergency that would cause the evacuation of the stadium and parking lot for public safety reasons. Staff proceeded to reach an agreement with GISD staff regarding the specific conditions under which this gate would be opened and who would have authority to open the gate. The city will also have the ability to open the gate in the event that the neighborhood would need to be evacuated under emergency conditions. The attached agreement specifies these conditions and provides authorization to the appropriate parties.

If Council approves this agreement, City staff will remove the barricade and install a knox box so that emergency personnel will be able to open this gate during emergencies.

CONSIDERATION

Residents of Monica Park have expressed concern that if the barrier is removed, GISD will use this access during routine events resulting in substantial traffic volumes on neighborhood streets.

This agreement provides accountability for who is authorized to open the gate, the conditions under which it can be opened, and a termination clause by either party.

This agreement provides a benefit to both GISD and the City by providing another egress point during an emergency evacuation.

Attachments

Interlocal Agreement

Gate Location Map

Interlocal Agreement Between

The City of Garland

and

Garland Independent School District

This Agreement ("Agreement") is entered into between the City of Garland ("City") and the Garland Independent School District ("GISD"). The GISD is an Independent School District organized under the laws of the State of Texas. The City of Garland is a Home Rule City. The Interlocal Cooperation Act, Government Code Chapter 791, governs this Agreement. This contract is governed by Government Code §421.062. The GISD and City are not responsible for any civil liability that may arise from the furnishing of a service under this contract. The City is granted the authority to enter into this contract by the Texas Health and Safety Code §§12.011 and 1001.071.

I. Purpose

The School District is required to plan and prepare for emergencies, which may result from natural or man-made causes. During such emergencies, it may be necessary to evacuate all or large numbers of people from the Homer B. Johnson Stadium during athletic or other special events to protect lives or property.

The School District has concluded that using all available access routes is the best method for emergency evacuation, including utilizing the access gate on the west side of the stadium leading to Hardy Drive ("West Gate"). It may also be necessary for the City to utilize the West Gate for evacuations or other public safety response efforts. This Agreement does not require an expenditure of funds for either the City or GISD and is performable in Dallas County, Texas.

II. Public Safety Emergency

The actions lined in this agreement will go into effect only if:

1) The Superintendent, Athletic Director, or his designee for GISD, in collaboration with local law enforcement, local fire department, or other local emergency first responders, determines that emergency evacuation of Homer B. Johnson Stadium is necessary to protect lives or property.

OR

2) The Incident Commander or EOC Director determines that emergency evacuation of the neighborhood adjacent to the Homer B. Johnson Stadium is necessary to protect lives or property.

III. Obligations of the GISD

1) The GISD is responsible for keeping the West Gate locked and secured at all other times.
2) The GISD will ensure that the West Gate is not opened for routine evacuations following athletic or other special events in which there is no threat to life safety.
3) GISD will notify the City of the emergency and the decision to open the West Gate on Hardy Drive by contacting Public Safety Dispatch.
4) GISD will follow-up in writing with the City the next business day regarding the circumstances surrounding the opening of the West Gate.
5) GISD will ensure that the West Gate is locked and secured following the evacuation.

IV. Obligations of the City

1) The City will supply a lock that is accessible by the Garland Fire Department for the West Gate.
2) The City will notify GISD of the emergency and decision to open the West Gate on Hardy Drive by contacting GISD Security Dispatch.
3) The City will follow-up in writing with GISD the next business day regarding the circumstances surrounding the opening of the West Gate.

V. Term

This agreement becomes effective when executed by both parties. Either party may cancel it by giving thirty (30) days' notice to the other party; otherwise it remains in effect for five years and may be renewed for a period of five years by written amendment signed by both parties. Any notice or communication required or permitted shall be given in writing.

GARLAND INDEPENDENT SCHOOL DISTRICT

Mrs. Linda Griffin, GISD Board President

DATE: 12/13/2016

CITY OF GARLAND

_____

_____

DATE: _____

Gate Location Map

This map is a user generated static output from an Internet mapping site and is for general reference only.
Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION.

Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

GARLAND
POLICY REPORT

City Council Work Session Agenda **Work Session Item 1. b.**

Meeting Date: January 3, 2017
Item Title: Parking Restrictions on O'Banion Road
Submitted By: Paul Luedtke, Transportation Director
Council Goal: Safe, Family-Friendly Neighborhoods

ISSUE

Activities in Duck Creek Park result in parking along both sides of O'Banion Road. Due to the width of this road, passage by through vehicles is restricted. There is also concern that Emergency vehicles would have difficulty maneuvering this roadway due to the parking issues. This roadway is a major collector road for this neighborhood and therefore important for mobility into and from the area.

OPTIONS

Restrict parking on the south side of O'Banion between Valley Cove Drive and Meadowhill Drive at all times

RECOMMENDATION

Unless otherwise directed by Council, this item will be scheduled for formal consideration at the January 17 Regular Meeting

BACKGROUND

During the fall, the Duck Creek park along O'Banion Road south of Centerville is used very heavily on evenings and weekends for practice and other recreational uses. This results in both sides of O'Banion Road being used for parking along the length of the park adjacent to O'Banion which is approximately 1875 feet.

Citizens brought this to the attention of Councilman Williams who informed staff of the issue.

O'Banion Road is a Type F major collector roadway. This is a 2 lane roadway on 36 feet of pavement to the back of the curb. There is 35 feet of width between the curbs through this section.

When vehicles are parked on both sides of the O'Banion Road, there is not sufficient space for two large vehicles to pass.

After discussions between Parks, Police, Fire and Transportation Departments, there was consensus that prohibiting parking would be appropriate.

CONSIDERATION

No homes front O'Banion Road in the area where parking would be restricted.

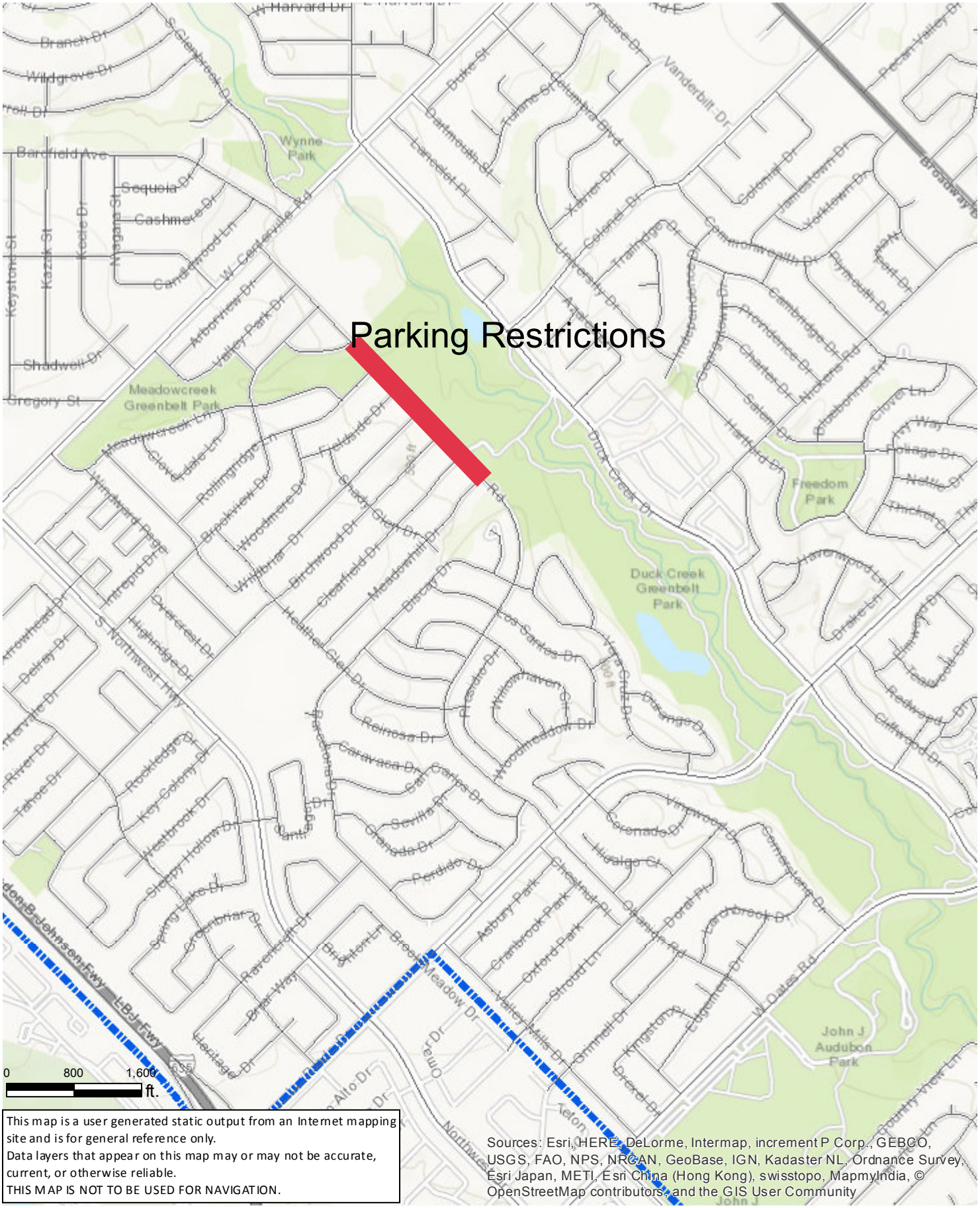
Park Patrons now parking on O'Banion Road will likely park in the neighborhood taking up residents parking spaces in front of their residences.

Attachments

Parking Restrictions Map

COGMAP

N



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GARLAND

CITY COUNCIL ITEM SUMMARY SHEET

City Council Work Session Agenda **Work Session Item 1. c.**

Meeting Date: January 3, 2017

Item Title: Rescheduling of October 3 and December 19 City Council Meetings

Submitted By: Rene Dowl, City Secretary

Summary of Request/Problem

Council is requested to consider rescheduling the July 4, 2017 Regular Meeting to July 3, 2017 and the October 3, 2017 Regular Meeting to October 2, 2017. Council is also requested to consider rescheduling the December 19, 2017 Regular Meeting to December 12, 2017.

Recommendation/Action Requested and Justification

Approve a resolution rescheduling the July 4, October 3 ,and December 19 Regular Meetings of the City Council to July 3, October 2, and December 12.

Attachments

Resceduling 2017 Meetings

RESOLUTION NO.

A RESOLUTION RESCHEDULING THE JULY 4, 2017, THE OCTOBER 4, 2017, AND THE DECEMBER 19, 2017 REGULAR MEETINGS OF THE CITY COUNCIL; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Sec. 8, Article V of the City Charter requires the City Council to prescribe by ordinance or resolution the time for its regular meetings; and

WHEREAS, Sec. 10.14 of the Code of Ordinances provides that regular meetings of the City Council shall be held on the first and third Tuesdays of each month; and

WHEREAS, because July 4, 2017 falls on the first Tuesday of July this year, the City Council desires to reschedule that meeting in order to allow for the celebration of the Fourth of July;

WHEREAS, in order to allow the members of the City Council to participate in the National Night Out Against Crime, the usual schedule for the meeting of the City Council that would be held on the first Tuesday of October is impracticable; and

WHEREAS, because the second regular meeting of the City Council for December will fall during the Christmas holidays, the City Council desires to reschedule that meeting to an earlier date in December;

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

Section 1

That the City Council hereby establishes July 3, 2017 as the date of its first regular meeting for the month of July, 2017, October 2, 2017 as the date of its first regular meeting for the month of October, 2017, and December 12, 2017 as the date of its second regular meeting for the month of December, 2017.

Section 2

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

PASSED AND APPROVED this the _____ day of January, 2017.

CITY OF GARLAND, TEXAS

_____
Mayor

ATTEST:

_____
City Secretary

GARLAND
POLICY REPORT

City Council Work Session Agenda **Work Session Item 1. d.**

Meeting Date: January 3, 2017
Item Title: Reasonable Accommodations
Submitted By: Will Guerin, Planning Director
Council Goal: Sustainable Quality Development and Redevelopment

ISSUE

Consider a revision of the process for which reasonable accomodations are granted for zoning regulations under Chapter 2, Section 2.24 of the Garland Development Code (GDC).

OPTIONS

Unless otherwise directed by City Council, staff will place an amendment of the Garland Development Code (GDC) on the January 17, 2017 regular City Council meeting.

RECOMMENDATION

Staff recommends proceeding with the consideration of an amendment to Chapter 2, Section 2.24 the Garland Development Code (GDC) on the January 17, 2017 regular City Council meeting.

BACKGROUND

The Fair Housing Amendments Act of 1988 ("FHAA") prohibits cities and counties from discriminating against individuals with disabilities through land use and zoning decisions and procedures. Not only must local governments not discriminate, but the FHAA requires that cities and counties provide reasonable accommodation to rules, policies, practices and procedures where such accommodation may be necessary to afford individuals with disabilities equal opportunity to housing.

Section 2.24 of the Garland Development Code (GDC) outlines a process for the City to grant reasonable accommodations of zoning standards so that a person with disabilities may have equal access to housing within the City of Garland. The current application process involves a public hearing and a determination as to whether to grant a reasonable accommodation by the Board of Adjustment. However, because the City may not make zoning or land use decisions under the FHAA based on neighbors' fears that a dwelling would be occupied by a member of a protected class, the City Attorney's Office recommends that this process be an administrative review conducted by City staff.

CONSIDERATION

1. As stated in the GDC, the purpose of a reasonable accommodation is to authorize a modification of certain zoning standards so that a person with disabilities may have equal access to housing within the City of Garland.

2. The proposed amendment, as recommended by the City Attorney's Office, would change the reasonable accommodations application process to an administrative process. More particularly, the proposed language would authorize the Director of Planning to approve or deny a reasonable accommodation, in consultation with the City Attorney's Office, and appeals may be made to the City Manager.

Attachments

Proposed GDC redlines

Proposed Ordinance

Section 2.24 Reasonable Accommodations

(A) Purpose. The purpose of a reasonable accommodation is to authorize a modification of certain zoning standards so that a person with disabilities may have equal access to housing within the City of Garland.

(B) Applicability.

(1) A person requesting a reasonable accommodation from a zoning regulation(s) in Chapter 2 of this GDC on the basis of a disability must file a written ~~request~~ application for a reasonable accommodation with the Planning Director. The applicant ~~will~~ shall not be charged a fee for the application. The ~~request~~ application must expressly state the accommodation from the zoning regulation(s) requested and the basis for the request.

(2) If an applicant requests assistance to file a written application for reasonable accommodation due to a disability, the Planning Director shall provide assistance including, but not limited to, transcribing a verbal request into a written request.

(3) The Planning Director shall review an application, confer with the Office of the City Attorney, and issue a written decision on the request no later than 30 calendar days from the date the request is received. The written decision shall state the basis of the decision.

(4) If the Planning Director fails to render a written decision within 30 calendar days, the application shall be deemed granted.

~~(2)~~(5) After receiving an application for a reasonable accommodation, the Planning Director may request additional information from the applicant consistent with the Federal Fair Housing Amendments Act. The request shall specify the additional information that is needed from the applicant for the Planning Director to render a decision. In the event additional information is requested by the Planning Director, the 30 calendar day period to issue a decision is stayed until the applicant's response is received by the Planning Director. ~~forward to the Board of Adjustment the request for reasonable accommodation, and shall place the request on the agenda of the Board of Adjustment for a hearing as soon as practicable.~~

~~(3)~~(6) ~~The Board of Adjustment shall conduct a hearing to determine whether the request for reasonable accommodation should be granted. At that hearing, t~~The applicant (or the person on whose behalf the applicant is requesting the accommodation) has the burden to present sufficient facts in the application that demonstrate ~~that~~:

(a) The applicant (or the person on whose behalf the applicant is requesting the accommodation) suffers from a handicap as defined by the Fair Housing Amendments Act; and

(b) The applicant (or the person on whose behalf the applicant is requesting the accommodation) demonstrates that the accommodation is both reasonable and necessary. An accommodation under this subsection section is "necessary" if without the accommodation the applicant (or the person on whose behalf the

applicant is requesting the accommodation) will be denied an equal opportunity to obtain the housing of his or her choice;

(47)If the applicant demonstrates the matters set out in subsection (36) above, the request for reasonable accommodation shall be granted by ~~the Board of Adjustment unless~~ the Planning Director, unless the Planning Director demonstrates that the accommodation requested would fundamentally alter the City's zoning regulations, or would pose an undue negative impact on the public health, safety or welfare.

(8) If the Planning Director finds that the requested accommodation would fundamentally alter the City's zoning regulations, or would pose an undue negative impact on the public health, safety, or welfare, the Planning Director shall determine whether an alternative reasonable accommodation exists that would effectively meet the disability-related need.

(C) Appeals.

(1) An applicant may appeal the written decision to deny or to grant an alternative reasonable accommodation no later than 30 calendar days from the date the decision is mailed.

(2) If an applicant needs assistance appealing a written decision, the Planning Director shall provide assistance including, but not limited to, transcribing a verbal appeal into a written appeal.

(3) An appeal must be in writing and include the grounds for the appeal.

(4) An applicant is not required to pay a fee to appeal a written decision.

(5) The City Manager, or his designee, shall review the appeal and issue a written decision no later than 30 calendar days from the date the appeal is received. The written decision shall expressly state the basis of the decision.

(6) If the City Manager, or his designee, fails to render a written decision on the appeal within 30 calendar days from the date the appeal is received, the requested accommodation shall be deemed granted.

(7) Consideration of an appeal is subject to the same criteria set forth in subsection (B)(6) above.

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ORDINANCE NO.

AN ORDINANCE AMENDING SECTION 2.24, "REASONABLE ACCOMMODATIONS," OF THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1

That Section 2.24(B) of the Garland Development Code of the City of Garland, Texas, is hereby amended to read as follows:

"**(B) Applicability.**

(1) A person requesting a reasonable accommodation from a zoning regulation(s) in Chapter 2 of this GDC on the basis of a disability must file a written application for a reasonable accommodation with the Planning Director. The applicant shall not be charged a fee for the application. The application must expressly state the accommodation from the zoning regulation(s) requested and the basis for the request.

(2) If an applicant requests assistance to file a written application for reasonable accommodation due to a disability, the Planning Director shall provide assistance including, but not limited to, transcribing a verbal request into a written request.

(3) The Planning Director shall review an application, confer with the Office of the City Attorney, and issue a written decision on the request no later than 30 calendar days from the date the request is received. The written decision shall state the basis of the decision.

(4) If the Planning Director fails to render a written decision within 30 calendar days, the application shall be deemed granted.

(5) After receiving an application for a reasonable accommodation, the Planning Director may request additional information from the applicant consistent with the Federal Fair Housing Amendments Act. The request shall specify the additional information that is needed from the applicant for the Planning Director to render a decision. In the event additional information is requested by the Planning Director, the 30 calendar day period to issue a decision is stayed until the applicant’s response is received by the Planning Director.

(6) The applicant (or the person on whose behalf the applicant is requesting the accommodation) has the burden to present sufficient facts in the application that demonstrate:

(a) The applicant (or the person on whose behalf the applicant is requesting the accommodation) suffers from a handicap as defined by the Fair Housing Amendments Act; and

(b) The applicant (or the person on whose behalf the applicant is requesting the accommodation) demonstrates that the accommodation is both reasonable and necessary. An accommodation under this subsection section is "necessary" if without the accommodation the applicant (or the person on whose behalf the applicant is requesting the accommodation) will be denied an equal opportunity to obtain the housing of his or her choice;

(7) If the applicant demonstrates the matters set out in subsection (6) above, the request for reasonable accommodation shall be granted by the Planning Director, unless the Planning Director demonstrates that the accommodation requested would fundamentally alter the City's zoning regulations, or would pose an undue negative impact on the public health, safety or welfare.

(8) If the Planning Director finds that the requested accommodation would fundamentally alter the City’s zoning regulations, or would pose an undue negative impact on the public health, safety, or welfare, the Planning Director shall determine whether an

alternative reasonable accommodation exists that would effectively meet the disability-related need."

Section 2

That Section 2.24(C) of the Garland Development Code of the City of Garland, Texas, is hereby amended to read as follows:

"(C) **Appeals.**

(1) An applicant may appeal the written decision to deny or to grant an alternative reasonable accommodation no later than 30 calendar days from the date the decision is mailed.

(2) If an applicant needs assistance appealing a written decision, the Planning Director shall provide assistance including, but not limited to, transcribing a verbal appeal into a written appeal.

(3) An appeal must be in writing and include the grounds for the appeal.

(4) An applicant is not required to pay a fee to appeal a written decision.

(5) The City Manager, or his designee, shall review the appeal and issue a written decision no later than 30 calendar days from the date the appeal is received. The written decision shall expressly state the basis of the decision.

(6) If the City Manager, or his designee, fails to render a written decision on the appeal within 30 calendar days from the date the appeal is received, the requested accommodation shall be deemed granted.

(7) Consideration of an appeal is subject to the same criteria set forth in subsection (B)(6) above."

Section 3

That Chapter 2 of the Garland Development Code of the City of Garland, Texas, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

Section 4

That the terms and provisions of this Ordinance are severable and are governed by Sec. 1.07 of the Garland Development Code of the City of Garland, Texas.

Section 5

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

PASSED AND APPROVED this the _____ day of _____, 2016.

CITY OF GARLAND, TEXAS

_____
Mayor

ATTEST:

_____
City Secretary

GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

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

Meeting Date: January 3, 2017

Item Title: Community Services Committee Report

Submitted By: Richard Briley, Managing Director

Summary of Request/Problem

Mayor Pro Tem Scott LeMay, Chair of the Community Services Committee, will provide a committee report on the following items:

- Sanitation Ordinance (Chapter 52)
- Outdoor Display of Goods & Merchandise
- Temporary Sign Ordinance
- Food Code Variance to Allow Dogs in the Outdoor Areas of Food Establishments

Recommendation/Action Requested and Justification

Council discussion.

GARLAND

City Council Work Session Agenda **Work Session Item 2. b.**

Meeting Date: January 3, 2017

Item Title: Audit Committee Report

Summary:

Council Member Jim Cahill, Chair of the Internal Audit Committee will provide a committee report on the following items:

- *Recognition of Amanda Harris for preventing Fraud*
- *Kraft Retention Audit*
- *Wastewater Investigation Follow-up*
- *Community Development Block Grant (CDBG) Audit*
- *City Council Business Expense Audit*

Background/Additional Information:

Staff will provide additional updates on the Audit Committee.