



## **AGENDA**

**CITY COUNCIL WORK SESSION  
City of Garland  
Work Session Room, City Hall  
200 North Fifth Street  
Garland, Texas  
April 14, 2014**

**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. Written Briefings:**

**a. Portfolio Summary**

*The Portfolio Summary is provided to Council each quarter. The report is in compliance with the requirements of the Public Funds Investment Act. Management of the City's portfolios is conducted in accordance with City Council Policy Finance-06, Statement of Investment Policy, and City Council Policy Finance-05, Statement of Investment Strategy.*

**b. Rate Mitigation Quarterly Portfolio**

*The Rate Mitigation Portfolio Report is provided to Council each quarter. The report presents investment information regarding the balances held in the Rate Mitigation Fund.*

**c. Project Supplemental Agreement with Dallas County**

*Council is requested to consider entering into Amendment No. 1 to the Project Supplemental Agreement with Dallas County for participation in the reconstruction and widening of Northwest Highway from Centerville Road to LaPrada Drive. This item is scheduled for formal consideration at the April 15, 2014 Regular Meeting.*

**d. Sale of City Property – 118 W. Marguerita Drive**

*Council is requested to consider the sale of residential property located at 118 W. Marguerita Drive to Philip Mucknick for \$22,000. On October 1, 2014, the property was struck off to the City of Garland pursuant to a delinquent tax suit. If Council concurs, this item will be scheduled for formal consideration at the May 6, 2014 Regular Meeting.*

**e. Sale of City Property – 310 Parker Drive**

*Council is requested to consider the sale of residential property located at 310 Parker Drive to Fortune Ezeoha for \$15,650. On July 3, 2012, the property was struck off to the City of Garland pursuant to a delinquent tax suit. If Council concurs, this item will be scheduled for formal consideration at the May 6, 2014 Regular Meeting.*

**f. Status of TMPA Negotiations**

*An update on the status of negotiations between the City of Garland, TMPA, and the TMPA member cities is provided for Council's review and information.*

**g. Centerville Marketplace Repositioning Strategy  
Contract Addendum**

*Council is requested to consider authorizing a contract addendum with Ricker Cunningham related to additional services and completion of the Centerville Marketplace Repositioning Strategy. If Council concurs, this item will be scheduled for formal consideration at the May 6, 2014 Regular Meeting.*

**h. Change Order No. 2 – VAI Architects**

*Council is requested to consider Change Order No. 2 in the amount of \$234,875 to the design contract with VAI Architects, Inc. for additional architectural design services associated with the City Center Program. This item is scheduled for formal consideration at the April 15, 2014 Regular Meeting.*

Item	Key Person
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**2. Verbal Briefings:**

**a. Cinco de Mayo Event**

**Goebel/Williams**

*At the request of Council Members Anita Goebel and B. J. Williams, Mr. Carlos Porras will brief Council on the upcoming Cinco de Mayo event that is scheduled to be held on Saturday, May 3, 2014, in Downtown Garland.*

**b. Current Water Conservation Efforts**

**Willis/Athas**

*At the request of Council Member John Willis and Mayor Douglas Athas, Council will be briefed on the City of Garland's current water conservation efforts.*

**c. Process for Obtaining Grants**

**Stanley/Athas**

*At the request of Council Member Stephen Stanley and Mayor Douglas Athas, staff will brief Council on the City's process for obtaining local, state, and federal grants.*

**d. Marketing & Communications Committee Report**

**Williams**

*Council Member B. J. Williams, Chair of the Marketing & Communications Committee, will provide a committee report on preparations for the Ambassador of the Republic of Panama's visit to Garland.*

**e. Administrative Services Committee Report**

**Stanley**

*Council Member Stephen Stanley, Chair of the Administrative Services Committee, will provide a committee report on the review of a draft ordinance regulating the sale and use of e-cigarettes.*

**f. Relocation of City Council Meetings**

**Dollar**

*Council is requested to consider the relocation of City Council meetings due to construction at City Hall.*

**3. Regular Items:**

**a. Environmental Waste Services  
Ice Storm Debris Clean-up**

**Banks**

*The City of Garland experienced a significant weather event in December 2013 that impacted the ability of the Environmental Waste Services Department (EWS) to provide regularly scheduled brush and bulky goods waste collection services and created a substantial financial impact to the EWS operations budget. Information is provided that outlines the EWS response to the arctic storm and identifies an improvement plan for responding to future events.*

**4. Discuss Appointments to Boards and Commissions Council**

- *Sharon Rae Carstens – Parks and Recreation Board (District 2)*

**5. Consider the Consent Agenda Council**

*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.*

**6. Announce Future Agenda Items Council**

*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.*

**7. Adjourn Council**



# City Council Item Summary Sheet

☒ **Work Session**

**Date:** April 14, 2014

☐ **Agenda Item**

## Portfolio Summary

### Summary of Request/Problem

Staff presents the Portfolio Summary report to Council each quarter. The report is in compliance with the requirements of the Public Funds Investment Act. Management of the City's portfolios is conducted in accordance with the City Council Policy Finance-06, Statement of Investment Policy and City Council Policy Finance-05, Statement of Investment Strategy.

### Recommendation/Action Requested and Justification

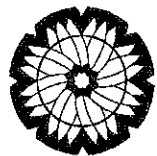
The March 31, 2014 Portfolio Summary is presented to inform the Council. Staff will be available to discuss the report with Council.

**Submitted By:**

**David Schuler**  
**Managing Director of Financial Services**

**Approved By:**

**William E. Dollar**  
**City Manager**



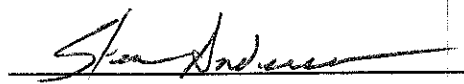
# GARLAND

**City of Garland Portfolio  
Texas Compliance Summary  
Sorted by Investment Class  
October 1, 2013 - March 31, 2014**


City of Garland  
Financial Services

Investment Class		Par Value	Market Value	Book Value	Accrued Interest
> 1 Year FV	Value beginning 10/01/2013	330,115,000.00	328,719,995.94	330,044,823.33	426,148.09
	Net Change	-85,900,000.00	-84,940,082.91	-85,841,191.70	-113,957.72
	Value ending 03/31/2014	244,215,000.00	243,779,913.03	244,203,631.63	312,190.37
< 1 Year AC	Value beginning 10/01/2013	70,599,106.98	70,599,106.98	70,599,106.98	132,048.13
	Net Change	44,711,503.03	44,730,065.74	44,728,937.18	9,049.79
	Value ending 03/31/2014	115,310,610.01	115,329,172.72	115,328,044.16	141,097.92
Total	Value beginning 10/01/2013	400,714,106.98	399,319,102.92	400,643,930.31	558,196.22
	Net Change	-41,188,496.97	-40,210,017.17	-41,112,254.52	-104,907.93
	Value ending 03/31/2014	359,525,610.01	359,109,085.75	359,531,675.79	453,288.29

This report is prepared in compliance with Generally Accepted Accounting Principles, the Public Funds Investment Act and the Statement of Investment Strategies as approved by the City Council.

  
Investment & Debt  
Director

  
Managing Director  
Financial Services

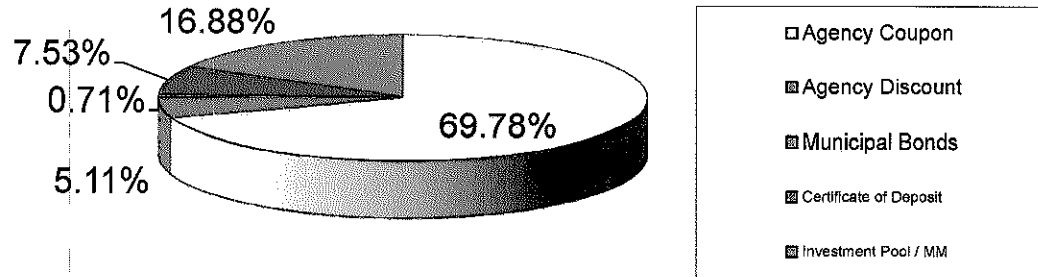
  
Accounting Administrator



**Safety - Securities by Type**  
**City of Garland, Texas**  
**March 31, 2014**

<u>Security Type</u>	<u>Treasury</u>	<u>GO I &amp; S</u>	<u>Rate Mitigation</u>	<u>CMH Landfill</u>	<u>Total Book Value</u>	<u>Percent</u>
Agency Coupon	115,744,242	3,500,057	125,823,619	5,798,974	250,866,892	69.78%
Agency Discount	0	2,099,184	13,992,903	2,273,786	18,365,873	5.11%
Municipal Bonds	0	0	2,556,301	0	2,556,301	0.71%
Certificate of Deposit	22,046,190	5,015,480	0	0	27,061,670	7.53%
Investment Pool / MM	25,977,825	789,709	33,569,239	344,167	60,680,940	16.88%
Total	<u>163,768,257</u>	<u>11,404,430</u>	<u>175,942,062</u>	<u>8,416,927</u>	<u>359,531,676</u>	<u>100.00%</u>

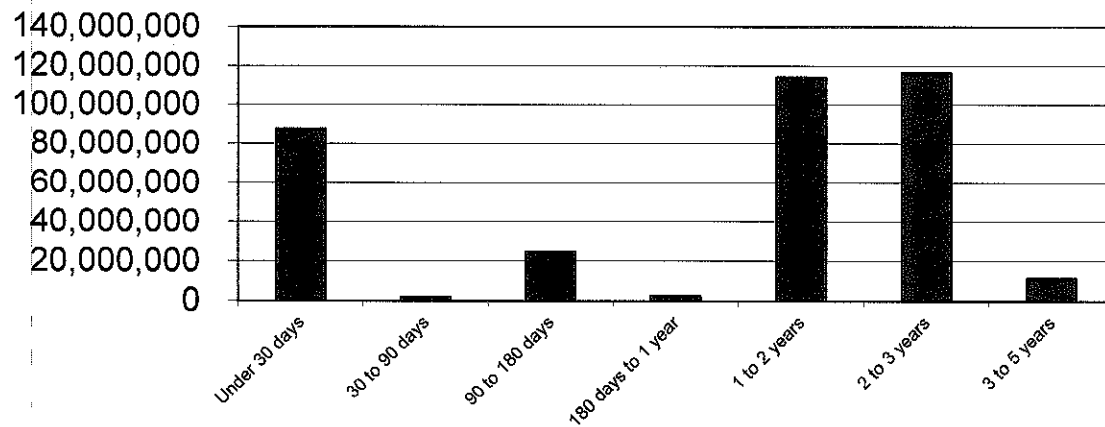
**Safety - Securities by Type**



**Liquidity - Securities by Maturity Date**  
**City of Garland, Texas**  
**March 31, 2014**

	<u>Treasury</u>	<u>GO I &amp; S</u>	<u>Rate Mitigation</u>	<u>CMH Landfill</u>	<u>Total Par Value</u>	<u>Percent</u>
Under 30 days	48,024,015	5,805,189	33,569,239	344,167	87,742,610	24.41%
30 to 90 days	0	0	2,000,000	0	2,000,000	0.56%
90 to 180 days	5,000,000	5,600,000	12,000,000	2,275,000	24,875,000	6.92%
180 days to 1 year	0	0	2,693,000	0	2,693,000	0.75%
1 to 2 years	57,160,000	0	55,000,000	2,000,000	114,160,000	31.75%
2 to 3 years	48,600,000	0	64,155,000	3,800,000	116,555,000	32.42%
3 to 5 years	5,000,000	0	6,500,000	0	11,500,000	3.20%
	<u>163,784,015</u>	<u>11,405,189</u>	<u>175,917,239</u>	<u>8,419,167</u>	<u>359,525,610</u>	<u>100.00%</u>
Weighted Average Maturity Days	497	66	560	547		

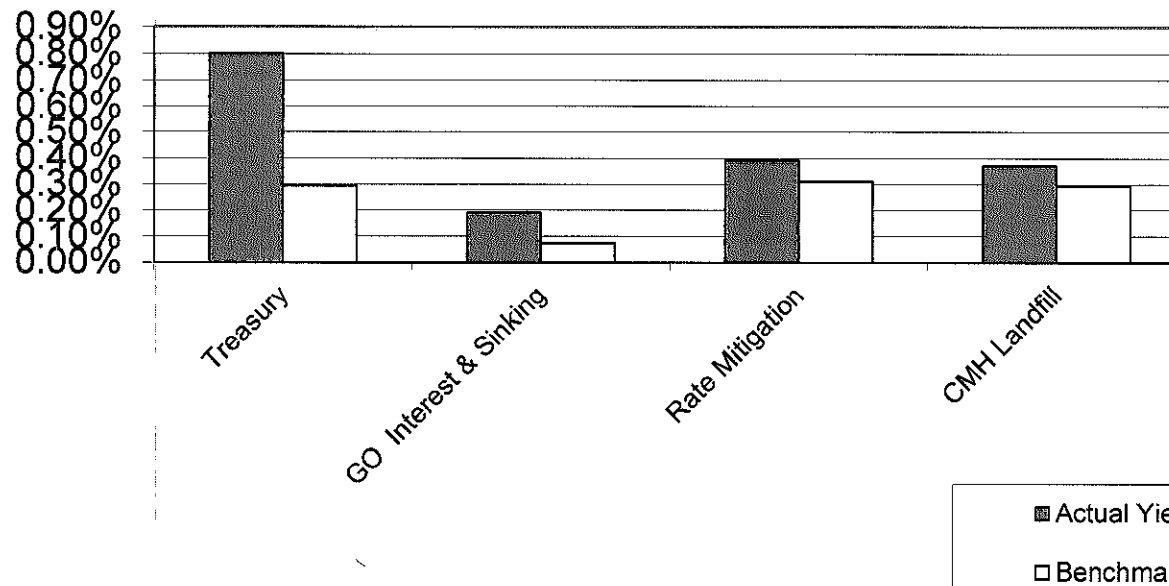
**Liquidity - Securities by Maturity Date**

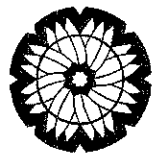


**Yield - Interest Income**  
**City of Garland, Texas**  
**March 31, 2014**

<u>Portfolio</u>	<u>Interest Income Fiscal YTD</u>	<u>Current Yield</u>	<u>Benchmark Yield</u>	<u>Unrealized Gain (Loss)</u>
Treasury	\$350,590	0.802%	0.295%	(\$112,514)
GO Interest & Sinking	\$9,148	0.189%	0.075%	\$1,049
Rate Mitigation	\$388,352	0.392%	0.311%	(\$304,131)
CMH Landfill	\$18,544	0.370%	0.295%	(\$6,993)
Total Portfolios	<u>\$766,634</u>			<u>(\$422,589)</u>

**Yield - Actual vs. Benchmark**





# GARLAND

## City of Garland Portfolio Texas Compliance Details Sorted by Investment Class March 31, 2014

City of Garland  
Financial Services

CUSIP	Investment #	Fund	Issuer	Investment Type	Par Value	Maturity Date	Call Date	Current Rate	Market Price	Market Date	Market Value	Book Value
<b>Investment Class: &gt; 1 Year FV</b>												
313385XH4	2001	214	Federal Home Loan Bank	AFD	2,000,000.00	05/27/2014		0.110	99.995	03/31/2014	1,999,906.00	1,999,657.78
3133ECA61	1908	100	Federal Farm Credit Bank	FAC	3,000,000.00	06/18/2015		0.320	100.002	03/31/2014	3,000,072.00	2,999,271.67
3133ECA61	1909	214	Federal Farm Credit Bank	FAC	2,000,000.00	06/18/2015		0.320	100.002	03/31/2014	2,000,048.00	1,999,514.44
3133ECA61	1998	214	Federal Farm Credit Bank	FAC	2,000,000.00	06/18/2015		0.320	100.002	03/31/2014	2,000,048.00	1,996,612.40
3133EA3X4	1884	100	Federal Farm Credit Bank	FAC	3,000,000.00	07/09/2015		0.350	100.002	03/31/2014	3,000,084.00	2,999,236.67
3133EA3X4	1885	214	Federal Farm Credit Bank	FAC	2,000,000.00	07/09/2015		0.350	100.002	03/31/2014	2,000,056.00	1,999,491.11
3133ECDK7	1930	100	Federal Farm Credit Bank	FAC	3,000,000.00	07/29/2015		0.340	100.002	03/31/2014	3,000,081.00	2,998,805.00
3133ECDK7	1931	214	Federal Farm Credit Bank	FAC	2,000,000.00	07/29/2015		0.340	100.002	03/31/2014	2,000,054.00	1,999,203.33
3134G3L24	1996	100	Federal Home Loan Mort. Corp.	FAC	3,000,000.00	09/25/2015		0.500	100.269	03/31/2014	3,008,082.00	3,000,458.92
3133EA2K3	1873	100	Federal Farm Credit Bank	FAC	4,000,000.00	09/28/2015		0.450	100.004	03/31/2014	4,000,160.00	3,999,005.56
3133EA2K3	1874	214	Federal Farm Credit Bank	FAC	3,000,000.00	09/28/2015		0.450	100.004	03/31/2014	3,000,120.00	2,999,254.17
3133EA3G1	1879	100	Federal Farm Credit Bank	FAC	3,000,000.00	10/09/2015		0.420	100.003	03/31/2014	3,000,111.00	3,000,000.00
3133EA3G1	1880	214	Federal Farm Credit Bank	FAC	2,000,000.00	10/09/2015		0.420	100.003	03/31/2014	2,000,074.00	2,000,000.00
3133ECL93	1962	100	Federal Farm Credit Bank	FAC	1,200,000.00	10/15/2015		0.320	99.978	03/31/2014	1,199,743.20	1,199,529.94
3133ECL93	1963	214	Federal Farm Credit Bank	FAC	4,000,000.00	10/15/2015		0.320	99.978	03/31/2014	3,999,144.00	3,998,433.13
3133ECL93	1964	635	Federal Farm Credit Bank	FAC	2,000,000.00	10/15/2015		0.320	99.978	03/31/2014	1,999,572.00	1,999,216.57
3133EA4B1	1888	100	Federal Farm Credit Bank	FAC	5,000,000.00	10/16/2015		0.440	100.003	03/31/2014	5,000,195.00	5,000,000.00
3133EA4B1	1889	214	Federal Farm Credit Bank	FAC	3,000,000.00	10/16/2015		0.440	100.003	03/31/2014	3,000,117.00	3,000,000.00
3133EA4Z8	1894	100	Federal Farm Credit Bank	FAC	3,000,000.00	10/22/2015		0.410	100.003	03/31/2014	3,000,108.00	2,998,441.67
313381PY5	1920	100	Federal Home Loan Bank	FAC	3,000,000.00	10/23/2015		0.400	99.965	03/31/2014	2,998,965.00	2,999,148.48
313381PY5	1921	214	Federal Home Loan Bank	FAC	2,000,000.00	10/23/2015		0.400	99.965	03/31/2014	1,999,310.00	1,999,432.32
313381PY5	1929	214	Federal Home Loan Bank	FAC	3,000,000.00	10/23/2015		0.400	99.965	03/31/2014	2,998,965.00	2,998,806.67
313381PY5	1943	100	Federal Home Loan Bank	FAC	2,250,000.00	10/23/2015		0.400	99.965	03/31/2014	2,249,223.75	2,249,664.41
3136G1LX5	1975	214	Fed National Mort Assoc	FAC	3,000,000.00	11/13/2015		0.320	99.923	03/31/2014	2,997,714.00	3,000,000.00
313382ZN6	1976	100	Federal Home Loan Bank	FAC	3,710,000.00	11/20/2015		0.300	99.736	03/31/2014	3,700,231.57	3,708,635.80
313382ZN6	1977	214	Federal Home Loan Bank	FAC	4,000,000.00	11/20/2015		0.300	99.736	03/31/2014	3,989,468.00	3,999,607.33
3133EC6V1	1906	100	Federal Farm Credit Bank	FAC	3,000,000.00	12/17/2015		0.390	99.824	03/31/2014	2,994,720.00	2,999,144.44
3133EC6V1	1907	214	Federal Farm Credit Bank	FAC	2,000,000.00	12/17/2015		0.390	99.824	03/31/2014	1,996,480.00	1,999,429.63
3133ECAJ3	1916	214	Federal Farm Credit Bank	FAC	3,000,000.00	12/18/2015		0.400	99.962	03/31/2014	2,998,866.00	2,997,841.65
3133EA3H9	1881	214	Federal Farm Credit Bank	FAC	2,000,000.00	01/11/2016		0.470	100.003	03/31/2014	2,000,074.00	2,000,000.00
3133EA3H9	1891	214	Federal Farm Credit Bank	FAC	3,000,000.00	01/11/2016		0.470	100.003	03/31/2014	3,000,111.00	3,000,000.00
313381SV8	1922	100	Federal Home Loan Bank	FAC	3,000,000.00	01/29/2016		0.500	99.836	03/31/2014	2,995,095.00	3,000,000.00

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Portfolio CITY  
AP

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City of Garland Portfolio  
Texas Compliance Details  
March 31, 2014

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CUSIP	Investment #	Fund	Issuer	Investment Type	Par Value	Maturity Date	Call Date	Current Rate	Market Price	Market Date	Market Value	Book Value
<b>Investment Class: &gt; 1 Year FV</b>												
313381SV8	1923	214	Federal Home Loan Bank	FAC	2,000,000.00	01/29/2016		0.500	99.836	03/31/2014	1,996,730.00	2,000,000.00
3135G0TH6	1924	214	Fed National Mort Assoc	FAC	3,000,000.00	01/29/2016		0.480	99.985	03/31/2014	2,999,565.00	2,999,908.61
313381V85	1925	214	Federal Home Loan Bank	FAC	2,000,000.00	01/29/2016		0.410	99.781	03/31/2014	1,995,628.00	2,000,000.00
3130A0Q52	2009	100	Federal Home Loan Bank	FAC	4,000,000.00	01/29/2016	04/29/2014	0.500	99.871	03/31/2014	3,994,876.00	4,000,000.00
313382VE0	1960	100	Federal Home Loan Bank	FAC	3,000,000.00	02/02/2016		0.330	99.627	03/31/2014	2,988,813.00	2,997,896.82
313382VE0	1961	214	Federal Home Loan Bank	FAC	2,000,000.00	02/02/2016		0.330	99.627	03/31/2014	1,992,542.00	1,998,597.88
313382VE0	1968	100	Federal Home Loan Bank	FAC	3,000,000.00	02/02/2016		0.330	99.627	03/31/2014	2,988,813.00	2,998,858.27
313382VE0	1971	100	Federal Home Loan Bank	FAC	2,000,000.00	02/02/2016		0.330	99.627	03/31/2014	1,992,542.00	1,999,238.85
313382VE0	1972	214	Federal Home Loan Bank	FAC	3,000,000.00	02/02/2016		0.330	99.627	03/31/2014	2,988,813.00	2,998,858.27
3133ECFM1	1939	100	Federal Farm Credit Bank	FAC	2,000,000.00	02/22/2016		0.490	100.004	03/31/2014	2,000,094.00	1,998,928.06
2838212H8	2020	214	MUNI BONDS	MUN	1,000,000.00	03/01/2016	03/01/2015	5.250	104.368	03/31/2014	1,043,680.00	1,049,296.26
3134G3L40	1872	214	Federal Home Loan Mort. Corp.	FAC	3,000,000.00	04/04/2016	04/04/2014	0.600	99.822	03/31/2014	2,994,681.00	2,999,569.64
313382LF8	1951	100	Federal Home Loan Bank	FAC	3,000,000.00	04/11/2016		0.500	99.808	03/31/2014	2,994,240.00	3,000,000.00
313382LF8	1952	214	Federal Home Loan Bank	FAC	2,000,000.00	04/11/2016		0.500	99.808	03/31/2014	1,996,160.00	2,000,000.00
3133ECKZ6	1956	100	Federal Farm Credit Bank	FAC	3,000,000.00	04/11/2016	04/11/2014	0.430	99.774	03/31/2014	2,993,241.00	2,997,668.06
3133ECKZ6	1957	214	Federal Farm Credit Bank	FAC	2,000,000.00	04/11/2016	04/11/2014	0.430	99.774	03/31/2014	1,995,494.00	1,998,445.37
3133ECLA0	1966	100	Federal Farm Credit Bank	FAC	3,000,000.00	04/12/2016		0.410	99.862	03/31/2014	2,995,878.00	2,998,972.35
3133ECLA0	1967	214	Federal Farm Credit Bank	FAC	2,000,000.00	04/12/2016		0.410	99.862	03/31/2014	1,997,252.00	1,999,314.90
313382MC4	1953	100	Federal Home Loan Bank	FAC	3,000,000.00	04/15/2016		0.500	99.732	03/31/2014	2,991,987.00	2,999,979.61
3135G0VZ3	1954	100	Fed National Mort Assoc	FAC	3,000,000.00	04/18/2016		0.550	99.946	03/31/2014	2,998,407.00	2,999,385.83
3135G0VZ3	1955	214	Fed National Mort Assoc	FAC	2,000,000.00	04/18/2016		0.550	99.946	03/31/2014	1,998,938.00	1,999,590.56
3133ECM76	1958	100	Federal Farm Credit Bank	FAC	3,000,000.00	04/22/2016		0.400	99.775	03/31/2014	2,993,265.00	2,997,941.67
3133ECM76	1959	214	Federal Farm Credit Bank	FAC	2,000,000.00	04/22/2016		0.400	99.775	03/31/2014	1,995,510.00	1,998,627.78
3133ECME1	1973	100	Federal Farm Credit Bank	FAC	2,000,000.00	04/25/2016	04/25/2014	0.400	99.803	03/31/2014	1,996,062.00	1,999,930.60
3133ECME1	1974	214	Federal Farm Credit Bank	FAC	3,000,000.00	04/25/2016	04/25/2014	0.400	99.803	03/31/2014	2,994,093.00	2,999,479.48
3135G0WK5	1984	100	Fed National Mort Assoc	FAC	3,000,000.00	04/25/2016		0.500	99.876	03/31/2014	2,996,298.00	2,996,921.38
3135G0WK5	1985	214	Fed National Mort Assoc	FAC	2,000,000.00	04/25/2016		0.500	99.876	03/31/2014	1,997,532.00	1,997,947.59
3133ECQ49	1978	100	Federal Farm Credit Bank	FAC	3,000,000.00	05/23/2016		0.440	99.787	03/31/2014	2,993,613.00	2,998,284.44
3133ECQ49	1979	214	Federal Farm Credit Bank	FAC	2,000,000.00	05/23/2016		0.440	99.787	03/31/2014	1,995,742.00	1,998,856.30
3133ECQ31	1980	100	Federal Farm Credit Bank	FAC	3,000,000.00	05/23/2016	05/23/2014	0.430	99.768	03/31/2014	2,993,040.00	2,997,426.67
3133ECQ31	1981	214	Federal Farm Credit Bank	FAC	2,000,000.00	05/23/2016	05/23/2014	0.430	99.768	03/31/2014	1,995,360.00	1,998,284.44
3134G46A1	1982	100	Federal Home Loan Mort. Corp.	FAC	3,000,000.00	06/06/2016		0.500	99.884	03/31/2014	2,996,535.00	2,999,978.19
3134G46A1	1983	214	Federal Home Loan Mort. Corp.	FAC	2,000,000.00	06/06/2016		0.500	99.884	03/31/2014	1,997,690.00	1,999,985.46
3134G46W3	2037	214	Federal Home Loan Mort. Corp.	FAC	2,000,000.00	06/20/2016	09/24/2014	0.570	99.848	03/31/2014	1,996,964.00	1,998,215.63
3135G0SR5	1912	635	Fed National Mort Assoc	FAC	3,800,000.00	06/27/2016		0.560	99.782	03/31/2014	3,791,716.00	3,799,756.92
3134G4SH2	2006	100	Federal Home Loan Mort. Corp.	FAC	4,000,000.00	07/07/2016	07/07/2014	0.600	100.018	03/31/2014	4,000,724.00	3,999,274.67

**City of Garland Portfolio  
Texas Compliance Details  
March 31, 2014**

CUSIP	Investment #	Fund	Issuer	Investment Type	Par Value	Maturity Date	Call Date	Current Rate	Market Price	Market Date	Market Value	Book Value
<b>Investment Class: &gt; 1 Year FV</b>												
313382M75	1965	214	Federal Home Loan Bank	FAC	2,155,000.00	07/15/2016		0.550	99.689	03/31/2014	2,148,300.11	2,155,000.00
313381VK8	1934	214	Federal Home Loan Bank	FAC	3,000,000.00	07/29/2016		0.575	99.845	03/31/2014	2,995,368.00	2,996,505.56
882723FH7	2014	214	STATE OF TEXAS BONDS	MUN	1,500,000.00	08/01/2016		0.802	100.121	03/31/2014	1,501,815.00	1,507,004.65
3130A0QA1	2019	100	Federal Home Loan Bank	FAC	2,000,000.00	08/12/2016	05/12/2014	0.700	99.913	03/31/2014	1,998,270.00	1,999,905.44
3130A0TT7	2016	100	Federal Home Loan Bank	FAC	3,000,000.00	08/19/2016	05/19/2014	0.700	99.871	03/31/2014	2,996,151.00	3,000,000.00
3130A0TT7	2017	214	Federal Home Loan Bank	FAC	2,000,000.00	08/19/2016	05/19/2014	0.700	99.871	03/31/2014	1,997,434.00	2,000,000.00
3133EC3F9	1903	214	Federal Farm Credit Bank	FAC	3,000,000.00	08/26/2016		0.550	99.715	03/31/2014	2,991,450.00	2,998,457.65
3130A0YJ3	2028	214	Federal Home Loan Bank	FAC	2,000,000.00	08/26/2016	08/28/2014	0.650	99.846	03/31/2014	1,996,932.00	2,001,733.85
3133EDG30	2029	214	Federal Farm Credit Bank	FAC	3,000,000.00	09/06/2016	06/06/2014	0.530	99.822	03/31/2014	2,994,675.00	2,998,541.67
3133ECAQ7	1914	214	Federal Farm Credit Bank	FAC	2,500,000.00	09/19/2016		0.540	99.556	03/31/2014	2,488,920.00	2,497,944.44
3133EDHK1	2034	100	Federal Farm Credit Bank	FAC	3,000,000.00	09/20/2016	06/20/2014	0.630	99.811	03/31/2014	2,994,336.00	2,994,066.74
3133EDHK1	2035	214	Federal Farm Credit Bank	FAC	2,000,000.00	09/20/2016	06/20/2014	0.630	99.811	03/31/2014	1,996,224.00	1,996,044.49
3130A1ET1	2039	214	Federal Home Loan Bank	FAC	2,000,000.00	09/20/2016	03/20/2015	0.600	99.763	03/31/2014	1,995,268.00	1,996,013.45
3134G4XW3	2032	214	Federal Home Loan Mort. Corp.	FAC	3,000,000.00	09/26/2016	09/26/2014	0.600	99.675	03/31/2014	2,990,253.00	3,000,000.00
313382HZ9	1948	214	Federal Home Loan Bank	FAC	2,000,000.00	10/03/2016		0.640	99.719	03/31/2014	1,994,390.00	2,000,000.00
3133ECNT7	1969	214	Federal Farm Credit Bank	FAC	2,000,000.00	11/07/2016		0.540	99.293	03/31/2014	1,985,878.00	2,000,000.00
3135G0WY5	1970	214	Fed National Mort Assoc	FAC	2,000,000.00	11/14/2016	05/14/2014	0.550	99.361	03/31/2014	1,987,236.00	1,999,850.32
313381BG9	1928	214	Federal Home Loan Bank	FAC	3,000,000.00	11/28/2016		0.625	99.439	03/31/2014	2,983,173.00	2,998,942.81
3134G3Z37	1902	214	Federal Home Loan Mort. Corp.	FAC	3,000,000.00	12/05/2016		0.625	99.616	03/31/2014	2,988,498.00	2,997,991.67
3130A1CZ9	2031	100	Federal Home Loan Bank	FAC	2,000,000.00	12/27/2016	03/27/2015	0.750	99.866	03/31/2014	1,997,320.00	1,999,980.08
3130A14E5	2027	100	Federal Home Loan Bank	FAC	2,600,000.00	02/28/2017	08/28/2014	0.810	99.562	03/31/2014	2,588,622.40	2,600,000.00
3130A14F2	2026	100	Federal Home Loan Bank	FAC	2,000,000.00	08/28/2017	08/28/2014	0.850	99.588	03/31/2014	1,991,764.00	2,000,000.00
3130A1DJ4	2033	100	Federal Home Loan Bank	FAC	3,000,000.00	09/27/2017	06/27/2014	0.500	99.836	03/31/2014	2,995,095.00	2,999,970.10
3133EC2M5	1899	214	Federal Farm Credit Bank	FAC	2,000,000.00	11/13/2017		0.940	98.415	03/31/2014	1,968,306.00	2,000,000.00
313381ME2	1918	214	Federal Home Loan Bank	FAC	2,500,000.00	12/28/2017		0.600	97.036	03/31/2014	2,425,910.00	2,500,000.00
3134G34W7	1927	214	Federal Home Loan Mort. Corp.	FAC	2,000,000.00	01/30/2018		1.250	99.440	03/31/2014	1,988,808.00	2,011,415.06
<b>Subtotal</b>					<b>244,215,000.00</b>						<b>243,779,913.03</b>	<b>244,203,631.63</b>
<b>Investment Class: &lt; 1 Year AC</b>												
SYSLANDFILL	1812	635	TEXPOOL Investment Pool	RRP	344,166.75			0.030	100.000	03/31/2014	344,166.75	344,166.75
SYSGOI&S	1814	111	TEXPOOL Investment Pool	RRP	789,709.04			0.030	100.000	03/31/2014	789,709.04	789,709.04
SYSRATE	1815	214	TEXPOOL Investment Pool	RRP	33,569,238.67			0.030	100.000	03/31/2014	33,569,238.67	33,569,238.67
SYSTXSTAR	1822	100	TexStar	RRP	9,390,619.58			0.040	100.000	03/31/2014	9,390,619.58	9,390,619.58
SYSCOMPAPER	1823	601	Fidelity Investments	RRP	3,339,969.55			0.010	100.000	03/31/2014	3,339,969.55	3,339,969.55
SYSTREASURY	1825	100	TEXPOOL Investment Pool	RRP	13,247,236.33			0.030	100.000	03/31/2014	13,247,236.33	13,247,236.33
SYSFICA - CD	1944	100	Federally Insured Cash Account	RRP	15,032,843.19			0.180	100.000	03/31/2014	15,032,843.19	15,032,843.19

City of Garland Portfolio  
Texas Compliance Details  
March 31, 2014

CUSIP	Investment #	Fund	Issuer	Investment Type	Par Value	Maturity Date	Call Date	Current Rate	Market Price	Market Date	Market Value	Book Value
<b>Investment Class: &lt; 1 Year AC</b>												
SYSICSA	1945	111	Insured Cash Shelter Account	RRP	5,015,480.50			0.300	100.000	03/31/2014	5,015,480.50	5,015,480.50
SYS1991	1991	100	Insured Cash Shelter Account	RRP	7,013,346.40			0.300	100.000	03/31/2014	7,013,346.40	7,013,346.40
3130A0YM6	2023	111	Federal Home Loan Bank	FAC	3,500,000.00	08/14/2014		0.120	100.019	03/31/2014	3,500,686.00	3,500,056.89
313397B91	2004	111	Federal Home Loan Mortgage Cor	AFD	1,500,000.00	08/15/2014		0.120	99.981	03/31/2014	1,499,716.50	1,499,320.00
313589B93	2030	111	Fed National Mort Assoc	AFD	600,000.00	08/15/2014		0.060	99.981	03/31/2014	599,886.60	599,864.00
3137EACV9	2007	100	Federal Home Loan Mort. Corp.	FAC	5,000,000.00	08/27/2014		1.000	100.297	03/31/2014	5,014,870.00	5,017,291.10
313589E41	2003	635	Fed National Mort Assoc	AFD	1,275,000.00	09/03/2014		0.140	99.978	03/31/2014	1,274,725.88	1,274,231.46
313589E66	2002	214	Fed National Mort Assoc	AFD	4,000,000.00	09/05/2014		0.140	99.978	03/31/2014	3,999,128.00	3,997,557.78
313385G26	2005	214	Federal Home Loan Bank	AFD	3,000,000.00	09/17/2014		0.150	99.976	03/31/2014	2,999,295.00	2,997,887.50
313397G96	2024	214	Federal Home Loan Mortgage Cor	AFD	5,000,000.00	09/24/2014		0.090	99.975	03/31/2014	4,998,780.00	4,997,800.00
313397H38	2025	635	Federal Home Loan Mortgage Cor	AFD	1,000,000.00	09/26/2014		0.090	99.975	03/31/2014	999,753.00	999,555.00
3137EADA4	2008	214	Federal Home Loan Mort. Corp.	FAC	2,693,000.00	12/29/2014		0.625	100.249	03/31/2014	2,699,721.73	2,701,870.42
				<b>Subtotal</b>	<b>115,310,610.01</b>						<b>115,329,172.72</b>	<b>115,328,044.16</b>
				<b>Total</b>	<b>359,525,610.01</b>						<b>359,109,085.75</b>	<b>359,531,675.79</b>



# City Council Item Summary Sheet

☒ Work Session

Date: April 14, 2014

☐ Agenda Item

## Rate Mitigation Quarterly Portfolio Report

### Summary of Request/Problem

The Rate Mitigation Portfolio Report is provided to Council each quarter. The Report presents investment information regarding the balances held in the Rate Mitigation Fund.

### Recommendation/Action Requested and Justification

The March 31, 2014 Rate Mitigation Quarterly Portfolio Report is presented to inform the Council. Staff will be available to discuss the report with Council.

**Submitted By:**

**David Schuler**  
**Managing Director of Financial Services**

**Approved By:**

**William E. Dollar**  
**City Manager**



Rate Mitigation Fund  
Quarterly Portfolio Report  
March 31, 2014

Portfolio Book Value - October 1, 2013	\$175,500,546
Transfers (to) from GP&L Operating Fund	0
Transfers (to) from GP&L Operating Fund	0
Interest income:	
October 1 - December 31	\$208,431
January 1 - March 31	179,921
April 1- June 30	0
July 1- September 30	0
Total interest income recognized - fiscal year-to-date	\$388,352
Adjustment for beginning and ending accruals	53,164
Total interest income received - fiscal year-to-date	441,516
Portfolio Book Value - March 31, 2014	<u>\$175,942,062</u>

Portfolio Book Value is the value of the entire portfolio that is recorded in the financial records. The interest income received in each quarter increases the portfolio book value. The adjustment for the beginning and ending accruals is an accounting entry.

Portfolio Book Value - March 31, 2014	\$175,942,062
Future interest income to be earned	-24,823
Portfolio Par Value - March 31, 2014	<u>\$175,917,239</u>

Portfolio Par Value is the face value, at maturity, of the various securities held in the portfolio. The variance between Book Value and Par Value is one component of future income that will be earned as each security matures. Unlike Book Value, Par Value is not recorded in the financial records. It is reported for informational purposes only.

Portfolio Book Value - March 31, 2014	\$175,942,062
Unrealized gain (loss)	-304,131
Portfolio Market Value - March 31, 2014	<u>\$175,637,931</u>

Portfolio Market Value is the current Fair Market Value of the various securities in the portfolio. Generally, Fair Market Value of a fixed income security will decline as interest rates rise. Conversely, as interest rates fall, the Fair Market Value of a fixed income security will increase. Governmental financial reporting standards require that Fair Market Value and the changes in Fair Market Values be reported in year-end financial statements.

It should be noted that declines of Fair Market Value below Book Value are reported as Unrealized Losses for informational purposes. The City does not realize investment losses because securities are held to maturity.



**Meeting: Work Session**

**Date: April 14, 2014**

# **Policy Report**

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## **PROJECT SUPPLEMENTAL AGREEMENT (PSA) WITH DALLAS COUNTY FOR NORTHWEST HIGHWAY – CENTERVILLE ROAD TO LAPRADA DRIVE**

### **ISSUE**

Consider whether to enter into Amendment No 1 to the Project Supplemental Agreement (PSA) with Dallas County for participation in the reconstruction and widening of Northwest Highway from Centerville Road to LaPrada Drive.

### **OPTIONS**

- A. Adopt a Resolution which authorizes the City Manager to execute the attached Amendment No. 1 to the PSA.
- B. Take no action

### **RECOMMENDATION**

Option A – Authorize the City Manager to execute Amendment No. 1 to the PSA with Dallas County. This item is scheduled for formal consideration at the April 15, 2014 Regular Meeting.

### **COUNCIL GOAL**

Consistent Delivery of Reliable City Services  
Safe, Family-Friendly Neighborhoods

### **BACKGROUND**

1. In 2012 the City executed a Master Agreement with Dallas County that provides general terms regarding funding availability, agency responsibilities, etc., for “partnering” on eligible future roadway projects. According to this model, a PSA is then required to finalize specific costs and project management issues. Generally, Dallas County provides a 50% share of all eligible paving and drainage costs. The City must pay for all City utility improvements or relocations.

2. The successful 2004 Bond Referendum included funding to “partner” with Dallas County for the reconstruction and widening of Northwest Highway from Centerville Road to LaPrada Drive.
3. The City and Dallas County entered into a PSA in 2010 for the design only of Northwest Highway from Centerville Road to LaPrada Drive.
4. The Amendment No. 1 identifies total project bid, materials testing and right-of-way costs for a total of \$5,500,000.00. The City’s expected share is \$2,841,000.00 including utility improvements. The approved 2012 CIP included funds to cover the Paving and Drainage amounts and the utility costs will be funded through utility funds.

## **CONSIDERATION**

1. Council action is required to authorize the City Manager to sign Amendment No. 1 with Dallas County.
2. Amendment No. 1 has been reviewed by the City Attorney’s Office.

## **ATTACHMENTS**

1. Location Map
2. Proposed Amendment No. 1 to the Project Specific Agreement with Dallas County for Northwest Highway from Centerville Road to LaPrada Drive.

Submitted By:

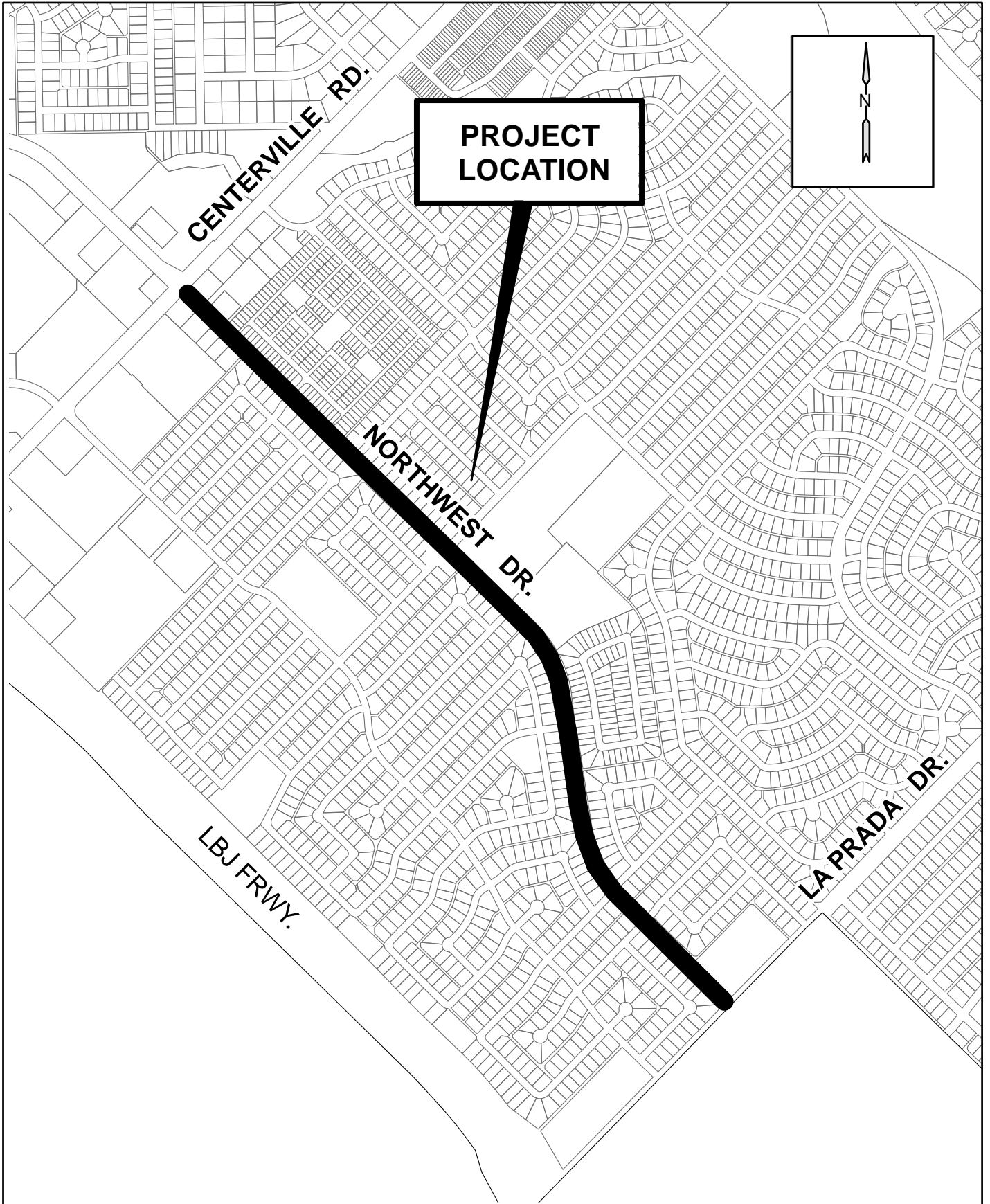
Michael C. Polocek  
Director of Engineering

Date: April 1, 2014

Approved By:

William E. Dollar  
City Manager

Date: April 1, 2014



## AMENDMENT NO. 1

### DALLAS COUNTY CAPITAL IMPROVEMENT PROGRAM PROJECT SUPPLEMENTAL AGREEMENT TO THE MASTER AGREEMENT GOVERNING MAJOR CAPITAL TRANSPORTATION IMPROVEMENT PROJECTS

This Amendment is entered into this \_\_\_\_ day of \_\_\_\_\_, 2013, to amend the Project Supplemental Agreement (“PSA”) between the City of Garland, Texas (the, “City”), and County of Dallas acting by and through the Dallas County Commissioners Court (the “County”) for the implementation of Northwest Highway MCIP Project 22002 from Centerville Road to LaPrada Drive (the “Project”).

**Whereas**, pursuant to Dallas County Commissioners Court Order 2002-1375 dated July 30, 2002, and Court Order 2012-1795 dated October 23, 2012, the County acting by and through the Dallas County Commissioners Court, and the City entered into a Master Agreement to jointly fund various street improvement projects; and

**Whereas**, pursuant to Dallas County Commissioners Court Order No. 2010-1007 dated June 15, 2010, County and City entered into a Project Supplemental Agreement for the implementation of Northwest Highway MCIP Project 22002 from Centerville Road to LaPrada Drive; and

**Whereas**, Chapter 791 of The Texas Government Code and Texas Transportation Code Section 251 provides authorization for local governments to contract with each other for the performance of governmental functions and services, as well as for joint funding of road or street projects; and

**Now therefore**, this Amendment No. 1 is made by and entered into by the City and the County for the mutual consideration stated herein.

#### **I. Purpose**

City and County both mutually agree to amend said PSA in accordance with the terms of the existing Agreement, except as modified below.

#### **II. Amended Provisions**

- A.** Article II, “Incorporated Documents,” of the Project Supplemental Agreement shall be and is hereby revised in its entirety to read as follows:
1. Master Agreement authorized by County Commissioners Court Order 2010-1007 dated June 15, 2010, and additions thereto as incorporated herein.
  2. Project Scoping Sheets, as shown in Attachment “A” which defines the scope of the project.
  3. Current Cost Estimates and Funding Sources, as shown in Attachment “B”.
- B.** Article VII, “City Covenants and Agrees as Follows” of the Project Supplemental Agreement shall be and is hereby amended as follows:
- Number seven of the agreement is deleted entirely.

- C. Article IX, “Funding”, of the Project Supplemental Agreement shall be and is hereby revised in its entirety to read as follows:

County and City mutually agree to proportionately fund the direct project and program cost as follows:

1. Notwithstanding any provision in the Master Agreement, this PSA, any amendment thereto, or any other agreement between the parties regarding this Project, the total Project cost is estimated at Five Million Five Hundred Thousand Dollars and no cents (\$5,500,000.00). The County’s total obligation to this Project is to provide funding in the amount not to exceed Two Million, Seven Hundred Fifty Thousand Dollars and no cents (\$2,750,000.00), reduced by County share of in-house project delivery costs. Project costs may include all County project delivery costs including but not limited to preliminary scoping and research, preliminary design services, special services, primary design services, inspection, laboratory services and construction. Funding will be available from Fund 196, Project 8201.
2. The City agrees to provide funding for the Project as indicated in the amount of Two Million, Seven Hundred Fifty Thousand Dollars and no cents (\$2,750,000.00).
3. City agrees to encumber an amount adequate for total estimated project costs as determined prior to the commencement of each Project milestone as determined by County within 30 days of notification by County. The City will pay Project costs as invoiced by the County.
4. City covenants and agrees that it has included paving and drainage amenities, utility betterments as defined in the Master Agreement, and relocation or adjustment of city utilities in the Project. City and County agree that City, in addition to the above listed Project cost, shall pay 100% of each item and all additional County Direct Project and Program Cost for the inclusion of such items in the Project.
5. If the total Project costs excluding paving and drainage amenities or utility betterments should exceed the total Project cost, the City and County agree to amend the project's scope to remain within the current estimated total Project Cost.

- D. Article X “Miscellaneous” of the Project Supplemental Agreement shall be and is hereby amended as follows:

Number three “Notice” shall be amended by deleting Mr. Donald Holzwarth, P.E. and adding Ms. Alberta Blair, P.E.

### **III. Effect of Amendment**

This Amendment No. 1 shall not change or waive any contractual provisions, clauses or conditions of the original PSA, unless otherwise provided for herein. The original PSA, including any and all incorporated or referenced documents and any and all exhibits, attachments and amendments that by their terms have been incorporated into any of the foregoing documents, are collectively referred to herein as the PSA. All provisions of the PSA shall remain in full force and effect throughout the term of the PSA and any duly authorized amendments or extensions, including this Amendment No. 1, with the exception of the amended provisions provided herein.

The County of Dallas, State of Texas, has executed this Agreement pursuant to Commissioners Court Order Number \_\_\_\_\_ and passed on the \_\_\_\_ day of \_\_\_\_\_, 2013.

The City of Garland, State of Texas, has executed this Agreement pursuant to duly authorized City Council Resolution \_\_\_\_\_ dated the \_\_\_\_ day of \_\_\_\_\_, 2013.

**City of Garland**

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

**Attest:**

\_\_\_\_\_  
City Secretary \ Attorney

**County of Dallas**

\_\_\_\_\_  
Clay Lewis Jenkins  
Dallas County Judge

**Approved as to Form\*:**  
Craig Watkins  
District Attorney

Teresa Guerra Snelson  
Chief, Civil Division

By: \_\_\_\_\_  
Sherri Turner  
Assistant District Attorney

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



**Meeting: Work Session**

**Date: April 14, 2014**

# **Policy Report**

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## **SALE OF CITY PROPERTY – 118 W. MARGUERITA DRIVE TO PHILIP MUCHNICK**

### **ISSUE**

Consider the sale of a residential property at 118 W. Marguerita Drive, in the City of Garland to Philip Mucknick for \$22,000.

### **OPTIONS**

1. Approve the sale.
2. Do not approve sale.

### **RECOMMENDATION**

Sell the subject property to Philip Muchnick. If Council concurs with this recommendation, staff will prepare a resolution for consideration at the May 6, 2014 Regular Meeting.

### **COUNCIL GOAL**

Sustainable Quality Development and Redevelopment  
Financially Stable Government with Tax Base that Supports Community Needs  
Safe, Family-Friendly Neighborhoods

### **BACKGROUND**

On October 1, 2013, the property located at 118 W. Marguerita Drive, was struck off to the City of Garland pursuant to delinquent tax suit No. TX11-40393, City of Garland et al vs. Lisa Araiza, et al. The property was struck for a total Judgment of \$31,794.45. The most recent appraisal district market value is \$49,370. Philip Muchnick has offered to purchase this property for \$22,000.

### **CONSIDERATION**

Since the purchase offer is less than the lesser of the judgment amount and the appraisal district value, all taxing jurisdictions must consent to the sale. Dallas County



## SALE OF CITY PROPERTY – 118 W. MARGUERITA DRIVE

Page 2

and GISD have consented by Court Order and Resolution respectively. Net court costs and costs of sale amount to \$6,371.23. In addition, the City is entitled to reimbursement for its costs in the amount of \$1,345.87, leaving \$14,282.90 to be distributed to the City of Garland, Garland ISD, and Dallas County based on the pro rata percentages of the total judgment for taxes. Garland will receive \$4,064.26, with \$7,004.32 distributed to GISD and \$3,214.32 distributed to Dallas County.

### Total Distribution:

Court Costs	\$ 6,371.23
City of Garland	\$ 5,410.13
GISD	\$ 7,004.32
<u>Dallas County</u>	<u>\$ 3,214.32</u>
	\$22,000.00

The residential home has been vacant since approximately 2007 and requires substantial repairs. Selling the home for the lesser amount will allow the buyer to invest more into the repair and improvement of the home creating a positive impact on the neighborhood. In addition, the City will no longer incur expenses associated with maintenance of the property.

This property has been routed through the internal real estate management organization process. All departments have declined their interest in retaining the property for City use.

The City Attorney's Office has reviewed this information.

### ATTACHMENTS

1. Letter offering to purchase the property.
2. Court Order from Dallas County.
3. Resolution from GISD.
4. Sheriff's Deed
5. Location Map

Submitted By:

Michael C. Polocek, P.E.  
Director of Engineering

Date: April 7, 2014

Approved By:

William E. Dollar  
City Manager

Date: April 7, 2014

LAW OFFICES  
**GAY, MCCALL, ISAACKS, GORDON & ROBERTS, P.C.**

A PROFESSIONAL CORPORATION  
ATTORNEYS AND COUNSELORS

JOHN E. GAY  
DAVID MCCALL +  
LEWIS L. ISAACKS ♦+  
SYDNA H. GORDON  
WILLIAM J. ROBERTS +  
JENNIFER T. PETTIT  
J. DOUGLAS BURNSIDE  
ROBERT T. DRY, III  
JENNIFER EDMONDSON  
ERIN MINETT  
DUSTIN L. BANKS  
M. SHANNON KACKLEY

SUITE 310, LB 40  
1919 S. SHILOH ROAD  
GARLAND, TEXAS 75042  
(972) 278-8282 • Fax (972) 278-8222

♦ BOARD CERTIFIED -- CIVIL TRIAL LAW  
TEXAS BOARD OF LEGAL SPECIALIZATION  
  
+ATTORNEY - MEDIATOR

October 22, 2013

Ms. Carol Clark  
Tax Assessor/Collector  
City of Garland  
217 N. 5th Street  
Garland, Texas 75040

Via electronic-mail

Re: Offer by Philip Muchnick to purchase 118 W. Marguerita Dr., Garland, Texas

Dear Ms. Clark:

The above referenced property was struck off to the City of Garland on October 1, 2013 at a Sheriff's Sale pursuant to delinquent tax suit No. TX11-40393, City of Garland, et al. vs. Lisa Araiza, et al. The property was struck off for the total amount of the judgment, \$31,794.45. Philip Muchnick has offered to purchase this property for \$22,000.00.

The costs and distribution of net proceeds are:

Court Costs		\$4,667.67
Sheriff's Costs of Sale		\$1,366.68
Publication Fees		\$336.88
Net Court Costs and Costs of Sale		<u>\$6,371.23</u>
Personnel and Overhead .....		<u>\$1,345.87</u>
Total City Reimbursement		<u>\$1,345.87</u>
City of Garland	28.5%	\$4,064.26
Garland ISD	49.0%	\$7,004.32
Dallas County	22.5%	\$3,214.32
Total Tax Distribution		<u>\$14,282.90</u>
Net Court Costs and Costs of Sale		\$6,371.23
Total City Reimbursement		\$1,345.87
Total Tax Distribution		<u>\$14,282.90</u>
Total Sale Price		<u>\$22,000.00</u>

C. Clark  
October 22, 2013  
Page Two

Because the sale price pays all amounts due under the Judgment to the other taxing units, this sale meets the criteria of §34.05(h) and does not require their consent.

If the City Council approves this transaction, please forward to me the executed Deed. I will contact Philip Muchnick to complete the transaction.

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

Yours truly,



J. Douglas Burnside  
Attorney at Law

Re-sale Disbursement Worksheet  
City of Garland

CAD Acct #:	26113500020280000
Property address:	118 W. Marguerita Drive
Prior Owner:	Lisa Araiza
Cause No.:	TX11-40393
Judgment Date:	April 17, 2013
Sheriff's Sale Date:	October 1, 2013
Judgment amount:	GISD \$7,004.32
	City \$4,064.26
	County \$3,214.32
Total Judgment for Taxes:	\$14,282.90
Court costs:	\$4,667.67
Constable's fees for sale:	\$1,366.68
Publication fees for sheriff's sale, paid by Gay & McCall:	\$336.88

**Checks to be disbursed as follows:**

<b>1.</b>	<b>Dallas County District Clerk</b>	<b>\$4,667.67</b>
<b>2.</b>	<b>Dallas County Sheriff</b>	<b>\$1,366.68</b>
<b>3.</b>	<b>Gay, McCall, Isaacks, Gordon &amp; Roberts</b>	<b>\$336.88</b>
<b>4.</b>	<b>City of Garland (administrative fee)</b>	<b>\$1,345.87</b>
<b>5.</b>	<b>City of Garland (taxes)</b>	<b>\$4,064.26</b>
<b>6.</b>	<b>Garland ISD (taxes)</b>	<b>\$7,004.32</b>
<b>7.</b>	<b>John Ames, Dallas County Tax Assessor</b>	<b>\$3,214.32</b>
	<b>TOTAL</b>	<b>\$22,000.00</b>

**The cause number and Dallas Central Appraisal District tax account number should be on all checks.**

**COURT ORDER  
2014-0130**



Consent to City of Garland's Resale of Tax Foreclosed Property at 118 W. Marguerita Drive,  
Garland, Texas

On a motion made by Commissioner Dr. Elba Garcia, District 4, 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: 1/21/2014  
FUNDING SOURCE: N/A

Be it resolved and ordered that the Dallas County Commissioners Court does hereby consent to the offer of \$22,000 received by the City of Garland from Philip Muchnick on the property located at 118 W. Marguerita Drive, Garland, Texas, DCAD No. 26113500020280000, even if the offer tendered is less than the market value of the land specified in the judgment of foreclosure or the total amount of the judgment against the property, and authorize the City of Garland to act and sign on behalf of Dallas County, the Dallas County Community College District, the Parkland Hospital District and the Dallas County School Equalization Fund in the sale, use, and disposition of the property listed herein, acquired by tax foreclosure, which has been jointly vested in the name of the City of Garland, Garland I.S.D. and Dallas County.

Done in open court January 28, 2014, 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

## **RESOLUTION**

### **A RESOLUTION AUTHORIZING THE CITY OF GARLAND TO RE-SELL TAX FORECLOSED PROPERTY LOCATED AT 118 W. MARGUERITA 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 310 Parker Drive, Garland, Texas, ("The Property") was struck off to the City of Garland on its own behalf and as Trustee for the Garland Independent School District and Dallas County, pursuant to Section 34.01(j) of the Property Tax Code, and

**WHEREAS**, Garland Independent School District desires to resell The Property pursuant to Section 34.05 of the Property Tax Code for an amount not less than \$22,000.00, 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,

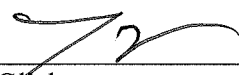
### **NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE GARLAND INDEPENDENT SCHOOL DISTRICT, GARLAND, TEXAS THAT:**

**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 118 W. Marguerita 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 118 W. Marguerita Drive, Garland, Texas for an amount not less than \$22,000.00 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.

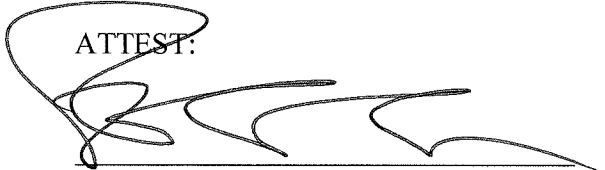
**Section 2.** This Resolution shall take effect immediately from and after its passage in accordance with the provisions of the law.

PASSED AND APPROVED this 21<sup>st</sup> day of Jan., 2014, by the  
Board of Trustees for the Garland Independent School District.

GARLAND INDEPENDENT SCHOOL DISTRICT

By:   
Larry Glick  
President, Board of Trustees

ATTEST:

  
Rick Lambert  
Secretary, Board of Trustees  
Garland Independent School District

**Sheriff's Deed**

100113-10

The State of Texas, }  
County of Dallas.

**KNOW ALL MEN BY THESE PRESENTS:**



201300328611

SHERIFF DEED 1/2

**NOTICE OF CONFIDENTIALITY RIGHTS: "IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER."**

THAT, WHEREAS, By virtue of a certain Order of Sale, issued out of the Honorable 160<sup>th</sup> Judicial District Court, Dallas County, State of Texas, on 17<sup>th</sup> day of June, A. D. 2013 in and for Dallas County, Styled CITY OF GARLAND AND GARLAND ISD, Plaintiff -versus- LISA ARAIZA, ET AL, Case No.TX-11-40393. On a certain judgment and Decree of Foreclosure rendered on the 17<sup>th</sup> day of April, A.D. 2013, by said Court and directed and delivered to me as Sheriff of Dallas County, Texas, commanding me to seize and sell the real property described in said Order of Sale, I, **Lupe Valdez, Sheriff**, aforesaid, did upon the 13<sup>th</sup> day of August, A.D.,2013, execute said property described in said Order of Sale, by having notice of the time and place of such sale published in the English language, once a week for three consecutive weeks, preceding such sale, in the **DAILY COMMERCIAL RECORD** a newspaper published in said County, the first of said publications appearing not less than twenty days immediately preceding the day of said sale, and by **MAILING** a written notice of such sale to Lisa Araiza, Beneficial Financial I, Inc., FKA Beneficial Texas, Inc. (In Rem Only); Creditor Holding, L.L.C. aka Bluebonnet Financial Assets, Defendant(s) and on the 1st Tuesday in October, A.D. 2013 it being the 1<sup>st</sup> day of the month, within the hours prescribed by law,(10:00 A.M.) sold said real property at public auction in the County of Dallas at the Courthouse door thereof, at which sale the real property herein after described was struck off to City of Garland on its behalf and Trustee for Garland ISD, Dallas County, for the sum of \$31,749.45 Dollars as there were no bids taken on that property therefore.

**NOW, THEREFORE**, in consideration of the premises aforesaid and of the payment to me of the said sum of \$31,749.45 Dollars, the receipt of which is hereby acknowledged, I, **Lupe Valdez, Sheriff** as aforesaid, have **SOLD** and **CONVEYED**, and by these presents do **SELL** and **CONVEY** unto the said City of Garland on its behalf and Trustee for Garland ISD, Dallas County, all of the estate, right, title and interest which the said **Defendant** had on the 17<sup>th</sup> day of April, A.D.2013 or at any time afterwards, in and to the following described real property, same being also described in the said **Order of Sale**, all that certain lot, tract or parcel of land, lying in being situated in Dallas County, TX and being more particularly described as follows:

**PROPERTY ADDRESS: 118 W. MARGUERITA DR., CITY OF GARLAND, DALLAS COUNTY, TEXAS. ACCT.**

**NO: 26113500020280000; LOT 28, BLOCK 2, CRESTHAVEN 2 ADDITION, AKA 118 W. MARGUERITA DR.,**

**CITY OF GARLAND, DALLAS COUNTY, TEXAS, AS RECORDED IN VOL. 2003050, PAGE 2339, OF THE**

**DALLAS**

**COUNTY**

**DEED**

**RECORDS.**



TO HAVE AND TO HOLD The above described premises, together with all and singular, the rights and Appurtenances thereto in anywise belonging, unto the said City of Garland heirs and assigns, forever as fully and as absolutely as I, a Sheriff aforesaid, can convey by virtue of said Order of Sale.

IN TESTIMONY WHEREOF, I have hereunto set my hand, this 8<sup>th</sup> day of October, A.D. 2013.

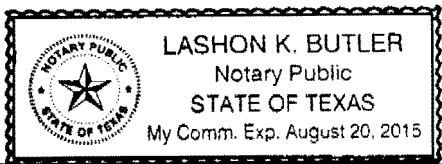
LUPE VALDEZ, SHERIFF,  
DALLAS, COUNTY, TEXAS

by T. Davis #276  
Deputy Tim Davis #276, Deputy S. Jackson #297

The State of Texas}  
County of Dallas

BEFORE ME, LASHON K. BUTLER, A Notary Public on this day personally appeared Deputy Tim Davis, #276, Deputy S. Jackson #297 Deputy Sheriff of Dallas County, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledge to me that he executed the same for the purpose and consideration therein expressed, and in his capacity as Deputy Sheriff therein set forth.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This 8<sup>th</sup> day of October, A.D. 2013.



Lashon K. Butler  
Notary Public, State of Texas  
Commission Expires 08-20-2015

The State of Texas, }  
County of Dallas

I \_\_\_\_\_ County Clerk of said County, do hereby certify that the above instrument of writing, together with its Certificate of Authentication was filed for record in my office on the \_\_\_\_\_ day of \_\_\_\_\_ A.D. 2013, at \_\_\_\_\_ o'clock \_\_\_\_\_ M, and duly recorded the \_\_\_\_\_ day of \_\_\_\_\_ A.D., 2013, in Volume \_\_\_\_\_, Page \_\_\_\_\_ of the Records of Deeds, etc., of said County.

WITNESS MY HAND AND OFFICIAL SEAL This \_\_\_\_\_ of \_\_\_\_\_ A.D.2013.

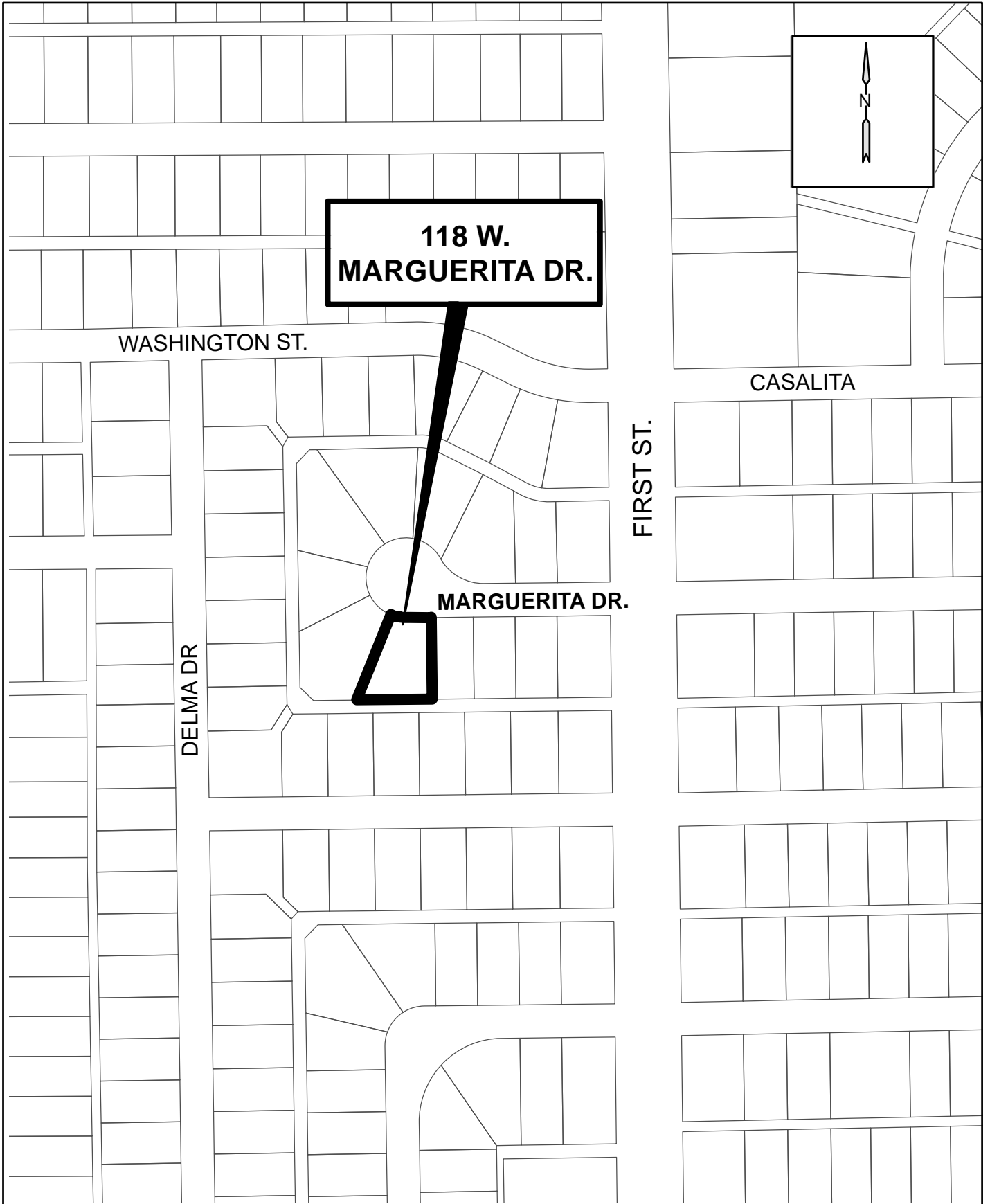
Filed and Recorded  
Official Public Records  
John F. Warren, County Clerk  
Dallas County, TEXAS  
10/21/2013 11:37:24 AM  
\$20.00



JF2

201300328611

Send This Deed To: City of Garland: Attn: J. Douglas Burnside, 1919 S. Shiloh Rd., Ste 310 LB 40, Garland, Texas 75042



**GARLAND**  
TEXAS MADE HERE

**118 W. MARGUERITA DR**

Scale: NTS
File: 118Margue
Date: April 2014
Drawn: COG

SHEET
1
OF
1



# **Policy Report**

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## **SALE OF CITY PROPERTY – 310 PARKER DRIVE TO FORTUNE EZECHA**

### **ISSUE**

Consider the sale of a residential property at 310 Parker Drive, in the City of Garland to Fortune Ezecha for \$15,650.

### **OPTIONS**

1. Approve the sale.
2. Do not approve sale.

### **RECOMMENDATION**

Sell the subject property to Fortune Ezecha. If Council concurs with this recommendation, staff will prepare a resolution for consideration at the May 6, 2014 Regular Meeting.

### **COUNCIL GOAL**

Sustainable Quality Development and Redevelopment  
Financially Stable Government with Tax Base that Supports Community Needs  
Safe, Family-Friendly Neighborhoods

### **BACKGROUND**

On July 3, 2012, the property located at 310 Parker Drive was struck off to the City of Garland pursuant to delinquent tax suit No. TX10-40107, City of Garland et al vs. Heirs and Unknown Heirs of Della Mae Washington. The property was struck for a total Judgment of \$31,589.73. The most recent appraisal district market value is \$45,190. Fortune Ezecha has offered to purchase this property for \$15,650.

### **CONSIDERATION**

Since the purchase offer is less than the lesser of the judgment amount and the appraisal district value, all taxing jurisdictions must consent to the sale. Dallas County and GSD have consented by Court Order and Resolution respectively. Net court costs

## SALE OF CITY PROPERTY – 310 PARKER DRIVE

Page 2

and costs of sale amount to \$5,572.95. In addition, the City is entitled to reimbursement for its costs in the amount of \$1,500.00, leaving \$8,577.05 to be distributed to the City of Garland, Garland ISD, and Dallas County based on the pro rata percentages of the total judgment for taxes. Garland will receive \$2,178.67, with \$5,763.58 distributed to GISD and \$634.80 distributed to Dallas County.

### Total Distribution:

Court Costs	\$ 5,572.95
City of Garland	\$ 3,678.67
GISD	\$ 5,763.58
<u>Dallas County</u>	<u>\$ 634.80</u>
	\$15,650.00

The residential home requires substantial repairs. Selling the home for the lesser amount will allow the buyer to invest more into the repair and improvement of the home creating a positive impact on the neighborhood. In addition, the City will no longer incur expenses associated with maintenance of the property.

This property has been routed through the internal real estate management organization process. All departments have declined their interest in retaining the property for City use.

The City Attorney's Office has reviewed this information.

### ATTACHMENTS

1. Letter offering to purchase the property.
2. Court Order from Dallas County.
3. Resolution from GISD.
4. Sheriff's Deed
5. Location Map

Submitted By:

Michael C. Polocek, P.E.  
Director of Engineering

Date: April 7, 2014

Approved By:

William E. Dollar  
City Manager

Date: April 7, 2014

LAW OFFICES  
**GAY, MCCALL, ISAACKS, GORDON & ROBERTS, P.C.**

A PROFESSIONAL CORPORATION  
ATTORNEYS AND COUNSELORS

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♦ BOARD CERTIFIED -- CIVIL TRIAL LAW  
TEXAS BOARD OF LEGAL SPECIALIZATION  
+ATTORNEY - MEDIATOR

February 21, 2014

Ms. Carol Clark  
Tax Assessor/Collector  
City of Garland  
217 N. 5th Street  
Garland, Texas 75040

Via electronic-mail

Re: Offer by Fortune Ezeoha to purchase 310 Parker Dr., Garland, Texas

Dear Ms. Clark:

The above referenced property was struck off to the City of Garland on July 3, 2012 at a Sheriff's Sale pursuant to delinquent tax suit No. TX10-40107, City of Garland and Garland ISD vs. Heirs and Unknown Heirs of Della Mae Washington, et al. The property was struck off for the total amount of the Judgment, \$31,589.73. Fortune Ezeoha has offered to purchase this property for \$15,650.00. The property is currently assessed by the Dallas Central Appraisal District at \$45,190.

The costs and distribution of net proceeds are:

Court Costs		\$2,817.36
Sheriff's Costs of Sale		\$2,411.84
Publication Fees		\$343.75
Net Court Costs and Costs of Sale		<u>\$5,572.95</u>
Personnel and Overhead		<u>\$1,500.00</u>
Total City Reimbursement		<u>\$1,500.00</u>
City of Garland	25.4%	\$2,178.67
Garland ISD	67.2%	\$5,763.58
Dallas County	7.4%	\$634.80
Total Tax Distribution		<u>\$8,577.05</u>
Net Court Costs and Costs of Sale		\$5,572.95
Total City Reimbursement		\$1,500.00
Total Tax Distribution		<u>\$8,577.05</u>
Total Sale Price		<u>\$15,650.00</u>

Please note that as a part of this transaction, all post-judgment taxes for the years 2011-2012 will be paid at closing exclusive of the above amounts. The total amount of post-judgment taxes will be approximately \$2,850 of which the City of Garland will receive approximately \$785.00.

Because the purchase price is less than either the Judgment amount of taxes and court costs, \$31,589.73, or the market value as stated in the judgment, \$45,190, 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 Council approves this transaction, please forward to me the executed Deed. I will contact Fortune Ezeoha to complete the transaction.

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

Yours truly,

A handwritten signature in black ink, appearing to read "J. Douglas Burnside", with a long, sweeping horizontal stroke extending to the right.

J. Douglas Burnside  
Attorney at Law

Re-sale Disbursement Worksheet  
City of Garland

CAD Acct #:	26465500040270000
Property address:	310 Parker Drive Drive
Prior Owner:	Della Mae Washington
Cause No.:	TX10-40107
Judgment Date:	August 3, 2011
Sheriff's Sale Date:	July 3, 2012
Judgment amount:	GISD \$13,799.27
	City \$5,216.20
	County \$1,519.86
	City of Garland Liens: \$4,265.43
Court costs:	\$2,817.36
Sheriff's fees for sale:	\$2,411.84
Publication fees for sheriff's sale, paid by Gay & McCall:	\$343.75

**Checks to be disbursed as follows:**

<b>1.</b>	<b>Dallas County District Clerk</b>	<b>\$2,817.36</b>
<b>2.</b>	<b>Dallas County Sheriff</b>	<b>\$2,411.84</b>
<b>3.</b>	<b>Gay, McCall, Isaacks, Gordon &amp; Roberts</b>	<b>\$343.75</b>
<b>4.</b>	<b>City of Garland (administrative fee)</b>	<b>\$1,500.00</b>
<b>5.</b>	<b>City of Garland (taxes)</b>	<b>\$2,178.67</b>
<b>6.</b>	<b>Garland ISD (taxes)</b>	<b>\$5,763.58</b>
<b>7.</b>	<b>John Ames, Dallas County Tax Assessor</b>	<b>\$634.80</b>
	<b>TOTAL</b>	<b>\$15,650.00</b>

**The cause number and Dallas Central Appraisal District tax account number should be on all checks.**

**COURT ORDER  
2014-0405**



Consent to City of Garland's Resale of Tax Foreclosed Property at 310 Parker Drive, Garland,  
Texas

On a motion made by Commissioner John Wiley Price, District 3, and seconded by Commissioner Dr. Elba Garcia, District 4, the following order was passed and adopted by the Commissioners Court of Dallas County, State of Texas:

BRIEFING DATE: 3/18/2014  
FUNDING SOURCE: N/A

Be it resolved and ordered that the Dallas County Commissioners Court does hereby rescind Court Order No. 2013-1907, dated November 19, 2013; consent to the offer of \$15,650 received by the City of Garland from Fortune Ezeoha on the property located at 310 Parker Drive, Garland, even if the offer tendered is less than the market value of the land specified in the judgment of foreclosure or the total amount of the judgment against the property, and authorize the City of Garland to act and sign on behalf of Dallas County, the Dallas County Community College District, the Parkland Hospital District and the Dallas County School Equalization Fund in the sale, use, and disposition of the property listed herein, acquired by tax foreclosure, which has been jointly vested in the name of the City of Garland, Garland I.S.D. and Dallas County.

Done in open court March 25, 2014, 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



## **RESOLUTION**

### **A RESOLUTION AUTHORIZING THE CITY OF GARLAND TO RE-SELL TAX FORECLOSED PROPERTY LOCATED AT 310 PARKER 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 310 Parker 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 \$15,000.00, 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 310 Parker 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 310 Parker Drive, Garland, Texas for an amount not less than \$15,000.00 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 12<sup>th</sup> day of November, 2013, by the  
Board of Trustees for the Garland Independent School District.

GARLAND INDEPENDENT SCHOOL DISTRICT

By: 

Larry Glick  
President, Board of Trustees

ATTEST:

  
Rick Lambert  
Secretary, Board of Trustees  
Garland Independent School District

**Sheriff's Deed**

070312-54

**The State of Texas,     }  
County of Dallas.**

**KNOW ALL MEN BY THESE PRESENTS:**



201200227231

SHERIFF DEED 1/2

**NOTICE OF CONFIDENTIALITY RIGHTS: "IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER."**

THAT, WHEREAS, By virtue of a certain Order of Sale, issued out of the Honorable 160<sup>th</sup> Judicial District Court, Dallas County, State of Texas, on 6<sup>th</sup> day of March, A. D. 2012 in and for Dallas County, Styled CITY OF GARLAND AND GARLAND ISD, Plaintiff, -versus-HEIRS AND UNKNOWN HEIRS OF DELLA MAE B. WASHINGTON, Case #TX-10-40107. On a certain judgment and Decree of Foreclosure rendered on the 31<sup>st</sup> day of August, A.D. 2011, by said Court and directed and delivered to me as Sheriff of Dallas County, Texas, commanding me to seize and sell the real property described in said Order of Sale, I, Lupe Valdez, Sheriff, aforesaid, did upon the 24<sup>th</sup> day of April, A.D., 2012, execute said property described in said Order of Sale, by having notice of the time and place of such sale published in the English language, once a week for three consecutive weeks, preceding such sale, in the DAILY COMMERCIAL RECORD a newspaper published in said County, the first of said publications appearing not less than twenty days immediately preceding the day of said sale, and by MAILING a written notice of such sale to Heirs and Unk Heirs of Della Mae B. Washington, Pat S. Montes, Palisades Collection, LLC, Defendant(s) and on the 1<sup>st</sup> Tuesday in July, A.D. 2012 it being the 3<sup>rd</sup> day of the month, within the hours prescribed by law, (10:00 A.M.) sold said real property at public auction in the County of Dallas at the Courthouse door thereof, at which sale the real property herein after described was struck off to City of Garland on it's behalf and Trustee for Garland ISD, Dallas County, for the sum of \$31,589.73 Dollars as there were no bids taken on that property therefore.

***NOW, THEREFORE***, in consideration of the premises aforesaid and of the payment to me of the said sum of \$31,589.73 Dollars, the receipt of which is hereby acknowledged, I, Lupe Valdez, Sheriff as aforesaid, have SOLD and CONVEYED, and by these presents do SELL and CONVEY unto the said City of Garland on it's behalf and Trustee for Garland ISD, Dallas County, all of the estate, right, title and interest which the said Defendant had on the 31<sup>st</sup> day of August, A.D. 2011 or at any time afterwards, in and to the following described real property, same being also described in the said Order of Sale, all that certain lot, tract or parcel of land, lying in being situated in Dallas County, TX and being more particularly described as follows:

**PROPERTY ADDRESS: 310 PARKER DR., CITY OF GARLAND, DALLAS COUNTY, TEXAS. BEING LOT 27, BLOCK 4, RAINBOW ESTATES 2 ADDITION, AKA 310 PARKER DR., CITY OF GARLAND, DALLAS COUNTY, TEXAS, AS RECORDED AT 200600277533 OF THE DALLAS COUNTY DEED RECORDS.**

TO HAVE AND TO HOLD The above described premises, together with all and singular, the rights and Appurtenances thereto in anywise belonging, unto the said City of Garland heirs and assigns, forever as fully and as absolutely as I, a Sheriff aforesaid, can convey by virtue of said Order of Sale.

IN TESTIMONY WHEREOF, I have hereunto set my hand, this 16<sup>th</sup> day of July, A.D. 2012.

LUPE VALDEZ, SHERIFF,  
DALLAS, COUNTY, TEXAS

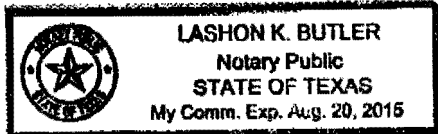
by T. Davis #276

Deputy Tim Davis #276, Deputy J.T. Wilson #329

The State of Texas}  
County of Dallas

BEFORE ME, Lashon K. Butler, A Notary Public on this day personally appeared Deputy Tim Davis, #276, Deputy J.T. Wilson #329 Deputy Sheriff of Dallas County, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledge to me that he executed the same for the purpose and consideration therein expressed, and in his capacity as Deputy Sheriff therein set forth.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This 16<sup>th</sup> day of July, A.D. 2012.



Lashon K. Butler  
Notary Public, State of Texas  
Commission Expires 08-20-2015

The State of Texas, }  
County of Dallas

I \_\_\_\_\_ County Clerk of said County, do hereby certify that the above instrument of writing, together with its Certificate of Authentication was filed for record in my office on the \_\_\_\_\_ day of \_\_\_\_\_ A.D. 2012, at \_\_\_\_\_ o'clock \_\_\_\_\_ M, and duly recorded the \_\_\_\_\_ day of \_\_\_\_\_ A.D., 2012, in Volume \_\_\_\_\_, Page \_\_\_\_\_ of the Records of Deeds, etc., of said County.

WITNESS MY HAND AND OFFICIAL SEAL This \_\_\_\_\_ of \_\_\_\_\_ A.D.2012.

Filed and Recorded  
Official Public Records  
John F. Warren, County Clerk  
Dallas County, TEXAS  
08/02/2012 02:15:27 PM  
\$20.00

\_\_\_\_\_  
County Clerk Dallas County, Texas.

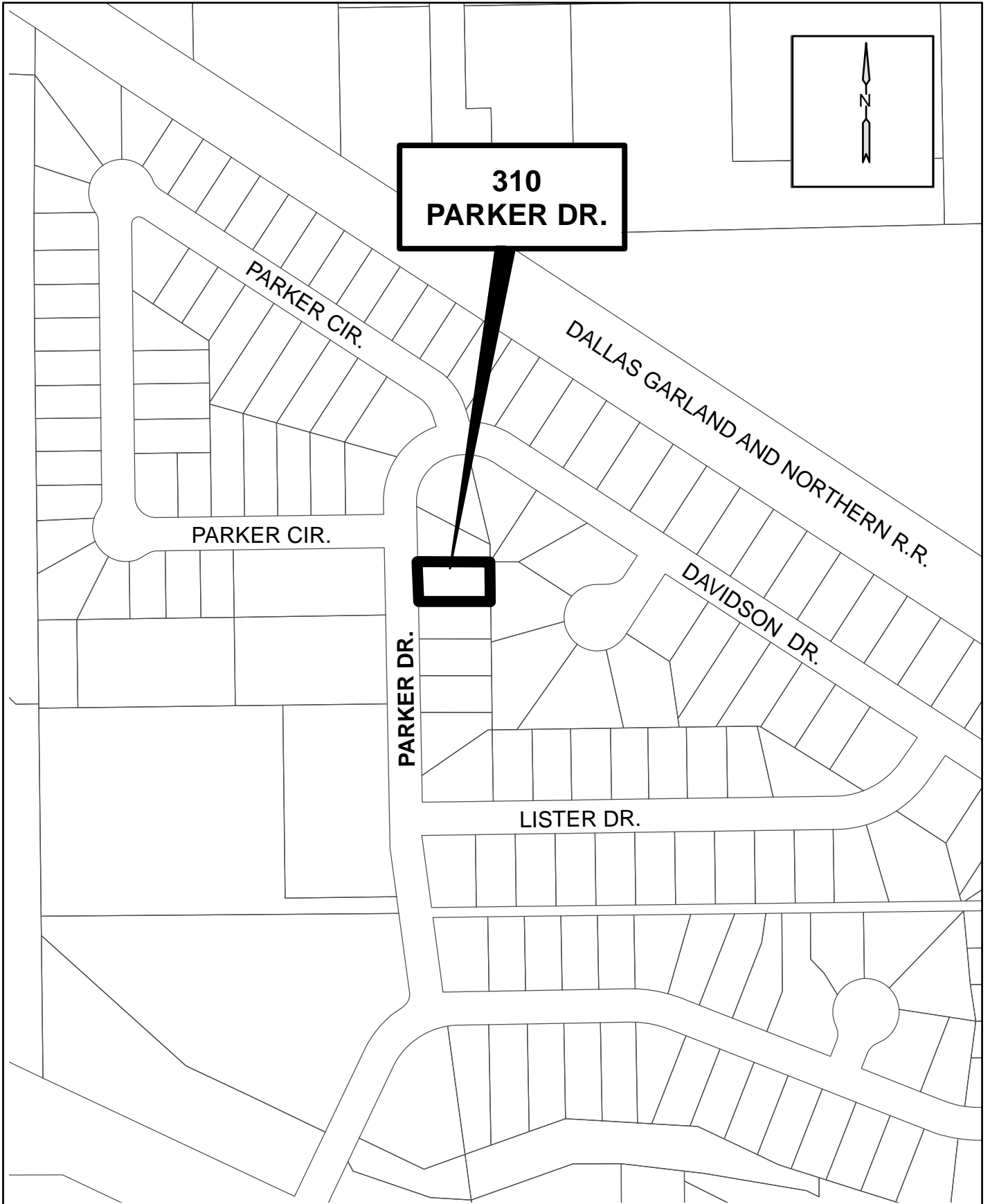


J.F. Warren

\_\_\_\_\_  
Deputy

201200227231

Send This Deed To: City of Garland; Attn: Sydna H. Gordon, Gay McCall Isaacks  
Gordon May & Roberts, PC. 1919 S. Shiloh RD., Ste 310, LB 40,  
Garland, Tx. 75042



**GARLAND**  
TEXAS MADE HERE

## 310 PARKER DRIVE

Scale: NTS
File: 310Parker
Date: April 2014
Drawn: COG

SHEET
1
OF
1



# **Policy Report**

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## **UPDATE ON STATUS OF TMPA NEGOTIATIONS**

### **ISSUE**

Update to the City Council on the status of negotiations between the City of Garland, TMPA, and the TMPA member cities.

### **RECOMMENDATION**

This report is informational only. Staff is not at a point where it believes a recommendation is possible or necessary. Staff will return to council when with its recommendation in the next several months.

### **COUNCIL GOAL**

Sustainable Quality Development and Redevelopment  
Financially Stable Government with Tax Base that Supports Community Needs  
Defends Rightful Powers of Municipalities  
Fully Informed and Engaged Citizenry

### **BACKGROUND**

The City of Garland is a member city in the Texas Municipal Power Association ("TMPA"). TMPA was formed in the 1970's pursuant to legislation that allowed municipalities to join together to construct and operate electric utilities. The other member cities are Greenville, Bryan, and Denton. Each city appoints two members to the Board of Directors of TMPA. TMPA owns and operates Gibbons Creek Power Station (a coal fired electric power plant), and various transmission assets throughout Texas. Pursuant to identical power sales contracts with each of the member cities, TMPA sells power to each member city. The member cities pay TMPA the cost of producing that power and are obligated to pay a percentage of TMPA's costs under the terms of their respective contracts. The contract between Garland and TMPA requires Garland to purchase 48% of the power produced by Gibbons Creek. The price of the power is determined by TMPA's operational and capital costs, with each city paying in proportion to the power they are required to take.

The power sales contracts between TMPA and its member cities expire on September 1, 2018. After that time, absent a new agreement, the member cities will have no contractual obligation to purchase power from TMPA or fund TMPA's operations. On or

before September 1, 2016, each of the member cities must make an election on whether to continue to purchase power from TMPA for the remaining useful life of the plant. In addition, each of the member cities must make an election as to the percentage of power they are willing to take from the plant.

For the past 8 months, representatives and elected officials of the member cities have been involved in discussions regarding the end of the current power sales contract. In furtherance of those discussions, the parties have held discussions regarding a wide range of possibilities for TMPA and its member cities post 2018. Some of those possibilities may require modifications to the controlling legislation to allow the cities to develop a solution that jointly supports their best interests. To that end, TMPA and the member cities have retained the services of a legislative advocacy firm to assist TMPA and the cities in the development of legislation that will offer TMPA and the cities maximum flexibility as they attempt to move forward.

Over the next several months, the TMPA Board and representatives of the member cities will meet with one another and the legislative advocacy firm to craft a solution related to expiration of the power sales contract and the future of TMPA. Lawyers representing the member cities will meet in Austin on April 15, 2014, to discuss a wide range of legal issues relating to the expiration of the power sales contract and the future of TMPA. These upcoming meetings are expected to result in the development of a legislative agenda that will provide the cities and TMPA with maximum flexibility for moving forward after the expiration of the power sales contract. Staff anticipates that a legislative agenda will be prepared in furtherance of that goal in time for the next legislative session.

## **CONSIDERATION**

The City of Garland is committed to working with each of the member cities to achieve a mutually beneficial solution to the expiration of the power sales contract and the future of TMPA. Staff will continue to examine each possible solution with the goal of providing safe, reliable, and affordable electric service to citizens of the City. Staff will bring its recommendations to the Council as necessary to achieve those goals.

Submitted By:

Brad Neighbor  
City Attorney

Michael Betz  
Deputy City Attorney

Date: April 8, 2014

Approved By:

William E. Dollar  
City Manager

Date: April 8, 2014



**Meeting: Work Session**

**Date: April 14, 2014**

# **Policy Report**

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## **CENTERVILLE MARKETPLACE REPOSITIONING STRATEGY CONTRACT ADDENDUM**

### **ISSUE**

The Economic Development Department is seeking approval for a contract addendum related to additional services and completion of the Centerville Marketplace Repositioning Strategy.

### **OPTIONS**

1. Authorize the City Manager to execute an agreement with Ricker Cunningham.
2. Do not authorize an agreement with Ricker Cunningham.

### **RECOMMENDATION**

Option 1: Authorize the City Manager to execute an agreement with Ricker Cunningham for professional services related to additional services toward the completion of the Centerville Marketplace Repositioning Strategy. If Council concurs, this item will be scheduled for formal consideration at the May 6, 2014 Regular Meeting.

### **COUNCIL GOAL**

Sustainable Quality Development and Redevelopment

### **BACKGROUND**

In 2011, the City of Garland received a \$106,500 grant from the U.S. Department of Housing and Urban Development Office of Sustainable Housing and Communities (since renamed the Office of Economic Resilience) for the completion of the Centerville Marketplace Repositioning Strategy.

An RFQ for consultant services was issued in late 2012. In early 2013, Ricker Cunningham, a real estate and economic development consulting firm, was engaged by the City for planning, design, market analysis, and economic development consulting services related to the development and completion of the Strategy. The executed contract was for a total of \$98,974.00. The remainder of the grant award was dedicated



for staff travel and materials costs associated with development of the Strategy and administration of the grant.

## **CONSIDERATIONS**

The Centerville Marketplace Repositioning Strategy kicked off in early 2013. The scope of services to be completed by Ricker Cunningham included existing conditions and market studies, a visioning and urban design framework, a public engagement process, and the development of a series of potential redevelopment scenarios and projects.

During the course of the project, additional development opportunities became evident and Staff requested that Ricker Cunningham complete additional development scenarios and supporting analyses to explore these supplementary opportunities and concepts. The consultant team was also requested to engage additional contacts with stakeholders and potential investors and developers related to these opportunities.

The purpose of this contract addendum is to allow Ricker Cunningham to complete these additional development scenarios, analyses, and stakeholder and developer conversations leading to the completion of the Centerville Marketplace Repositioning Strategy. The total cost of the additional services is not to exceed \$25,000, for a total contract value of \$123,974. Please see the attached contract addendum letter from Ricker Cunningham.

Staff anticipates presenting the project's final findings to City Council in May 2014.

## **ATTACHMENT**

Contract addendum from Ricker Cunningham

Submitted By:

Neil Montgomery  
Senior Managing Director

Date: April 7, 2014

Approved By:

William E. Dollar  
City Manager

Date: April 7, 2014



17 March 2014

Mr. Daniel Krzyzanowski, AICP  
Economic Development Coordinator  
**City of Garland**  
800 Main Street, 2<sup>nd</sup> Floor  
Garland, Texas 75040

Dear Mr. Krzyzanowsk:

On behalf of RickerCunningham (RC), Real Estate Economists and Community Strategists, we are pleased to present this proposal to assist the City of Garland (the City) with additional services related to the Centerville Marketplace Repositioning Strategy (the Strategy). Specifically, you have asked that we expand on the number of venues engaging stakeholders within the Study Area and work associated with those meetings. In addition to preparation of more detailed market and economic analyses, you have asked that we be available to assist with quantifying the impact of variations in the development concepts proposed herein, as well as advancing key initiatives.

### **Work Products**

Specific work products that may be prepared in the context of this effort include the following:

- Meeting and presentation materials
- Follow-up analyses as may be identified by the City and / or stakeholders
- Technical memoranda



## Budget and Timing

The estimated fees to complete the work tasks outlined above will not exceed \$25,000. This fee estimate does include out-of-pocket expenses related to travel, data purchases, postage and reproduction. Billings will be issued bi-monthly as our work progresses. The final bill is due and payable upon delivery of all final written work products and / or presentations.

## Acceptance of Proposal

We greatly appreciate the opportunity to work with you and the Garland community. If you have any questions regarding this submittal, please contact either Anne Ricker or Bill Cunningham at 303.458.5800. Both of these individuals are authorized to execute an agreement on behalf of RickerCunningham. In order to initiate our services according to this proposal, please sign below and return a signed copy of this proposal to us at the address on the cover page. Thank you again.

Sincerely,

**RickerCunningham**

Anne B. Ricker  
Principal  
[anne@rickercunningham.com](mailto:anne@rickercunningham.com)

Bill J. Cunningham  
Principal  
[bill@rickercunningham.com](mailto:bill@rickercunningham.com)



**Meeting: Work Session**

**Date: April 14, 2014**

# **Policy Report**

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## **CHANGE ORDER NO. 2 – VAI ARCHITECTS, INC. ADDITIONAL ARCHITECTURAL SERVICES**

### **ISSUE**

Council is requested to consider Change Order No. 2 in the amount of \$234,875 to the design contract with VAI Architects, Inc. for additional architectural design services associated with the City Center Program.

### **OPTIONS**

- A) Proceed with the approval, authorizing the City Manager to execute Change Order No. 2 with VAI Architects, Inc.
- B) Take no action.

### **RECOMMENDATION**

Option A: Staff recommends City Council approve and authorize the City Manager to execute Change Order No. 2 with VAI Architects, Inc. This item is scheduled for formal consideration at the April 15, 2014 City Council Meeting.

### **COUNCIL GOAL**

Sustainable Quality Development and Redevelopment

### **BACKGROUND**

VAI Architects, Inc. was selected out of nine architectural firms that responded to the request for qualifications for design of the Downtown Development Phase II in March 2012. Their design scope included City Hall Façade, Parking Structure, relocation of Heritage Park, as well as infrastructure and streetscape.

In April of 2013, Council approved a change order to the contract to provide for one architect to oversee the infrastructure and streetscape improvements, ensuring consistency and continuity throughout the program.

CITY CENTER PROGRAM – VAI ARCHITECTS, INC. ADDITIONAL  
ARCHITECTURAL SERVICES

Page 2

The additional services presented in this change increases VAI's contract for architectural fees that should have been included as part of Change Order No. 1 that was approved by Council in April 2013. Architectural fees are typically based upon a fixed percentage of the construction budget. The design of the building code and safety updates interior to City Hall was not accounted when the original fee was calculated. For this reason, the architect has reduced their base fee from 8.6% to 6.5%.

**CONSIDERATION**

Additional Services –This will increase the design contract with VAI Architects, Inc. by the amount of \$234,875.00 to a total of \$1,521,875.00. The additional services change sum includes a contingency amount of \$21,350.00 that will be held in reserve for use in the event unforeseen conditions arise. This is not a request for additional appropriation of funds to the CIP account.

**ATTACHMENT**

1. Change Order No. 2
2. Additional Services Proposal

Submitted By:

Martin E. Glenn  
Deputy City Manager

Date: April 7, 2014

Approved By:

William E. Dollar  
City Manager

Date: April 7, 2014

# **AIA® Document G802™ – 2007**

## ***Amendment to the Professional Services Agreement***

Amendment Number: 002

**TO:** City of Garland, TX  
(Owner or Owner's Representative)

In accordance with the Agreement dated: May 16, 2012

**BETWEEN** the Owner:  
(Name and address)  
City of Garland  
PO Box 469002  
Garland, TX 75046-9002

and the Architect:  
(Name and address)  
VAI Architects Incorporated  
16000 North Dallas Parkway  
Suite 200  
Dallas, TX 75248

for the Project:  
(Name and address)  
City Center Project  
200 N. Fifth Street  
Garland, TX 75040

Authorization is requested  
☒ to proceed with Additional Services.  
☐ to incur additional Reimbursable Expenses.

As follows:  
Increase the design contract for architectural fees to account for a misunderstanding of the original project budgets, scope revisions since May 2012, and the duration of the design schedule extending by 16 months as outlined in VAI Architects written additional services request dated April 4, 2014.

The following adjustments shall be made to compensation and time.  
(Insert provisions in accordance with the Agreement, or as otherwise agreed by the parties.)

Compensation:  
Two hundred thirteen thousand five hundred twenty-five dollars and no cents (\$213,525.00)

Time:  
Extends the design duration by sixteen (16) months to 23 months.

**SUBMITTED BY:**

**AGREED TO:**

*(Signature)*

*(Signature)*

*(Printed name and title)*

*(Printed name and title)*

*(Date)*

*(Date)*



April 4, 2014

Ms. Jennifer Shoulders  
Facility Program Manager  
City of Garland  
2350 Christ Rd., Suite 700  
Garland, Texas 75040

RE: Additional Services Proposal for Project Scope, Schedule and Budget Increase  
City of Garland – City Center  
Garland, Texas

Dear Ms. Shoulders:

As previously discussed, VAI is presenting this additional service to extend the overall contract, include increased project scope, budget and schedule for the City Center project.

Scope of Services shall include as follows:

- Increase project budget to include work previously excluded from our original contract, including building code and safety upgrades to the City Hall.
- Additional effort due to the extended design and construction phase by a total duration of sixteen (16) months.

#### BASIS OF COMPENSATION

##### Compensation for Scope of Services

To perform the scope of services for all portions of the work described above, VAI Architects proposes the following lump sum fee:

Increased project budget for additional building upgrades and extended construction schedule: \$213,525.00

We will invoice for our services on a monthly basis, based on a percentage complete per phase of the work.

We appreciate this opportunity to work with the City of Garland on this exciting project. Please do not hesitate to contact me should you have any questions or if additional information is required.

Sincerely,

Barton Drake, AIA, NCARB  
Principal

APPROVAL:

\_\_\_\_\_  
*signed*

\_\_\_\_\_  
title

\_\_\_\_\_  
dated





# City Council Item Summary Sheet

☒ **Work Session**

**Date:** April 14, 2014

☐ **Agenda Item**

## **Downtown Cinco de Mayo Event**

### **Summary of Request/Problem**

At the request of Council Members Anita Goebel and B. J. Williams, Mr. Carlos Porras will brief Council on the upcoming Cinco de Mayo event that is scheduled to be held on Saturday, May 3, 2014, in Downtown Garland.

### **Recommendation/Action Requested and Justification**

Council discussion.

**Submitted By:**

**Approved By:**

**William E. Dollar**  
**City Manager**



# City Council Item Summary Sheet

☒ Work Session

Date: April 14, 2014

☐ Agenda Item

## Current Water Conservation Efforts

### Summary of Request/Problem

At the request of Council Member John Willis and Mayor Douglas Athas, Council will be briefed on the City of Garland's current water conservation efforts.

### Recommendation/Action Requested and Justification

Council discussion.

Submitted By:

Approved By:

William E. Dollar  
City Manager



# City Council Item Summary Sheet

☒ **Work Session**

**Date:** April 14, 2014

☐ **Agenda Item**

## Process for Obtaining Grants

### Summary of Request/Problem

At the request of Council Member Stephen Stanley and Mayor Douglas Athas, staff will brief Council on the City's process for obtaining local, state, and federal grants.

### Recommendation/Action Requested and Justification

Council discussion.

**Submitted By:**

**Approved By:**

**William E. Dollar  
City Manager**

Grant Name	Awarding Agency	Brief Description of Program	Matching Requirements	Award Amount
Housing Choice Voucher Program	U.S. Dept. of Housing & Urban Dev.(HUD)	Provide rental assistance to qualifying low-income persons	None	Annual award of approx. \$10-12 million; is adjusted by HUD monthly
Community Development Block Grant (CDBG)	HUD	Creates suitable living environments, economic opportunity & decent housing for low-mod. Income persons (e.g. funding public service entities; infrastructure repair in Garland CDBG target areas, etc.)	None	Annual award; allocated \$2,070,144 for 2013-14
Home Investment Partnership (HOME)	HUD	Funding for expanding the supply of affordable housing, through down payment assistance or infill housing construction for qualifying low income persons	25% of amount expended; met mostly by GHFC bond proceeds, but also some in-kind services from City depts.	Annual award; allocated \$461,111 for 2013-14.
Assistance to Firefighters	FEMA	Funding for interactive training system and cardiac monitors for ambulances	20% of total grant (\$144,916), made up of proceeds from sale of old cardiac monitors & City cash contribution	One-time award of \$724,582 (\$579,666 fed. Funds & \$144,916 City matching funds); ended Aug. 2013
Immunization Grant	Center for Disease Control	Funding for staff & medical supplies for Public Health clinic's State Immunization Program	None	Annual award; allocated \$481,929 for 2013-14.
Staffing for Adequate Fire & Emergency Response Grant (SAFER)	FEMA	Funding for personnel costs of 6 firefighters	None	One-time award of \$758,198; ended Sept. 2013
STEP Comprehensive	Tx. Dept. of Transportation (TXDoT)	Funding for police overtime for the enforcement of red light, seatbelt, speed & DWI laws	\$207,778.20, made up of staff admin. time, mileage, indirect costs and fringe benefits related to salaries paid for enforcement	Annual award; allocated \$249,584 for 2013-14.

Grant Name	Awarding Agency	Brief Description of Program	Matching Requirements	Award Amount
Summer Nutrition Program	US Dept. of Agriculture	Provide free nutritious meals to children ages 1 through 18, at various sites throughout the City in the months of June, July & Aug.	None	Annual award; will be approx. \$230K Summer 2014.
Fair Housing	HUD	Funding to educate citizens on Fair Housing laws and eliminate housing discrimination	None	Annual award; allocated \$172,332 for 2013-14.
Emergency Solutions Grant (ESG)	HUD	Funding for rent & mortgage assistance for persons at risk of becoming homeless	None	Allocated \$139,412 for 2013-14; this is the last year the City is accepting the grant.
Urban Areas Security Initiative (UASI)	Dept. of Homeland Security	Funds the unique planning organization, equipment training & exercise needs of high density urban areas; seeks to prevent & mitigate acts of terrorism.	None	allocated \$72,688.26 for the period 9/1/12 - 1/31/14
Urban Areas Security Initiative Law Enforcement Terrorism Prevention Activity (UASI-LETPA)	Dept. of Homeland Security	Same as UASI, but concentrated solely on law enforcement's role.	None	allocated \$73K for the period 9/1/12 - 1/31/14
DFWA Urban Areas Security Initiative (DFWA UASI)	Dept. of Homeland Security	Funds the unique planning organization, equipment training & exercise needs of high density urban areas; seeks to prevent & mitigate acts of terrorism.	None	allocated \$116,398 for the period 9/1/13 - 1/31/15
DFWA Urban Areas Security Initiative Law Enforcement Terrorism Prevention Activity (DFWA UASI-LETPA)	Dept. of Homeland Security	Same as UASI, but concentrated solely on law enforcement's role.	None	allocated \$31,400 for the period 9/1/13 - 1/31/15
State Homeland Security Program Law Enforcement Terrorism Prevention Activity (SHSP LETPA)	Dept. of Homeland Security	Same as UASI, but concentrated solely on law enforcement's role.	None	allocated \$9500 for the period 9/1/13 - 1/31/15

Grant Name	Awarding Agency	Brief Description of Program	Matching Requirements	Award Amount
TX Emission Reduction Program	TX. Commission on Environmental Quality	Financial assistance for replacing 7 "heavy emissions" Environmental Waste Svcs. Vehicles w/new, lower emissions vehicles; grant intends to document the verifiable emissions reductions.	None	sporadic award;
Justice Assistance Grant (JAG)	US Dept. of Justice	Funding for local police depts. For the reduction of crime & improvement of public safety	None	Annual award; received \$26,872.63 for 2013-14.
Neighborhood Stabilization Program (TX)	HUD (passed through to TX. Dept. of Housing & Community Affairs)	Rehab & sale of foreclosed homes to qualifying low income persons in order to defray the impact of foreclosed properties on the City	None	Grant program is in the process of ending, once final reimbursements rec'd.
Neighborhood Stabilization Program (Fed.)	HUD	Rehab & sale of foreclosed homes to qualifying low income persons in order to defray the impact of foreclosed properties on the City	None	Grant program ended FY13
Centerville Marketplace Economic Development	HUD	Funding the development of economic strategies for the Centerville/ LBJ/ Saturn Rd. commercial area, in conjunction w/Garland Chamber of Commerce	\$170K, to be made up in part by staff time working on the grant; Chamber of Commerce will cover part	One-time award of \$276,500 (\$106,500 fed. Funds & \$170K City matching funds)
Impaired Driver Mobility Grant	TXDoT	Funding for police overtime for the enforcement of DUI & DWI laws	\$8579, made up of staff admin. time & fringe benefits related to salaries paid for enforcement	Annual award; allocated \$29,419 for 2013-14.
ARRA--Justice Assistance Grant	US Dept. of Justice	Funding for local police depts. For the reduction of crime & improvement of public safety; funded the Victims Advocate position until grant funds were exhausted.	None	one-time award; ended FY13
Disaster Housing Assistance Prog.	HUD	Provide rental assistance to Hurricane Ike victims; being phased out	None	one-time award; ended FY11

Grant Name	Awarding Agency	Brief Description of Program	Matching Requirements	Award Amount
Gang resistance Education & Training program (GREAT)	US Dept. of Justice	Funding for activities, books, incentives & overtime for family GREAT program, which attempts to prevent gang participation & violence.	None	sporadic award; no award made currently to the City
ARRA--Alternative Fuel & Advanced Technology Investments	US Dept. of Energy	Funding for purchasing or leasing vehicles, completing alternative fuel conversions and/or installing refueling & recharging infrastructure	None	one-time award; ended FY13
Click It or Ticket	TXDoT	Funding for police overtime for the enforcement of seatbelt laws.	None	Awarded \$4997 for 2013-14; in the process of being approved by City Council.
Internet Crimes Against Children (ICAC)	US Dept. of Justice	Funding for local police depts. To help investigate offenders using the internet & computer technology to exploit children	None	not an award, but funding availability communicated & paid by Dallas PD
ARRA--Community Development Block Grant (CDBG-R)	HUD	Funding to provider grants to eligible homeowners for energy efficiency enhancement of their homes	None	one-time award; ended FY12
ARRA--Homeless Prevention & Rapid Re-housing program (HPRP)	HUD	Funding for case mgmt., rent & utility assistance for families negatively impacted by the economic recession, to prevent homelessness	None	one-time award; ended FY12
ARRA--Energy Efficiency & Conservation Block Grant (EECBG)	US Dept. of Energy	Funding for the replacement of inefficient City Hall HVAC system; funding for City Sustainability Plan & Office of Environmental Quality	None	one-time award; ended FY12
Forest/Jupiter Economic Strtegy	NTCCOG	Create a redevelopment strategy for area surrounding the Forest/Jupiter DART station	\$30,000	\$120,000
ARRA--Clean Fleets N. TX	US Dept. of Energy	Subsidy for the lease of alternative fuel vehicles	None	one-time award; ended FY12



# City Council Item Summary Sheet

☒ **Work Session**

**Date:** April 14, 2014

☐ **Agenda Item**

## Marketing & Communications Committee Report

### Summary of Request/Problem

Council Member B. J. Williams, Chair of the Marketing & Communications Committee, will provide a committee report on preparations for the Ambassador of the Republic of Panama's visit to Garland.

### Recommendation/Action Requested and Justification

Council discussion.

**Submitted By:**

**Approved By:**

**William E. Dollar**  
**City Manager**





# City Council Item Summary Sheet

☒ Work Session

Date: April 14, 2014

☐ Agenda Item

## Administrative Services Committee Report

### Summary of Request/Problem

Council Member Stephen Stanley, Chair of the Administrative Services Committee, will provide a committee report on the review of a draft ordinance regulating the sale and use of e-cigarettes.

### Recommendation/Action Requested and Justification

Council discussion.

Submitted By:

Approved By:

William E. Dollar  
City Manager



# City Council Item Summary Sheet

☒ **Work Session**

**Date:** April 14, 2014

☐ **Agenda Item**

## Relocation of City Council Meetings

### Summary of Request/Problem

Council is requested to consider the relocation of City Council meetings due to construction at City Hall.

### Recommendation/Action Requested and Justification

Council discussion and direction.

**Submitted By:**

**Approved By:**

**William E. Dollar**  
**City Manager**



**Meeting: Work Session**

**Date: April 14, 2014**

# **Policy Report**

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## **ENVIRONMENTAL WASTE SERVICES ICE STORM DEBRIS CLEAN-UP DECEMBER 6, 2013 – JANUARY 28, 2014**

### **ISSUE**

The City of Garland experienced a significant weather event in December, 2013 that impacted the ability of Environmental Waste Services Department (EWS) to provide regularly scheduled brush and bulky goods (B&BG) waste collection services and created a significant financial impact to the EWS operations budget.

This Policy Report outlines the EWS response to the arctic storm and identifies an improvement plan for responding to future events.

### **COUNCIL GOAL**

Consistent Delivery of Reliable City Services

### **BACKGROUND**

On Thursday, December 5, 2013, an arctic front moved through the Metroplex, bringing freezing rain and sleet throughout the evening and overnight hours. Initial predictions called for .10" of ice accumulation on roadways, but this quickly escalated to .25" for Garland. In addition to the ice accumulation, Garland experienced over an inch of sleet accumulation through the event.

On Friday, December 6, Environmental Waste Services (EWS) suspended all services due to the icy conditions and re-directed their workforce to assist Streets Department to clear fallen tree branches that caused downed power lines and significant roadway debris.

On Saturday, December 7, EWS B&BG crews began to collect fallen tree branches in the Friday collection area since regular service had been suspended the previous day. The unprecedented number of damaged and downed trees from this ice storm resulted in extreme delays in B&BG collection service.

EWS set forth a plan to follow the regular Tuesday - Friday brush and bulky goods collection schedule throughout the debris clean-up event. It was important to maintain this schedule in order to keep all crews together for efficiency purposes to complete

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picking up brush and bulky goods storm debris in each collection area. With each passing day, more B&BG was set out at the curb throughout the City, causing the collection crews to spend up to a week or two weeks in each collection area.

In addition to collection delays caused by the already massive volumes of brush, the B&BG crews were also collecting a significant amount of Christmas holiday generated waste placed at the curbside by customers. EWS Equipment Operators were working Saturday, Sunday and Monday, which are normally off days, throughout December and January to get the brush and bulky waste picked up. EWS utilized additional equipment from Streets Department and Water Department and an outside contractor supplied personnel and trucks to haul brush to the C.M. Hinton Jr., Landfill.

The following is a continued chronology of the period that crews spent in each collection area through the eventual return to the regular B&BG collection Tuesday – Friday schedule beginning January 28, 2014:

<b>Date</b>	<b>Action</b>
Sunday, December 8, 2013	EWS continues to assist Streets crews and continues B&BG collection in the Friday collection area.
Monday, December 9, 2013	EWS begins trash and recycling pick-up in the Friday collection area. Continues B&BG collection in the Friday collection area.
Tuesday, December 10, 2013	Trash and recycling pick-up returns to the regular Tuesday through Friday collection Schedules. EWS continues B&BG collection in the Friday area.
Wednesday, December 11, 2013	B&BG collection is completed for the Friday services area. Crews move to begin collection in the Tuesday service area.
Wednesday, December 11, 2013 through Tuesday, December 17, 2013	B&BG collection works to complete the Tuesday collection service area.
Tuesday, December 17, 2013 through Tuesday, December 31, 2013	B&BG collection works to complete the Wednesday collection service area. The Christmas holiday generated waste adds a significant amount of B&BG to each of the service areas.
Tuesday, December 31, 2013 through Wednesday, January 8, 2014	B&BG collection works to complete the Thursday collection service area.
Monday, January 6, 2014 through Friday, January 17, 2014	B&BG collection works to complete the Friday collection service area.
Saturday, January 18, 2014 through Tuesday, January 21, 2014	B&BG collection works to complete the second sweep of the Tuesday collection service area.

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Wednesday, January 22, 2014 through Thursday, January 23, 2014	B&BG collection works to complete the second sweep of the Wednesday collection service area.
Thursday, January 23, 2014 through Friday, January 24, 2014	B&BG collection works to complete the second sweep of the Thursday collection service area.
Friday, January 24, 2014 through Saturday, January 25, 2014	B&BG collection works to complete the second sweep of the Friday collection service area.
Tuesday, January 28, 2014	EWS resumes normal operations.

### **AFTER ACTION REPORT AND IMPROVEMENT PLAN**

An After Action Report (AAR) to evaluate the response and recovery efforts of EWS has been prepared by Mollie Rivas, Emergency Management Coordinator, and EWS.

This report identifies strengths and areas of improvement, recommendations for sustainment and sets forth an Improvement Plan. A summary of the AAR is included in this Policy Report as Attachment A.

### **ATTACHMENT**

Ice Storm Debris Clean-Up: Summary of After Action Report and Improvement Plan

Submitted By:

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Environmental Waste Services

Date: April 8, 2014

Approved By:

William E. Dollar  
City Manager

Date: April 8, 2014



**GARLAND**

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**ENVIRONMENTAL  
WASTE SERVICES**

**Ice Storm Debris Clean-Up  
December 6, 2013 to January 28, 2014  
Summary of After Action Report  
and Improvement Plan**



## **Strengths**

- **Internal Communication & Information Sharing**
  - **EOC Conference Calls**
    - Kept supervisors and staff updated regarding operations of all departments throughout the City
    - One individual was selected to represent EWS on the calls. This helped in disseminating the information gathered on the calls to the rest of the department.
  - **Daily Internal Briefings**
    - Increased department coordination and participation
    - Staff was able to provide customers with information about the status of the event
- **External Communications**
  - **Customer Service**
    - Engaged with the customers regularly throughout the duration of the event
    - Emails and phone call messages were returned daily
    - Supervisors were sent to customers residences when needed to address service delay concerns
  - **Consistent Message to Citizens**
    - Staying the course of the planned routes and schedule increased department efficiency
    - Providing City Council members service updates to disseminate to constituents if needed
    - Homeowner Associations and Neighborhood Associations were provided with service updates
  - **Public Information**
    - Use of the website and social media allowed EWS to keep customers informed about service updates in a timely manner
    - Video was produced by the Public & Media Relations office and made available online and on the City cable television station to explain the debris pick up process
    - Presentation given to City Council outlining the projected collection times for the duration of the debris clean up event and return to regular scheduled brush & bulky goods collection
- **Personnel**
  - **Dedicated Staff**
    - Very dedicated with a strong sense of team work ready to respond to the event
    - Morale and attitudes of staff in department were very positive
  - **Leadership**
    - Assigned one lead individual/commander to coordinate all field activities and communication with Customer Service and field personnel led to a much more coordinated and efficient response
    - Development of daily operational strategies and goals meant everyone had the same mission
    - Milestones were celebrated throughout the event, which helped boost department participation and overall morale
  - **Prior Experience**
    - Skill of equipment operators and supervisors helped operations run more effectively and efficiently
    - EWS's exposure to past events led individuals to feel more confident during this week
  - **Commitment to safety**
    - Staff was extremely safety conscious throughout the event

- **Adaptation**
  - Staff had the ability to evaluate and analyze the department needs and quickly transitioned to a new work flow that was more suitable for the event
- **Preparedness**
  - **Debris Management Plan**
    - The department had developed a Debris Management Plan and trained on it previously; provided a baseline of information to allowed them to adapt and create an effective strategy for this response
  - **Equipment Availability**
    - Equipment used during the event was pre-identified before the event occurred; since most equipment did not have to be located while operations were trying to take place
    - The rear loaders were a strong support for the boom crews
  - **Commitment to Source Separating**
    - Prior planning allowed EWS to maintain their commitment to source separating during the clean-up operations.
    - EWS maintained a positive impact on the environment by separating the debris picked up
    - Nearly 11,000 tons of debris was removed and about 70-80% of the debris was converted away from the landfill

## **Areas for Improvement**

- **External Communications**
  - **Managing Expectations**
    - Customers had a skewed perception of the operation schedule and department timeline
      - **Recommendations for Improvement:**
        - Coordinate with Public & Media Relations to develop press releases to be disseminated to the media to set reasonable expectations and provide accurate data
        - Share strategic goals and status information during response operations with Code Compliance
        - Develop a thorough collection timeline for customers at the beginning of the event so customers understand when their debris will be picked up
  - **Communication**
    - Internal City Departments and Council may not have understood the extent of the situation or the status of the operation
      - **Recommendations for Improvement:**
        - Use daily departmental briefings for situational updates that can be disseminated to outside departments & Council
        - Utilize COGnet to share daily briefings or status updates to other City departments
    - Communications with outside agencies led to delays in getting necessary approval
      - **Recommendations for Improvement:**
        - At the beginning of the response, a liaison should be identified to communicate with the outside agencies.
        - TCEQ should be notified in advanced of continuing operations that will go through the weekend and a temporary approval to remain operational on Sundays



- **Field Response**
  - **Equipment**
    - Equipment needed to respond was sometimes unknown until the actual response
      - **Recommendations for Improvement:**
        - A list of required assets should be created based on the response to this incident and included in the Debris Management Plan
        - Assets that are not currently owned should be located and plans/contracts developed to obtain them in a disaster
        - Specialized equipment contracts for equipment not available in the area should be put in place prior to an event
        - EWS should communicate with regional jurisdictions to share information about equipment used and other lessons learned
    - Equipment needed to respond was sometimes difficult to locate
      - **Recommendations for Improvement:**
        - An inventory of city equipment should be created
        - Regional capabilities should be inventoried and shared to allow for mutual aid to be requested
        - Garland should participate in the Regional Public Works Emergency Response Team (PWERT) to allow for reciprocal mutual aid to be provided during disaster operations
  - **Operational Stages**
    - This event was slow to escalate in terms of debris generation and the debris management plan was not put into action
      - **Recommendations for Improvement:**
        - Determine alternate levels of operational response prior to the event
        - Set clear thresholds for activating each level and communicate to all staff when the threshold has been met and the department is moving into an alternate response level
        - Clearly define the expected actions at that response level for all members of the department and other City staff
  - **Documentation and Tracking**
    - Tracking was not a priority during the response phase and documentation was difficult to develop after the conclusion
      - **Recommendations for Improvement:**
        - Checkpoints and/or monitors should be placed in the field during any debris clean-up event so debris amounts can be tracked and vehicles can be located to determine if it is operating on time and schedule
- **Increased Coordination**
  - **Cooperation with other City Departments**
    - Support from other City departments was difficult to obtain at times because they had returned to normal operations/hours
      - **Recommendations for Improvement:**
        - Communicate daily situation reports to all City departments and City Management during alternate operational response
        - Request Emergency Operations Center support for response operations that require additional support or exceed departmental capabilities

## Ice Storm Debris Clean-up Improvement Plan

IMPROVEMENTS	AREA	DEPARTMENT	ASSIGNED	DEADLINE
Develop a threshold matrix for alternate response levels	Operations/ Planning	EWS		
Develop Standard Operating Procedures (SOPs) for each of the alternate response levels that clearly outline the expected actions of all staff during each level.	Operations/ Planning	EWS		
Include these SOPs into the Debris Management Plan	Operations/ Planning	EWS		
Train staff on the new SOPs	Operations/ Planning	EWS		
Meet with other City departments that supported EWS operations or who needed EWS support during their operations to discuss improving future response and explaining operational needs during response.	Internal Coordination	EWS		
Document equipment needed for response operations and limitations of equipment and include in the Debris Management Plan.	Equipment	EWS		
Alternative sources of equipment should be explored including budget requests, mutual aid agreements and pre-positioned contracts	Equipment	EWS		
Participate in the Regional Public Works Emergency Response Team (PWERT) and attend monthly meetings	External Coordination	EWS		
Coordinate with other City departments to get PWERT mutual aid agreement signed and adopted by City Council	External Coordination	EWS		