



AGENDA

**CITY COUNCIL WORK SESSION
City of Garland
Duckworth Building, Goldie Locke Room
217 North Fifth Street
Garland, Texas
September 15, 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. Amendment of Section 50.31 of Chapter 50 – Utility Rates and Fees

Council is requested to consider amending Section 50.31 of Chapter 50 of the Code of Ordinances in recognition of the recently approved interim wholesale electric transmission rates by the Public Utility Commission of Texas (PUCT), as well as amending Section 50.31 to reference the effective wholesale electric transmission tariffs filed by the City under the jurisdiction of the PUCT. This item is scheduled for formal consideration at the September 16, 2014 Regular Meeting.

| Item | Key Person |
|------|------------|
|------|------------|

2. Verbal Briefings:

a. Interviews for Appointment to the GHFC Board

Council

Information was posted on the City's website for 14 days in order to provide an opportunity for citizens to apply for a vacant position on the Garland Housing Finance Corporation (GHFC) board. At the close of the 14-day notice period, Delores Elder-Jones and Chris Luna responded. Council will interview Ms. Elder-Jones and Mr. Luna. At the September 16, 2014 Regular Meeting, Council is scheduled to make an appointment to the GHFC board to serve a term ending August 31, 2014.

**b. Modifications to Chapter 32 –
Commercial Property Maintenance**

Briley

Staff will brief Council on a proposed ordinance modifying the wording in Chapter 32 to include residential and nonresidential premises within the scope of the minimum standards. The substandard property sections are also revised to include nonresidential properties. Also, included is a change to allow the jurisdiction of the Housing Standards Board to be expended to review cases involving nonresidential property. The Community Services Committee reviewed the proposed ordinance prepared by the City Attorney's Office and recommended that it be submitted to the full Council for discussion and deliberation.

c. Transportation Report

Dean/Schaffner

Dean International, the City's transportation consultant, will update Council on the following:

- Transportation Program Updates
 - IH-635
 - IH-30
 - Stakeholder Forum – September 25, 2014
 - SH-78
- Annual Missions Update
 - Austin – November 20-21, 2014
 - Washington, DC – December 3-5, 2014
- Strategic Events Update
- Advocacy Group Update
- Transportation Updates
 - TEX-21
 - THSRTC
 - DRMC
 - RTC
 - Federal Policy
 - State Update

d. City Organization Memberships

Dodson/Stanley

At the request of Council Members Lori Barnett Dodson and Stephen Stanley, Council is requested to discuss organizations in which the City is a member, the name(s) of the City representative/alternate to those organizations, and the amount of annual dues for each organization.

e. TEX-21 and THSRTC Memberships

Athas

At the request of Mayor Douglas Athas, Council is requested to discuss the City's memberships in the Transportation Excellence for the 21st Century (TEX-21) and the Texas High Speed Rail and Transportation Corporation (THSRTC).

**f. City Council Policy OPNS-23,
Council Committees**

Dodson/Athas

At the September 2, 2014 Work Session, the Administrative Services Committee made a recommendation for revisions to City Council Policy OPNS-23, Council Committees. At the request of Council Member Lori Barnett Dodson and Mayor Douglas Athas, this item is being scheduled for Council discussion and direction.

**g. Creation of a Garland Historic
Preservation Commission**

Goebel

As previously recommended by the Community Services Committee, Council is requested to discuss and provide direction on the creation of a Garland Historic Preservation Commission.

h. Consider Amendment of 2014-15 Budget

Dollar

Council is requested to consider amending the 2014-15 Budget approved by Council on September 2, 2014 to include one-time budget items previously excluded and the unallocated funds placed in escrow pending future deliberations.

i. Transportation User Fee Study

Dollar

The Citizens Ad Hoc Streets Improvement Committee recommended in their report to the Council that a Transportation User Fee (TUF) be considered to raise the funding needed for street repairs. Significant study and analysis will be needed to determine the structure and amounts related to the establishment of TUF – particularly as it relates to amounts assessed commercial operations. Council is being asked to consider whether or not to commission that a TUF study be completed by an outside firm. This action does not commit Council to enacting a TUF.

j. National Night Out in Texas

Dollar

National Night Out is a community police awareness-raising event in the United States. This year, Texas will celebrate National Night Out on Tuesday, October 6, which is also the first regularly scheduled Council meeting in October. At the September 15, 2014 Work Session, Council

was scheduled to consider rescheduling the October 6 Regular Meeting to October 5 in order to allow the Mayor and Council members the opportunity to participate in local National Night Out activities in the community.

3. Regular Items:

a. Regulation of Smoke Shops

Russelmann

At the September 2, 2014 Work Session, Council requested that this item be scheduled for further discussion at the September 15 Work Session and that a public hearing be scheduled for the October 7 Regular Meeting to consider amendment of the Comprehensive Zoning Ordinance regarding the regulation of Smoke Shops.

4. Discuss Appointments to Boards and Commissions

Council

- *Morrison "Dale" Adams – Plumbing and Mechanical Codes (District 5)*
- *Perry Don Starkey – Parks and Recreation Board (District 6)*
- *Douglas Alan Williams – Housing Standards Board (District 6)*

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



Policy Report

ORDINANCE AMENDING SECTION 50.31 OF CHAPTER 50, UTILITY RATES AND FEES, OF THE CODE OF ORDINANCES

ISSUE

Amending Section 50.31 of the Code of Ordinances in recognition of the recently approved interim wholesale electric transmission rates by the Public Utility Commission of Texas (PUCT), as well as amending Section 50.31 of the Code of Ordinances to reference the effective wholesale electric transmission tariffs filed by the City under the jurisdiction of the PUCT.

OPTIONS

- (1) Approve an amendment to Section 50.31 of Chapter 50, Utility Rates and Fees, of the Code of Ordinances. This item is scheduled for formal consideration at the September 16, 2014 Regular Session.
- (2) Do not approve the amendment.

RECOMMENDATION

Option 1 - Staff recommends that Council consider approval of an amendment to Section 50.31 of Chapter 50, Utility Rates and Fees, of the Code of Ordinances. This item is scheduled for formal approval at the September 16, 2014 Regular Meeting.

COUNCIL GOAL

Consistent Delivery of Reliable City Services

BACKGROUND

In 2003, the City first included the full wholesale transmission rate tariff in its Code of Ordinances. At the time, the PUCT's jurisdiction over municipally-owned electric utility wholesale transmission rates had not been settled; therefore, the City included the wholesale transmission rate tariff in its Code of Ordinances. With the jurisdiction issue being settled in that the PUCT has jurisdiction over wholesale transmission rates, there is no need to maintain the full wholesale transmission tariff in the City's Code of

ORDINANCE AMENDING SECTION 50.31 OF CHAPTER 50, UTILITY RATES AND FEES, OF THE CODE OF ORDINANCES

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Ordinances, but rather only provide a reference to the effective tariff filed with the PUCT. The recent approval of the City's interim wholesale transmission rates provides an appropriate opportunity to amend the Code of Ordinances.

CONSIDERATION

Effective August 15, 2014, the City's interim wholesale transmission rates were approved by the PUCT. Currently, the full wholesale transmission rate tariff is provided in the City's Code of Ordinances. However, given that the jurisdiction for setting and implementing the City's wholesale transmission rates rests with the PUCT, only a reference to the effective tariff filed with the PUCT is recommended for the City's Code of Ordinance.

ATTACHMENT

Ordinance to amend Section 50.31 of Chapter 50, Utility Rates and Fees, of the Code of Ordinances of the City of Garland

Submitted By:

Jeff Janke
Garland Power & Light

Date: September 4, 2014

Approved By:

William E. Dollar
City Manager

Date: September 4, 2014

ORDINANCE NO.

AN ORDINANCE AMENDING SEC. 50.31 OF CHAPTER 50 , "UTILITY RATES AND FEES", OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1

That Sec. 50.31 of Chapter 50, "Utility Rates and Fees", of the Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows:

"Sec. 50.31 Wholesale transmission service

Wholesale transmission service may be provided to eligible transmission service customers under the terms and at the rates set forth in the most current tariff for electric service, wholesale transmission service approved by the Public Utility Commission of Texas."

Section 2

That Chapter 50, "Utility Rates and Fees", of the Code of Ordinances of the City of Garland, Texas, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

Section 3

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

Section 4

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

PASSED AND APPROVED this the _____ day of _____, 2014.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



City Council Item Summary Sheet

☒ **Work Session**

Date: September 15, 2014

☐ **Agenda Item**

Interviews for Appointment to the GHFC Board

Summary of Request/Problem

The term of office for Philip Burke as a representative on the Garland Housing Finance (GHFC) Board expired on August 31, 2014. Mr. Burke has indicated that he does not desire to be considered for reappointment.

Information was posted on the City's website for 14 days in order to provide an opportunity for citizens to apply for the position. At the close of the 14-day notice period, Delores Elder-Jones and Chris Luna responded. Council is scheduled to interview Ms. Elder-Jones and Mr. Luna at this meeting.

Council is scheduled to formally appoint a representative to the GHFC at the September 16, 2014 Regular Meeting.

Recommendation/Action Requested and Justification

Candidate interviews.

Submitted By:

Approved By:

William E. Dollar
City Manager

**Delores Elder-Jones
3305 Flameleaf Street
Garland, Texas 75044-6573
972.530.8264(h) / /469.358.3557(c)**

delderjones@verizon.net

delores.elderjones@gmail.com

August 20, 2014

To Whom This Concerns

Gentlepersons:

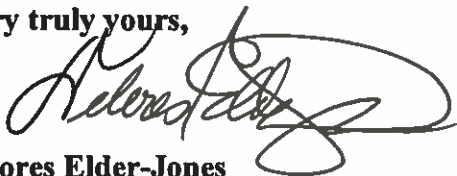
Having just retired from 14 years in the educational field however, my passion is Housing and Community Development. As such, I have decided to redirect my volunteerism to serving the City of Garland in any way I can that will create a positive housing environment.

As a former board member of the Garland Housing Finance Corporation, is my pleasure to apply for the open position and serve again.

I am more than qualified for this position due to the experience (I have) with the community in general and housing programs in particular. My resume of qualifications and other experience is attached for your convenience.

Thanks for your consideration.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Delores Elder-Jones', with a large, stylized flourish at the end.

Delores Elder-Jones

Delores Elder-Jones
3305 Flameleaf Street
Garland, Texas 75044-6573
972.530.8264 / 469-358-3557
delderjones@verizon.net dsdelectables@verizon.net

EMPLOYMENT HISTORY

Dependable Care Health Service, LLC / Garland, Texas (2010-Present)
Community/Patient Liaison
Promote comprehensive healthcare services and wellness for homebound patients and seniors. Ascertain quality services to existing patients.

Remember the Moment Photography by Grand Diva / Garland (2010-Present)
Event Photographer. See: www.facebook.com/rememberthemoment

D's Delectables / Garland, Texas (1996 –Present)
Sole Proprietor of small catering business. See www.dsdelectables.com

Richland College / Dallas, Texas (1996 – 2013)
Adjunct Professor/Continuing Education & Workforce Training (2010-Present)
Administrator of Community Outreach (2001-2010)
Teaching/ Program Administrator (2000-2001)

- ❑ Outreached to underserved populations to explain educational opportunities
- ❑ Interacted with local industry to determine trends and industry needs.
- ❑ Developed and administered programs for the Continuing Education division, including program planning, monitoring, implementation, evaluation, selection and supervision of instructional personnel.
- ❑ Supervised program coordinators charged with creating, implementing, and maintaining courses.

Also served as contract trainer for the Corporate Services division, instructor in the Continuing Education *Technical Writing* program, Emeritus Program, and *Diversity* class facilitator. Continue as Adjunct Professor in Emeritus Program.

Other positions held at Richland College include:

Team Leader (1999-2000)
Client Services Manager (1997-1999)
Senior Placement Specialist (1996-1997)
JRT Instructor (1996-1999)

Soul Embassy Café / Dallas, Texas (1994 – 1996)
Co-Owner of upscale jazz supper club.

- ❖ Honorary Watch Commander/North Precinct – Memphis Police Department
- ❖ Continuing Education Units and Certificates: Technical Writing, Supervision, Supervision for Women, Managing People, Child Abuse and Neglect, Comprehensive Grant (Parts I & II), Lead-Based Paint in Public & Indian Housing, Micro Lead I X-Ray Fluorescence Analyzer, etc.

Other Supportive Information

- ❖ New Beginning Center (Board Member)
- ❖ Garland Police Department's Oral Review Board
- ❖ Secretary of Garland Housing Finance Corporation
- ❖ Leadership Garland 2003
- ❖ City of Garland East Area Plan Implementation Team
- ❖ Memphis Community Housing Resource Board, President
Chair/1990 Fair Housing Conference
Chair/1986 Tennessee Statewide Fair Housing Conference
- ❖ City of Memphis Community Relations Commission
Chair/Economic Development Committee
- ❖ United Way, Board Member
Planning and Allocation Sub-committee, Speaker's Forum
- ❖ Leadership Memphis 1987
- ❖ Tennessee Volunteer Support Committee for Department of Human Services
- ❖ City of Memphis Transition Team/ Housing Committee
- ❖ Numerous awards, certificates of appreciation and commendations from national, state, local, and civic leaders and organizations
- ❖ Traveled extensively with entertainer, Isaac Hayes, 1970-1977

Support Page
Delores Elder-Jones

- ❖ Performed a feasibility study and proposed homeownership opportunities for families living in public housing. Project resulted in development of Memphis Housing Development Corporation and Bertha Wilbert Heights Subdivision.
- ❖ *Project 2000*. Proposed initiative to limit residency in public and assisted housing programs to ten years, mandating social services in an effort for residents to become self-sufficient.
- ❖ *Operation Bootstrap*. Received funding for a proposal to assist families with Section 8 rental assistance and support services.
- ❖ Public Housing *Drug Elimination Program*. Received funding for a demonstration program for the Hurt Village public housing community to eliminate drug traffic and drug-related crimes.
- ❖ Planned and facilitated special programs for public housing residents including: Memphis and Shelby County Health Department Mobile Unit Immunization effort; MHA Drug Education Days; Memphis Walk-In Clinic for HIV and AIDS mobile unit; and O.R.D.I.S (One Room Drop-In School).
- ❖ Initiated “programmed” concept in assisted housing programs in Memphis; a program that combined social services with housing assistance so that families will have the opportunity to become vertically mobile and self-sufficient.
- Developed first of a kind Congregate housing for seniors needing medication monitoring and other assistance. . .24 hour facility
- ❖ Founded the Young Sophisticates, a charm club for urban youth in which they are exposed to alternative lifestyles through role modeling, education, and participation.
- ❖ Recognized as one of *1000 Points of Light*
- ❖ *Who’s Who of American Women*
- ❖ *Certificate of Recognition* from the United States Department of HUD for *Outstanding Leadership and the Promotion of Fair Housing / Equal Opportunity*.
- ❖ *Role Model Award* from Federal Express Corporation and Booker T. Washington High School

Delores Elder-Jones

972.238.6918

delderjones@verizon.net

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Tennessee Valley Center, Inc. / Memphis, TN (1987)

Project Manager of Jackson Manor Congregate Housing Facility

Catholic Diocese of Memphis Housing Corporation (1983 – 1987)

Administrator of Multi-Family Housing / Manager Supervisor

Education

Memphis State University

Master of City & Regional Planning, Major: Urban Revitalization

Bachelor of Arts / Social Welfare (Graduated with Distinction)

Delores Elder-Jones

972.238.6918

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Page 2

Dallas County Budget Office / Dallas, Texas 1993 – 1995)

Budget Analyst

- ❑ Provided budget analyses and projections for all justice administration departments in addition to District Clerk, County Clerk, Personnel, Purchasing, Veterans Services, Public Defender, and Jury Services.
- ❑ Maintained accurate budget documents for departments' combined annual budget of \$59.6 million.
- ❑ Provided special analyses and reports for the Commissioners Court and other governmental agencies.
- ❑ Interacted with agencies that contracted to provide services to Dallas County constituency.
- ❑ Conducted mid-year and tri-Quarter budget transfers.
- ❑ Served as troubleshooter in departments with daily budgetary problems.
- ❑ Served as point person to determine the County's position on certain issues.

Whitehaven Community Development Corporation/Memphis, TN (1992 – 1993)

Executive Director

- ❑ Coordinated and facilitated activities of a development corporation to improve the image and promote economic development of for 53,000 residents and business of a declining community.
- ❑ Executed public relations campaign improving the perception of the community and successfully coordinated all fund-raising activities.

Memphis Housing Authority / Memphis, TN (1989 – 1992)

Director of Modernization / Director of Planning & Development

- ❑ Administered *Comprehensive Grant and Comprehensive Improvement Assistance* programs for public housing agency.
- ❑ Designed new tracking system for major projects, resulting in improved reporting to the United States Department of HUD.
- ❑ Created successful partnership process with MHA residents and staff resulting in first *Memphis Citywide Resident Convention*.
- ❑ Served as agency's Section 504 coordinator.
- ❑ Developed procedures to guide residents and applicants of assisted housing programs in becoming self-sufficient and to home ownership opportunities.
- ❑ Planned and coordinated agency's grants applications efforts, resulting in over \$3 million in grants in 2-year period.
- ❑ Chaired MHA's Planning Committee and Grants Review Committee.

Memphis City Schools / Memphis, TN (1988-1989)

Teacher

- ❑ Taught 4th Grade, using Memphis City School's designed curriculum.
- ❑ Provided motivation for inner-city students to want to learn and excel.
- ❑ Students scored higher on California Achievement Test than school average.

J. Christopher "Chris" Luna
801 Holden Court
Garland, Texas 75044
* * * * *
Office Phone: (214) 570-4883

August 21, 2014

Honorable Mayor Athas
and Honorable Members of the
Garland City Council
200 N. Fifth Street
Garland, Texas 75046

Re: Garland Housing Finance Corporation Board of Directors

Dear Mayor Athas and City Councilmembers:

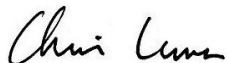
I am responding to the recent opening on the Garland Housing Finance Corporation ("GHFC") board of directors. I have the following background, experience, and skills that are directly applicable to the GHFC board of directors:

- prior public service, including service on the Dallas City Council, Garland Utility Advisory Board, and the Parkland Health & Hospital System board of managers
- over twenty years of non-profit board of director and governance experience
- broad-based legal background, with significant experience in the areas of commercial transactions, labor & employment, risk management, and litigation
- familiarity and experience in housing issues
- budgetary and management experience from several in-house legal positions and from my prior public service

I have enclosed my biographical background and my government and civic experience for your review. I believe that I have the background, experience and skills that you are seeking.

Thank you for your consideration and I look forward to hearing from you.

Sincerely,



J. Christopher "Chris" Luna



CHRIS LUNA

Chris is Director of Legal Affairs at MetroPCS, a brand of T-Mobile US, Inc. (NYSE: TMUS), where he is responsible for MetroPCS' legal affairs, including business transactions, marketing, litigation, and distribution. MetroPCS is a provider of no annual contract, unlimited wireless communications service for a flat-rate.

Chris graduated from the University of Texas at Austin School of Law and UT's business school in accounting. His professional legal career included the law firms of Akin, Gump, Strauss, Hauer & Feld, L.L.P. and Sheinfeld, Maley & Kay, P.C. He also clerked for Chief Judge Robert C. McGuire, U.S. Bankruptcy Court for the Northern District of Texas.

He was elected to three terms on the Dallas City Council to represent downtown and the city center. He was also appointed to serve on the Garland Utility Advisory Board and the Parkland Health & Hospital System Board of Managers.

Chris is immediate past chairman of the Richardson Chamber of Commerce and serves on the board of the Dallas Zoological Society. He is past president of The Dallas Assembly, one of the region's oldest and most respected civic organizations. Chris was an advisory director of the Laredo National Bank and previously served as a director of the Colonial Casualty Insurance Company.

He also believes firmly in developing tomorrow's leaders, which he exhibited by being an adjunct instructor at Southern Methodist University School of Law, El Centro College, UT Dallas, and Richland College. Chris previously served on the President's Hispanic Advisory Council at UT Arlington.

Chris is a graduate of Leadership Richardson. Chris maintains memberships in the State Bar of Texas, the Dallas Bar Association, and the Dallas Hispanic Bar Association.

J. Christopher “Chris” Luna
Government and Non-Profit Board Experience

Current Board of Directors

Director, Dallas Zoological Society

- Member, Education Committee; Member, Public Affairs Committee

Director, Richardson Chamber of Commerce

- Immediate Past Chairman; Member, Executive Committee

Parkland Health and Hospital System (Dallas County, Texas)

- Member, Parkland Board of Managers (2009 to 2011)
- Chair, Legal Affairs Committee (2010)

Municipal Positions (City of Garland, Texas)

Member and First Vice Chair, Utility Advisory Board (2008 to 2010)

Municipal Positions (City of Dallas, Texas)

- Member, Ethics Review Task Force (1999)
- Member, World Trade Organization Host Committee (1998)
- City Council Member (1991 to 1997)
- Deputy Mayor Pro Tem (1991 to 1993 and 1995 to 1996)
- **Chair, Housing and Neighborhood Development Committee (1995 to 1997), Committee Member (1993 to 1995)**
- Chair, Business and Commerce Committee (1991 to 1995), Committee Member (1995 to 1997)
- Chair, Minority and Women Business Enterprise Advisory Committee (1992 to 1993), Committee Member (1993 to 1995)
- Vice Chair, Finance and Audit Committee (1995 to 1997), Committee Member (1993 to 1995)
- Member, Transportation and Telecommunications Committee (1991 to 1997)

Past President, Past Chairman, and Past Non-Profit Board of Directors

Past Director, Friends of Fair Park

Past Trustee, Dallas Theater Center

Past President and Past Director, The Dallas Assembly

Past Chairman and Past Director, Dallas Convention and Visitors Bureau

Past Director, Turtle Creek Chorale

Past Director and Past Officer, Shakespeare Festival of Dallas

Past Chairman and Past Director, Dallas-Ft. Worth Regional Film Commission

Past Director, ArtReach Dallas

Past Director, Downtown Improvement District

Past Director, American Diabetes Association (Greater Dallas Chapter)

Past President and Past Director, Shared Housing Center (2004 to 2010)

Chairman, Advisory Board, Shared Housing Center (2011 to 2013)

(Shared Housing Center was created in 1984 to provide and facilitate affordable housing options. Its mission has been to offer housing options and supportive services to a multicultural, intergenerational population. They offer non-traditional permanent and transitional housing solutions, and programs and services that create independence, empowerment and self-worth.)



City Council Item Summary Sheet

☒ **Work Session**

Date: September 15, 2014

☐ **Agenda Item**

MODIFICATIONS TO CHAPTER 32 – COMMERCIAL PROPERTY MAINTENANCE

Summary of Request/Problem

In 2013, the Code Compliance Department was given the responsibility of ensuring minimum maintenance standards for the commercial properties within the City. To meet this obligation, the Code Compliance inspection staff enforces the requirements of Chapter 32 of the Code of Ordinances. Chapter 32 currently applies predominantly to residential properties.

The Community Services Committee reviewed a draft ordinance crafted by the City Attorney's Office on February 18, 2014, July 14, 2014 and again on August 18, 2014. The Committee voted to submit the completed draft to the full City Council for deliberation.

The draft ordinance modifies the wording in Chapter 32 to include residential and non-residential premises within the scope of the minimum standards. The substandard property sections are also revised to include non-residential properties. Also included is a change to allow the jurisdiction of the Housing Standards Board to be expanded to review cases involving non-residential property.

Recommendation/Action Requested and Justification

Council discussion.

Submitted By:

Richard Briley
Managing Director of Health &
Code Compliance

Approved By:

William E. Dollar
City Manager

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 32, "NEIGHBORHOOD SANITATION AND HOUSING SERVICES", OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1

That Chapter 32, "Neighborhood Sanitation and Housing Services" of the Code of Ordinances of the City of Garland, Texas is hereby amended by renaming Chapter 32 as follows:

~~"Neighborhood Sanitation and Housing Services~~ Property Sanitation and Housing Services"

Section 2

That Chapter 32, "Neighborhood Sanitation and Housing Services" of the Code of Ordinances of the City of Garland, Texas is hereby amended by changing the caption of Article I and adding text following that caption to read as follows:

"Article. I. Minimum ~~Housing Code~~ Property Standards-

The Director of Code Compliance or his designee shall have the authority to enforce the provisions of Article I and Article II of Chapter 32, and any other provision of the Garland Code of Ordinances as authorized by the City Manager."

Section 3

That Sec. 32.01(14) of Chapter 32, "Neighborhood Sanitation and Housing Services" of the Code of Ordinances of the City of Garland, Texas is hereby amended to read as follows:

"(14) Premises means a lot, tract or parcel of real property, including any buildings and structures on the land, in a residential or non-residential zone."

Section 4

That Sec. 32.02 of Chapter 32, "Neighborhood Sanitation and Housing Services" of the Code of Ordinances of the City of Garland, Texas is hereby amended by changing the caption and adding a subsection

32.02(G) to read as follows:

"Sec. 32.02 Violations; **application**; penalty and report of inspections.

(G) All of the provisions Article I and II of Chapter 32 shall apply to non-residential premises with the exception of Section 32.01(5), (6) and (11); Section 32.03(1)(a)-(b); Sec. 32.03 (3); Sec. 32.04; Sec. 32.07; Sec. 32.09 - Sec. 32.11; Sec. 32.50 (9), (13), (14) and (23); Sec. 32.53(J)-(M); Sec. 32.56(C), Sec. 32.57 (C)-(F)."

Section 5

That Sec. 32.02 (B) of Chapter 32, "Neighborhood Sanitation and Housing Services" of the Code of Ordinances of the City of Garland, Texas is hereby amended to read as follows:

(B) It shall be a violation for an owner or occupant of a ~~single-family~~ **premises** or multifamily dwelling to occupy, or allow the occupation of, any structure or building that has been placarded as substandard by the City."

Section 6

That Sec. 32.02 (E) of Chapter 32, "Neighborhood Sanitation and Housing Services" of the Code of Ordinances of the City of Garland, Texas is hereby amended to read as follows:

(E) Whenever a routine inspection is made for an alleged violation at a ~~single-family~~ **premises** or multifamily dwelling, the findings shall be recorded on a form approved by the City. The owner or property manager or other person in charge of the property shall be provided a copy of the inspection report, either in person or by mail. Notice of the alleged violations has been given to an owner when a copy of the inspection report: (1) is delivered in person to any owner, manager, or person in charge of the property; or (2) two days after the copy of the inspection report is deposited with the US Postal Service, addressed to any owner, manager, or person in charge of the property, with proper postage affixed. The inspection report may establish violation categories as defined in section 32.01, which shall be corrected within a time as established in subsection (F). The completed inspection report form is a public document that shall be made available for public disclosure to any person who requests it according to law."

Section 7

That Sec. 32.03 of Chapter 32, "Neighborhood Sanitation and Housing

Services" of the Code of Ordinances of the City of Garland, Texas is hereby amended by adding a subsection 32.03 (12) to read as follows:

"(12) The International Property Maintenance Code as referenced and adopted by reference in section 30.270 shall apply to all existing non-residential structures and constitute minimum requirements and standards for premises, structure, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators, and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties."

Section 8

That Sec. 32.05 (C) of Chapter 32, "Neighborhood Sanitation and Housing Services" of the Code of Ordinances of the City of Garland, Texas is hereby amended to read as follows:

"(C) Approved Repairs. All corrections of ~~mm~~Minimum housing Property Code standard violations and health hazards shall be completed using approved repairs."

Section 9

That Sec. 32.06 (A) of Chapter 32, "Neighborhood Sanitation and Housing Services" of the Code of Ordinances of the City of Garland, Texas is hereby amended to read as follows:

"(A) The City may initiate termination of utility services, or a hold on reconnecting or ~~reinstating~~ reinstating utility services that have been terminated, as the case may be, to or for a dwelling unit or premise that is substandard, or unfit for human occupation by certifying, in writing, that the dwelling unit or premise is substandard or unfit for human occupation."

Section 10

That Sec. 32.08 of Chapter 32, "Neighborhood Sanitation and Housing Services" of the Code of Ordinances of the City of Garland, Texas is hereby amended to read as follows:

"(A) The City shall, by certified mail, return receipt requested, send to the last known address of the owner, lessee and occupant of the structure, notice of a hearing to consider:

- (1) Reduction of occupancy load of a structure or portion of a structure that is overcrowded; or

- (2) Vacation of a ~~structure~~ premises or portion of a ~~structure~~ premises that is unsanitary or unsafe and, therefore, presents a danger to the health, safety ~~or~~ and welfare of occupants.

In order to protect the health, safety and welfare of the occupants of a substandard ~~structure~~ premises with readily apparent structural hazards that constitute imminent danger, the City may order the immediate vacation of the ~~structure~~ premises.

(B) The City may place or cause to be placed a placard on a ~~structure~~ premises or dwelling that is unsanitary or unsafe warning of its dangerous condition. A person commits an offense if:

- (1) Without authority from the City, the person removes or destroys a placard placed by the City:
- (2) The person occupies a vacant ~~structure~~ premises or dwelling unit on which the City has placed a placard, or:
- (3) As owner of a ~~structure~~ premises, the person authorizes a person to occupy a vacant ~~structure~~ premises on which the City has placed a placard.

Prior to the removal of the placard, the owner of such ~~structure~~ premises shall contact the City and request an inspection. The fee for removal the placard placed on ~~single-family structures~~ a premises (including garages and accessory buildings) shall be fifty dollars (\$50.00), and one hundred dollars (\$100.00) for each multifamily unit. Should the ~~structure~~ premises/unit fail a final inspection, the fee shall still apply and be collected again at the time the placard is finally removed. The fee shall be payable to the City.

(C) A public hearing to consider reduction of occupancy load or vacation of a ~~structure~~ premises shall be held before the board not less than ten (10) days after receipt of notice by the owner, lessee and occupants or not less than five (5) days after the notice is returned undelivered. A hearing may be initiated by anyone having evidence of the overcrowding and signing a complaint form provided by the City. The complainant shall present evidence of the overcrowded conditions of the ~~structure~~ premises and the owner, lessee or occupant may present evidence.

(D) The board shall order reduction of the occupancy load if it finds the ~~structure~~ premises or dwelling unit is overcrowded or vacation of a ~~structure~~ premises or dwelling unit if it finds the structure is dangerous to the health, safety or welfare of its residents. Notice of the order to reduce the occupancy load or to vacate shall be given to the occupants and the owner. If any party

is aggrieved by the decision of the board, the person may appeal the decision to a district court within ten (10) days, where the matter shall be tried on the basis of a substantial evidence rule.

(E) Each occupant of a ~~structure~~ premises or dwelling unit that has been ordered vacated shall vacate the ~~structure~~ premises or dwelling unit within a specified time determined by the board. No person shall occupy a ~~structure~~ premises or dwelling unit that has been ordered vacated. The occupants of a ~~structure~~ premises or dwelling unit that has been ordered reduced in occupancy load shall reduce the occupancy to the number ordered by and within the time specified by the board."

Section 11

That Sec. 32.26 of Chapter 32, "Neighborhood Sanitation and Housing Services" of the Code of Ordinances of the City of Garland, Texas is hereby amended to read as follows:

"The board shall have jurisdiction to:

- (1) Hear and determine cases concerning alleged violations of ordinances:
 - (a) For the preservation of public safety, relating to the materials or methods used to construct a ~~building~~ premises or improvement, including the foundation, structural elements, electrical wiring apparatus, plumbing and fixtures, entrances, or exits;
 - (b) Relating to the fire safety of a ~~building~~ premises or improvement; including provisions relating to materials, types of construction design, warning devices, sprinklers or other fire suppression devices, availability of water supply for extinguishing fires, or location, design, or width of entrances or exits.
 - (c) Relating to dangerously damaged or deteriorated ~~buildings~~ premises or improvements; or
 - (d) Relating to conditions caused by accumulations of refuse, vegetation, or other matter that creates breeding and living places for insects and rodents.
- (2) Require the vacation, relocation of occupants, securing, repair, removal or demolition of a ~~building~~ premises that is dilapidated, substandard, or unfit for human occupancy and which is a hazard to the public health, safety and welfare;
- (3) Grant or deny relief under section 32.56 of this Code;

and

(4) Exercise such other powers and authority conferred upon the board by law or ordinance."

Section 12

That Sec. 32.27 of Chapter 32, "Neighborhood Sanitation and Housing Services" of the Code of Ordinances of the City of Garland, Texas is hereby amended to read as follows:

"The board ~~may~~ shall have jurisdiction to:

(1) Order the repair, within a fixed period, of ~~buildings~~ premises found to be in violation of an ordinance;

(2) Declare a ~~building~~ premises substandard in accordance with the powers granted by this article;

(3) Order, in an appropriate case, the immediate removal of persons or property found on private property, enter on private property to secure the removal if it is determined that conditions exist on the property that constitute a violation of an ordinance, and order action to be taken as necessary to remedy, alleviate, or remove any substandard ~~building~~ premises found to exist;

(4) Issue orders or directives to any peace officer of the state, including a sheriff or constable or the Director of Police Services of the City, to enforce and carry out the lawful orders or directives of the commission; and

(5) Determine the amount and duration of a civil penalty not to exceed one thousand dollars (\$1000.00) a day for a violation of an ordinance for a commercial or multifamily property and one hundred dollars (\$100.00) a day for a violation of an ordinance for a residential property. In assessing a civil penalty the board shall consider the severity of the violations present, the history of compliance of the property or the owner and the efforts taken, if any, to correct the violations.

Section 13

That subsections (A) and (B) of Sec. 32.28 of Chapter 32, "Neighborhood Sanitation and Housing Services" of the Code of Ordinances of the City of Garland, Texas are hereby amended to read as follows:

"(A) The City may initiate a case before the board by filing a

complaint with the board. Any person desiring to initiate a case before the board must ~~first~~ file ~~the~~ a case with the City on forms or in a format prescribed by the City. The City shall then initiate a case if the City determines that sufficient facts and evidence exist to proceed.

(B) Notice of all proceedings before the board must be given:

- (1) By certified mail, return receipt requested, to the record owners of the affected property, and each holder of a recorded lien against the affected property, as shown by the records in the office of the county clerk of the county in which the affected property is located if the address of the lienholder can be ascertained from the deed of trust establishing the lien or other applicable instruments on file in the office of the county clerk;
- (2) To all unknown owners, by posting a copy of the notice on the front door of each improvement situated on the affected property or as close to the front door as practicable; and
- (3) By publishing the notice in a newspaper of general circulation in the City on one occasion before the tenth (10th) day before the day fixed for hearing.

The notice shall be mailed and posted before the 10th day before the date of the hearing before the board and shall state the date, time and place of the hearing. If the proceeding concerns a substandard ~~building~~ premises, the notice shall also contain an identification of the property on which the ~~building~~ premises is located, a brief description of the violation(s) present and a statement that the City will vacate, secure, remove, or demolish the ~~building~~ premises or relocate the occupants of the ~~building~~ premises (at owner's expense) if corrective action is not taken within the time ordered."

Section 14

That subsection 32.54 (A)(1) of Chapter 32, "Neighborhood Sanitation and Housing Services" of the Code of Ordinances of the City of Garland, Texas is hereby amended to read as follows:

"(1) Alley shall mean and include an alley, alley easement, or a utility easement which is ten (10) or more feet in width."

Section 15

That subsection 32.82 (B) of Chapter 32, "Neighborhood Sanitation and Housing Services" of the Code of Ordinances of the City of

Garland, Texas is hereby amended to read as follows:

"(B) Unless otherwise permitted by applicable law, regulation, permit, or zoning regulations, A person commits an offense if the person causes, suffers, allows or permits the parking or standing of a motor vehicle ~~or a trailer~~ in a residential ~~or non-residential~~ zone within ordinary public view on private property owned or controlled by that person if the vehicle:

- (1) Has one or more flat tires;
- (2) Is missing one or more wheels; or
- (3) Is supported by one or more jacks, jack stands, blocks or similar means."

Section 16

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

Section 17

That Chapter 32, "Neighborhood Sanitation and Housing Services" of the Code of Ordinances of the City of Garland, Texas, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

Section 18

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

Section 19

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

PASSED AND APPROVED this the _____ day of _____, 2014.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



City Council Item Summary Sheet

☒ **Work Session**

Date: September 15, 2014

☐ **Agenda Item**

Transportation Report

Summary of Request/Problem

Dean International, the City's transportation consultant, will update Council on the following:

- Transportation Program Updates
 - IH-635
 - IH-30
 - Stakeholder Forum – September 25, 2014
 - SH-78
- Annual Missions Update
 - Austin – November 20-21, 2014
 - Washington, DC – December 3-5, 2014
- Strategic Events Update
- Advocacy Group Update
- Transportation Updates
 - TEX-21
 - THSRTC
 - DRMC
 - RTC
 - Federal Policy
 - State Update

Recommendation/Action Requested and Justification

Council discussion.

Submitted By:

Approved By:

William E. Dollar
City Manager



City Council Item Summary Sheet

☒ **Work Session**

Date: September 15, 2014

☐ **Agenda Item**

City Organization Memberships

Summary of Request/Problem

At the request of Council Members Lori Barnett Dodson and Stephen Stanley, Council is requested to discuss organizations in which the City is a member, the name(s) of the City representative/alternate to those organizations, and the amount of annual dues for each organization.

Recommendation/Action Requested and Justification

Council discussion.

Submitted By:

Approved By:

William E. Dollar
City Manager



City Council Item Summary Sheet

☒ **Work Session**

Date: September 15, 2014

☐ **Agenda Item**

TEX-21 and THSRTC Memberships

Summary of Request/Problem

At the request of Mayor Douglas Athas, Council is requested to discuss the City's memberships in the Transportation Excellence for the 21st Century (TEX-21) and the Texas High Speed Rail and Transportation Corporation (THSRTC).

Recommendation/Action Requested and Justification

Council discussion.

Submitted By:

Approved By:

William E. Dollar
City Manager



City Council Item Summary Sheet

☒ **Work Session**

Date: September 15, 2014

☐ **Agenda Item**

City Council Policy OPNS-23, Council Committees

Summary of Request/Problem

At the September 2, 2014 Work Session, the Administrative Services Committee made a recommendation for revisions to City Council Policy OPNS-23, Council Committees. At the request of Council Member Lori Barnett Dodson and Mayor Douglas Athas, this item is being scheduled for Council discussion and direction.

Recommendation/Action Requested and Justification

Council discussion and direction.

Submitted By:

Approved By:

William E. Dollar
City Manager

9. COUNCIL COMMITTEES

The Council shall have the following standing committees, aligned with the management responsibilities assigned to City Staff by the City Manager:

Administrative Services Committee
Audit Committee
Community Services Committee
Development Services Committee
Public Safety Committee

Each committee, after receiving an assignment from the Mayor, will consider policy decisions and actions; study issues; evaluate options; and develop recommendations. The committees shall serve in an advisory capacity only, and no committee shall have any authority to make final decisions regarding the merits or resolution of any matter assigned to or considered by it.

- a. **Standing Committee Responsibilities** - The standing committees identified below shall have the following general responsibilities:

Administrative Services Committee

Items that may typically be directed to the Administrative Services Committee include, but are not limited to:

- Additions/revisions to Council policies
- Review of local, state and national legislative changes
- Updates on internal procedural modifications
- Specific budget items

Audit Committee

The Audit Committee shall assist the Council in fulfilling the Council's oversight responsibilities for the Internal Audit Department, reporting practices, internal control, and compliance with laws, regulations and ethics within the limits described in the City Charter. The Internal Audit Department shall have access to all information necessary to perform its functions under the City Charter (to the extent permitted by law), and shall operate independently of management and free of organizational impairments.

The Audit Committee will consist of seven members, three of which shall be City Council members appointed by the Mayor, and three of which shall be appointed by the City Manager. The Internal Auditor shall serve as a member and provide staff support to the committee. Only Council members may vote.

The Audit Committee shall meet at least quarterly, or more frequently as needed, and

shall:

- Review and approve the Internal Audit Charter
- Approve the Internal Audit Department Annual Plan
- Receive and consider special written requests for audits from Council members and the City Manager
- Adjust the Annual Audit Plan as necessary to accommodate changes in the operating environment
- Review the results and performance of the Internal Audit Department on a quarterly and annual basis
- Review proposed Internal Audit budget in light of available resources
- Review summary of findings and recommendations of audit reports
- Review the annual external audit results and findings

Community Services Committee

Items that may typically be directed to the Community Services Committee include, but are not limited to:

- Creating new or modifying existing codes and ordinances related to parks and recreation, public health and code compliance
- Reviewing grant program applications
- Considering incentive programs for neighborhood revitalization

Development Services Committee

Items that may typically be directed to the Development Services Committee include, but are not limited to:

- Creation of new, or modification to existing codes and ordinances related to zoning, platting and building, engineering and transportation standards and requirements

Public Safety Committee

Items that may typically be directed to the Public Safety Committee include, but are not limited to:

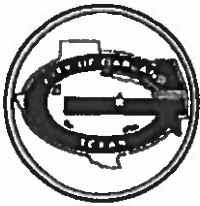
- Additions and revisions to Council policies as they relate to public safety
- Review of local, state and national legislative changes as they relate to or may affect public safety
- Updates on policy modifications relating to public safety

b. Ad Hoc Committees - Ad hoc committees of the Council shall be created and its members appointed by the Mayor. The Council shall be informed of the creation of, and appointments to, any such committees. Ad hoc

committees shall be appointed for a specific purpose, project or issue and shall continue until the project is completed unless earlier dissolved by the Mayor or Council. To the extent not inconsistent with the nature of Ad hoc committees, Ad hoc committees shall comply with the rules applicable to standing committees.

- c. **Committee Recommendation and Council Consideration** - Each committee shall prepare reports and make recommendations to the City Council at a Work Session regarding every matter assigned or considered.
- d. **Composition of Committees** - Each committee shall be composed of three members of the City Council. The Mayor shall serve as an ex officio member on each committee with the right to discuss any matter that is under consideration, but shall have no vote nor serve as chair at the committee level. Any Council member may attend any committee meeting, but only appointed members may participate in deliberations and voting. Testimony from someone not on the committee shall be permitted at the pleasure of the chair.
- e. **Appointments and Vacancies** - Appointments to committees will be made by the Mayor as soon as practicable after the annual Council election. A Council Committee Interest Form may be used (see sample attached). The Council will be notified of committee appointments. The Mayor shall make new appointments as needed to fill vacancies in order to assure continuity on the committees.
- f. **Term** - The term of office of any member of a standing committee shall begin upon appointment by the Mayor and notice to the City Council. The term shall continue until a replacement is appointed or until a committee member no longer holds a position on the City Council.
- g. **Chair** - The Chair of each committee shall be selected by the Mayor.
- i. **Convening meetings** - The committee chair shall have the responsibility for convening the committee as necessary.
- j. **Minutes** - Committees shall keep minutes of their meetings. Minutes shall provide a summary of all business discussed or considered, action taken, the outcome of any votes, and those persons present at committee meetings. When completed, the minutes shall be signed by the chair and filed with the City Secretary and promptly posted on the City's website.
- k. **Agenda Postings** - Notice of all committee meetings shall be posted in accordance with the Texas Open Meetings Act, and any such notices shall be posted in a manner that contemplates the attendance of, and participation in, agenda items by a quorum of the City Council.

- l. Recommendation Regarding Continuation of Committees** - The Mayor shall annually review the activity of existing committees to identify inactive committees and provide a report to the Council recommending which committees should be continued and which dissolved.



CITY COUNCIL POLICY

POLICY NO.: OPNS-23

Date of Adoption: 10/17/89

Date Of Revision: 7/21/09

Title:

Council Committees

Page 1 of 4

I. Purpose and Need for Policy

Due to the complexity and diversity of some City government issues, a closer view of some issues is required by the Council. In order to provide a mechanism for continuous evaluation and discussion of these various issues beyond the limited time available at regularly scheduled work sessions, the Council desires to develop a policy regarding standing Council Committees.

II. Policy

A. In addition to the Audit Committee (OPNS-36), the Council shall have the following standing Committees, aligned with the management responsibilities assigned to City Staff as directed by the City Manager:

1. Development Services
2. Administrative Services
3. Community Services
4. Public Safety Services

The Committees shall act only as advisory leaders to the full Council and do not have the authority to make decisions regarding the merits or resolution of matters that require the full support of the Council.

B. Each Committee upon receiving general direction and assignments from the Council as a whole, will: consider policy decisions and actions; study issues; evaluate options; and, develop recommendations.

C. Committee responsibilities are as follows:

Development Services Committee

The Development Committee reviews matters pertaining to policies and ordinances that address the use, development and redevelopment of public and private property within the city. Issues directed to the committee include, but are not limited to:

- Creation of new, or modification to existing, codes and ordinances related to zoning, platting and building, engineering and transportation standards and requirements
- Hearing appeals regarding the administration of the Neighborhood Traffic Management Program

| | | |
|------------------------------------|-------------------------------------|-----------------------|
| City Council Policy | TITLE: Council Committees | Page: 2 of 4 |
| | SUBJECT: Operations | NO. OPNS-23 |

Administrative Services Committee

The Administrative Services Committee reviews matters pertaining to the administration of City Council policies and procedures, and also legislative concerns that affect citizens and/or City operations. Issues that are directed to the Administrative Services Committee include, but are not limited to:

- Additions/revisions to Council Policies
- Review of local, state and national legislative changes
- Updates on internal procedural modifications

Community Services Committee

The Community Services Committee (CSC) primarily focuses on issues affecting Garland neighborhoods. Recognizing that strong neighborhoods are a foundation of a strong community, the CSC specifically discusses issues related to neighborhood vitality, stabilization, and improvement. The CSC's ultimate goal is to protect property values while respecting private property rights, enhance the quality of life for Garland residents, and generate pride in our community. Matters directed to the CSC include, but are not limited to:

- Creating new or modifying existing codes and ordinances related to parks and recreation, public health and code compliance
- Reviewing grant program applications
- Considering incentive programs for neighborhood revitalization

Public Safety Committee

The Public Safety Committee reviews matters of public concern regarding the Police Department, Fire Department, Code Enforcement, Health Department, and/or any other matter of public safety as well as legislative concerns in these areas that may affect citizens and/or City operations. Issues that are directed to the Public Safety Committee include, but are not limited to:

- Additions/revisions to Council Policies as they affect public safety
- Review of local, state and national legislative changes as they affect public safety
- Updates on policy modifications relating to public safety

- D. Ad Hoc Committees of Council may be created as deemed necessary by a majority of the Council. Any such Ad Hoc Committee shall comply with the requirements of Section III (5.) of this Policy.

III. Procedure to Accomplish Policy

1. The composition of each Committee shall be at least three (3) members of the Council. The Mayor shall serve as ex officio member on each Committee with the right to discuss any matter that is under consideration but shall have no vote at the committee level. Any Council member may attend any Committee meeting, but only appointed members may vote.

| | | |
|--------------------------------|------------------------------|----------------|
| City Council Policy | TITLE: Council Committees | Page: 3 of 4 |
| | SUBJECT: Operations | NO. OPNS-23 |

2. The normal term of office of the members of the Committees shall be for one year. Following the completion of Council Committee Interest Forms (attached) by each Council Member, appointments to Committees will be recommended by the Mayor as soon as practical after the election. Final Committee nominees shall be approved by a majority vote of the Council. The Mayor shall make new appointments as needed to fill vacancies created by resignations in order to assure continuity on the Committees.
3. The Chair of each committee shall be selected by the Mayor.
4. The Committee Chair shall have the responsibility of convening the Committee as necessary.
5. Committees shall keep minutes of their meetings. Minutes shall provide a summary of all business discussed or considered, action taken, and outcome of any votes, as well as record persons present at the committee meetings. When completed, the minutes shall be signed by the Chairperson and filed with the City Secretary's Office for public review and posted on the City's website as soon as practical.

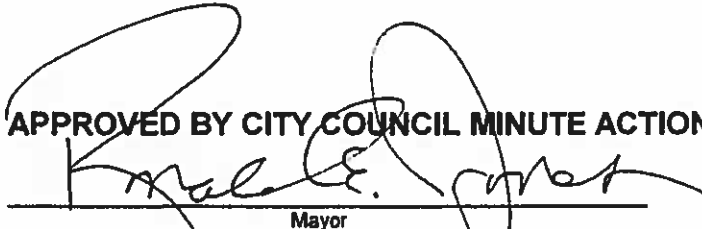
IV. Responsibility and Authority

The Mayor shall annually review the activity of existing Committees to identify inactive Committees and provide a report to the Council.

The City Manager shall provide adequate City staff to assist the Committee Chairperson(s) in final preparation and filing of minutes.

Written/Revised by: Priscilla S. Wilson
Sr. Managing Director

Reviewed by: William E. Dollar
City Manager

APPROVED BY CITY COUNCIL MINUTE ACTION 7-21-09


Mayor

Date: 9-01-2009

| | | |
|--------------------------------|------------------------------|----------------|
| City Council Policy | TITLE: Council Committees | Page: 4 of 4 |
| | SUBJECT: Operations | NO. OPNS-23 |

COUNCIL COMMITTEE INTEREST FORM

Name: _____

Please identify the Committee(s) you would prefer to serve on, "1" being your first choice. Indicate at least two choices.

- _____ Audit Committee
- _____ Administrative Services
- _____ Community Services
- _____ Public Safety Services
- _____ Development Services

Do you wish to serve on more than one committee? _____ Yes _____ No

Are you interested in serving as the City's:

- | | | |
|--|-----------|----------|
| Garland Economic Development Partnership Representative | _____ Yes | _____ No |
| North Central Texas Council of Governments Representative | _____ Yes | _____ No |
| Dallas Regional Mobility Coalition Representative | _____ Yes | _____ No |
| Regional Transportation Council Representative | _____ Yes | _____ No |
| Emergency Preparedness Planning Council Representative | _____ Yes | _____ No |



City Council Item Summary Sheet

☒ **Work Session**

Date: September 15, 2014

☐ **Agenda Item**

Creation of a Garland Historic Preservation Commission

Summary of Request/Problem

As previously recommended by the Community Services Committee, Council is requested to discuss and provide direction on the creation of a Garland Historic Preservation Commission.

Recommendation/Action Requested and Justification

Council discussion and direction.

Submitted By:

Approved By:

William E. Dollar
City Manager



City Council Item Summary Sheet

☒ **Work Session**

Date: September 15, 2014

☐ **Agenda Item**

Consider Amendment of 2014-2015 Budget

Summary of Request/Problem

Council is requested to consider amending the 2014-2015 Budget approved by Council on September 2, 2014 to include one-time budget items previously excluded and the unallocated funds placed in escrow pending future deliberations.

Recommendation/Action Requested and Justification

Council discussion and direction.

Submitted By:

Approved By:

William E. Dollar
City Manager

ONE-TIME FUNDED ITEMS - GENERAL FUND FY 2014-15 PROPOSED

| DEPARTMENT | AMOUNT | 2015 CIP | TOTAL DEBT SERVICE* |
|--|------------------|------------------|---------------------|
| <u>Emergency Management</u> | | | |
| CASA Weather Radar | \$50,000 | \$0 | \$0 |
| <u>Justification:</u> Installation of additional CASA weather radar unit would improve overall weather radar coverage for Garland and surrounding area and contribute to improved accuracy and warnings to local jurisdictions. Total costs of program are shared with other local agencies. | | | |
| <u>Fire</u> | | | |
| FMO Inspection Program | \$60,875 | \$0 | \$0 |
| <u>Justification:</u> Request provides one-time funding needed for program to enhance compliance with State law requiring that all fire inspections be performed by certified Fire Inspectors. One-time items include office furniture, computers, safety equipment, initial training, and two vehicles. | | | |
| EMS - Power Cots | 80,000 | 80,000 | 93,306 |
| <u>Justification:</u> Request would replace five (5) power cots currently in service that have reached the end of their service lives and are experiencing increased failures and maintenance costs. The power cots to be replaced were originally purchased and placed into service in 2006 and are past FDA compliance recommendations. | | | |
| Thermal Image Cameras | 240,000 | 240,000 | 261,278 |
| <u>Justification:</u> Request would replace twelve (12) frontline thermal image cameras that are experiencing more frequent failures and increased maintenance costs due to age and continued use in extreme environments. The thermal image cameras to be replaced were purchased and placed into service in 2008. | | | |
| Automated Personnel Scheduler | 106,000 | 0 | 0 |
| <u>Justification:</u> Request provides funding for automated software staffing system that would interface with current Fire Database, facilitate improved scheduling of Fire personnel, and help reduce overtime. | | | |
| Rescue Truck and Trailer | 370,000 | 370,000 | 431,542 |
| <u>Justification:</u> Request is based on Fleet Services' equipment evaluation and replacement matrix and would replace aging units purchased and placed into service in 1999. | | | |
| Fire CARES | 120,275 | 0 | 0 |
| <u>Justification:</u> Request provides one-time funding for items needed to establish new Fire CARES program. One-time items include office furniture, computers, safety supplies, initial training, medical equipment, and one vehicle. | | | |
| Total - Fire | \$977,150 | \$690,000 | \$786,126 |

ONE-TIME FUNDED ITEMS - GENERAL FUND FY 2014-15 PROPOSED

| DEPARTMENT | AMOUNT | 2015 CIP | TOTAL DEBT SERVICE* |
|--|------------------|------------------|---------------------|
| <u>Health</u> | | | |
| Kennel Floor Repair - Animal Services | \$50,000 | \$0 | \$0 |
| <i>Justification:</i> Request provides funding to resurface kennel areas of City's Animal Shelter. The current surface was installed in 2003 and is peeling and worn beyond the point at which spot repairs are effective. | | | |
| <u>Library</u> | | | |
| Library Materials | \$250,000 | \$250,000 | \$291,583 |
| <i>Justification:</i> Request would transfer a portion of book funding to the Operating Budget that would otherwise be in the CIP. | | | |
| <u>Parks, Recreation and Cultural Arts</u> | | | |
| Granville Arts Center - Equipment and Drapes | \$46,100 | \$0 | \$0 |
| <i>Justification:</i> Request would replace computerized lighting console plus related equipment that is over 10 years old and outdated as well as drapes for the main theater that have been repaired a number of times over the years. | | | |
| Various Equipment | 300,000 | 164,000 | 191,278 |
| <i>Justification:</i> Request would replace two 13-year-old dump trucks at \$82,000 each. Remaining equipment includes a reel mower, brush chipper, utility truck, batwing mower, and trailer - all ranging from 13 to 38 years of service. | | | |
| Low-Water Crossing - Duck Creek Trail | 110,000 | 110,000 | 146,511 |
| <i>Justification:</i> Replace two failed pedestrian low-water crossings along Duck Creek Trail and make both ADA accessible. | | | |
| Granville Arts Center - Screen and Projector | 30,000 | 0 | 0 |
| <i>Justification:</i> Request would enhance the quality of films shown at the Plaza Theatre. | | | |
| Total - Parks, Recreation and Cultural Arts | \$486,100 | \$274,000 | \$337,789 |
| <u>Planning and Community Development</u> | | | |
| Idea Book | \$60,000 | \$0 | \$0 |
| <i>Justification:</i> Request would cover the cost of consulting services for the Idea Book, which serves as a resource for Garland's Neighborhood Associations, the Garland Neighborhood Management Academy, and the Do-It-Yourself Program. | | | |
| Envision Garland Implementation | 200,000 | 0 | 0 |
| <i>Justification:</i> Request would cover the cost of consulting services related to the 2nd Phase of the Envision Garland 2030 Plan. | | | |
| Impact Fees Consultant | 90,000 | 0 | 0 |
| <i>Justification:</i> Request would cover the cost of consulting services related to updating the Impact Fee ordinance as required by State Law. | | | |
| Total - Planning and Community Development | \$350,000 | \$0 | \$0 |

ONE-TIME FUNDED ITEMS - GENERAL FUND FY 2014-15 PROPOSED

| DEPARTMENT | AMOUNT | 2015 CIP | TOTAL DEBT SERVICE* |
|---|--------------------|--------------------|---------------------|
| <u>Transportation</u> | | | |
| Aerial Bucket Trucks | \$260,000 | \$260,000 | \$303,246 |
| <i><u>Justification:</u></i> | | | |
| <i>Request would replace two (2) aerial bucket trucks that are 10 years old and experiencing increased failures, additional downtime, and high maintenance costs.</i> | | | |
| <u>Non-Departmental</u> | | | |
| Transfer to Streets for Equipment | \$845,000 | \$845,000 | \$985,549 |
| <i><u>Justification:</u></i> | | | |
| <i>Request would replace one (1) truck tractor that is 17 years old, one (1) haul trailer that is 23 years old, two (2) tandem vibratory rollers that are in very poor condition, one (1) concrete finishing screed that is 10 years old, four (4) cargo trailers that have exceeded their service lives, one (1) pothole patching machine that is 5 years old, and six (6) messaging boards that are no longer useful.</i> | | | |
| TOTAL ONE-TIME FUNDED ITEMS - GENERAL FUND | \$3,268,250 | \$2,319,000 | \$2,704,293 |

* Debt Service projections assume 2.9% interest rate and 10-year amortization. Exceptions include a 20-year amortization for the Parks - Low-Water Crossing project and 5-year amortization for the Fire - Thermal Image Cameras.



City Council Item Summary Sheet

☒ **Work Session**

Date: September 15, 2014

☐ **Agenda Item**

Transportation User Fee Study

Summary of Request/Problem

The Citizens Ad Hoc Streets Improvement Committee recommended in their report to the City Council that a Transportation User Fee (TUF) be considered to raise the funding needed for street repairs. Significant study and analysis will be needed to determine the structure and amounts related to the establishment of TUF – particularly as it relates to amounts assessed commercial operations. Council is being asked to consider whether or not to commission that a TUF study be completed by an outside firm. This action does not commit Council to enacting a TUF.

Recommendation/Action Requested and Justification

Council discussion.

Submitted By:

Approved By:

William E. Dollar
City Manager



City Council Item Summary Sheet

☒ **Work Session**

Date: September 15, 2014

☐ **Agenda Item**

National Night Out in Texas

Summary of Request/Problem

National Night Out is a community police awareness-raising event in the United States which began in 1984 in an effort to promote involvement in crime prevention activities, police-community partnerships, neighborhood camaraderie, and to send a message to criminals letting them know that neighborhoods are organized and fighting back. The event is held each year on the first Tuesday in August. Texas has the option to use the alternate date of the first Tuesday in October to avoid hot weather.

This year Texas will celebrate National Night Out on Tuesday, October 6, 2014 which is also the first regularly scheduled Council meeting in October.

Council is requested to consider rescheduling the October 6 Regular Meeting in order to allow the Mayor and Council members the opportunity to participate in local National Night Out activities in the community. If Council concurs, the October 6 Regular Meeting will be rescheduled to Monday, October 5. This item is scheduled for formal consideration at the September 16, 2014 Regular Meeting.

Recommendation/Action Requested and Justification

Council discussion and direction.

Submitted By:

Approved By:

William E. Dollar
City Manager



Meeting: Work Session

Date: September 15, 2014

Policy Report

REGULATION OF SMOKE SHOPS

ISSUE

At its September 2, 2014 Work Session, City Council directed this item be placed on the September 15 Work Session agenda for further discussion, and that a public hearing be scheduled for the October 7 Council meeting to consider amendment of the Comprehensive Zoning Ordinance regarding the regulation of Smoke Shops.

RECOMMENDATION

Plan Commission held a public hearing on August 11 and recommended, by a vote of 8 to 0, amendment of the Zoning Ordinance as proposed by the Development Services Committee with the exception that Smoke Shops would also be allowed, with approval of a Specific Use Permit (SUP), in the Shopping Center, General Business and Commercial 1 and 2 districts, in addition to Industrial 1. The Development Services Committee had recommended they be allowed only in the Industrial 1 district, with approval of an SUP.

COUNCIL GOAL

Sustainable Quality Development and Redevelopment

BACKGROUND

At the May 5 Work Session, the Development Services Committee recommended City Council consider amending the Zoning Ordinance to regulate the sale of products, devices and equipment for use in the smoking or ingestion of certain substances. The Council subsequently reviewed a draft ordinance amendment proposed by the Development Services Committee at its May 19 Work Session and forwarded it to the Plan Commission for consideration and recommendation. A copy of the draft ordinance is attached. The Plan Commission reviewed the draft ordinance during its June 23 and July 14 pre-meetings, and held a public hearing on August 11. As noted above, the Plan Commission has recommended expanding the districts within which Smoke Shops would be allowed (with approval of an SUP) to include most of the districts which allow retail businesses.

CONSIDERATIONS

1. The draft ordinance creates a new land use termed “Smoke Shop” and provides a definition as follows: “A commercial establishment to which the public is admitted or invited which, as its principal business purpose, offers for sale, distribution or exchange, for any form of consideration, electronic smoking devices, tobacco products, tobacco paraphernalia or any combination thereof, or devices, equipment, instruments, paraphernalia or products for use in the smoking or ingestion of any substance, including but not limited to, tobacco, salts, incense, marijuana, hashish, hashish oil, cocaine or other “controlled substance,” as that term is defined in the Health and Safety Code of State of Texas.”

As defined, “Smoke Shop” would include a broad range of establishments such as head shops, e-cigarette or vapor shops, tobacco shops, cigar bars and hookah lounges, where the principal business purpose is as described above. The sale of such products would, however, continue to be allowed as a secondary use, such as in a grocery or convenience store.

2. As proposed by the Development Services Committee, a “Smoke Shop” would be permitted only in the Industrial 1 (I-1) District, and only with approval of a Specific Use Permit. This would preclude the location of such shops in typical retail environments. At the Plan Commission’s request, a list of existing businesses defined as “Smoke Shop” by the proposed ordinance was prepared along with a map depicting their locations. Since such businesses are currently classified by the Zoning Ordinance as Retail Sales/Personal Service, the list and map was derived from an internet search of key words related to the proposed definition (rather than from a search of the City’s Certificate of Occupancy records). As such this information may not be fully complete or accurate, but it does illustrate that there are many such businesses in existence, and they are distributed throughout Garland in a range of nonresidential zoning districts. Existing shops would become legal non-conforming uses and would be allowed to continue subject to the limitations of the Zoning Ordinance.

Given the number and distribution of existing Smoke Shop uses, consideration was then given to expanding the districts, subject to SUP approval, within which shops could be appropriately located to include districts which are intended to accommodate a broad range of retail uses. Requirement of an SUP through the public hearing process provides the opportunity to evaluate the appropriateness of individual locations within such districts.

3. Section 34-300 of the Comprehensive Zoning Ordinance requires that notice of public hearings on proposed changes to the text of the Ordinance be published not less than 15 days prior to the hearing. A public hearing to consider amendment of the Zoning Ordinance has been scheduled for the October 7th meeting.

ATTACHMENTS

1. Draft ordinance amendment proposed by the Development Services Committee.
2. List and map of existing uses classified as Smoke Shop by the proposed amendment.

Submitted By:

Anita Russelmann
Director of Planning

Date: September 4, 2014

Approved By:

William E. Dollar
City Manager

Date: September 8, 2014

DRAFT

ORDINANCE NO.

AN ORDINANCE AMENDING SECTIONS 10 AND 38 OF ORDINANCE NO. 4647 RELATING TO THE CREATION OF A ZONING CLASSIFICATION FOR SMOKE SHOPS; PROVIDING A PENALTY CLAUSE, A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1

That the schedule of uses contained in Section 10-200 of Ordinance No. 4647, the comprehensive zoning ordinance of the City of Garland, Texas is hereby amended by adding, as a land use allowed under the division "Office and Retail" a land use for "Smoke Shop" and designating such use as allowed by specific use permit in the Industrial - I-1 zoning district.

Section 2

That Section 38, "Definitions" of Ordinance No. 4647, the comprehensive zoning ordinance of the City of Garland, Texas is hereby amended by adding the following definition:

"212-A. Smoke Shop - A commercial establishment to which the public is admitted or invited which, as its principal business purpose, offers for sale, distribution or exchange, for any form of consideration, electronic smoking devices, tobacco products, tobacco paraphernalia or any combination thereof, or devices, equipment, instruments, paraphernalia or products for use in the smoking or ingestion of any substance, including but not limited to, tobacco, salts, incense, marijuana, hashish, hashish oil, cocaine or other "controlled substance," as that term is defined in the Health and Safety Code of State of Texas."

Section 3

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

Section 4

That Ordinance No. 4647, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

DRAFT

Section 5

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

Section 6

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

PASSED AND APPROVED this the ____ day of _____, 2014.

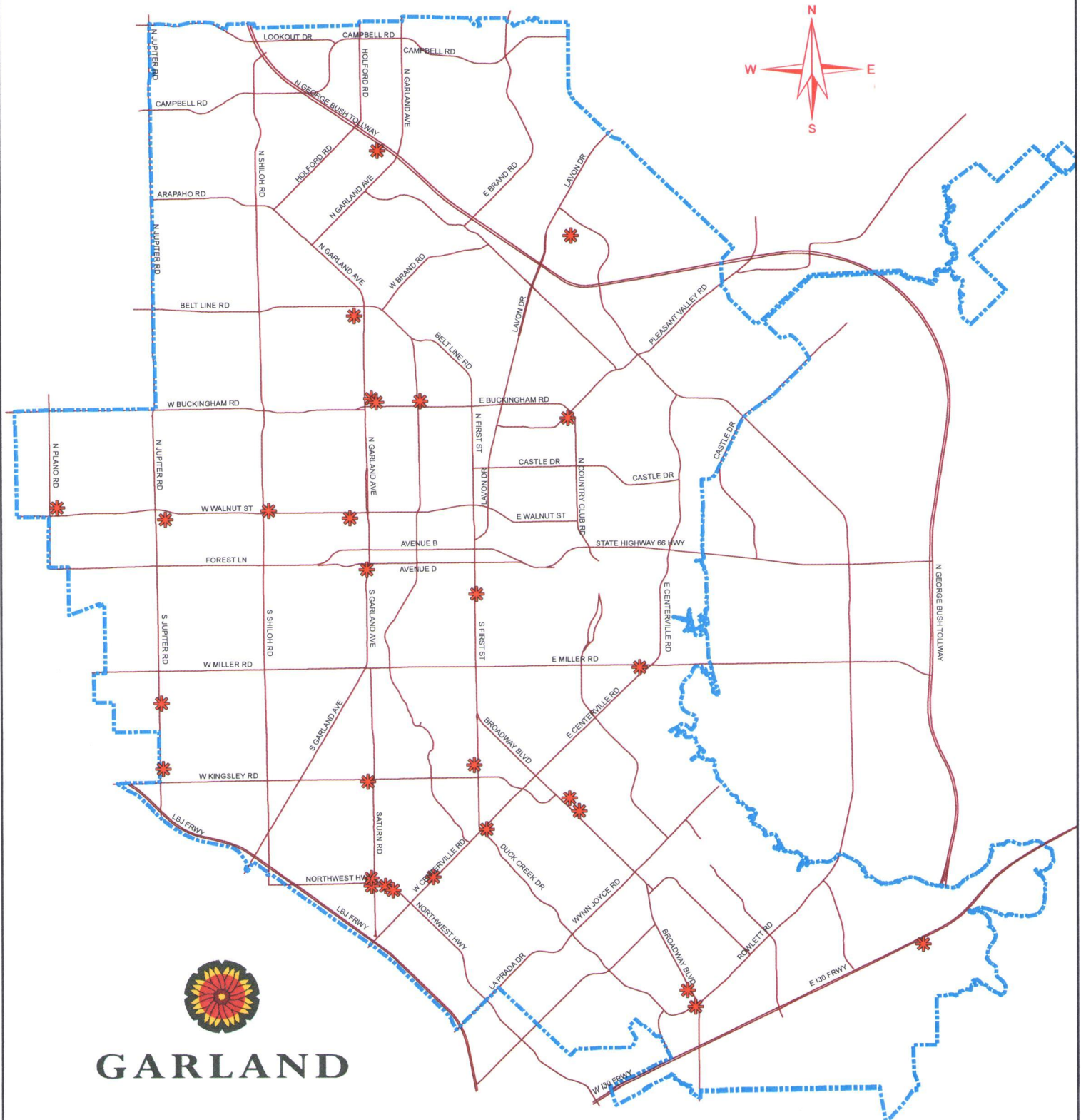
CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

Existing Businesses Defined as Smoke Shops by Proposed Ordinance (as of July 9th, 2014)



Existing Businesses Defined as "Smoke Shop"
by Proposed Ordinance, July 2014*

| Business Name | Address |
|----------------------------|-----------------------------------|
| A Discount Vapor | 149 W. Kingsley Road #262 |
| Aqua Hookah Lounge | 910 E. Interstate 30 |
| Bag Pipe | 3420 Broadway Blvd, Ste. 115 |
| Blue Phoenix | 2918 S. Jupiter Road |
| Cigar Shop and More | 5435 N. Garland Avenue |
| Cigarette Town | 120 E. Centerville Road |
| Ciggy Shack | 3338 Broadway, Ste. 115 |
| Cleurette Heaven E Cigs | 928 S. First Street |
| Conscious Vapors | 1303 W. Buckingham Road, Ste. 101 |
| Discount Cigarettes | 441 N. Garland Avenue |
| Elite Cigars & Accessories | 5435 N. Garland Avenue, Ste. 185 |
| Extreme Vapors | 5501 Broadway Blvd |
| Garland Tobacco | 4413 W. Walnut |
| Garland Tobacco | 1402 Northwest Hwy |
| Gas Pipe | 5707 Broadway |
| Hookah Lounge | 1215 W. Buckingham |
| Marrak Hookah | PO Box 462154 |
| Nicotine Patch | 517 S. Garland |
| Papa's Smoke Shop | 3460 W. Walnut |
| Payless Cigarette | 2018 N. Glenbrook Road |
| PJ Tobacco | 1401 Northwest Hwy |
| Purple Haze | 609 W. Centerville Road |
| Seven Star Trading, Inc. | 1456 Belt Line Road |
| Simply Vaping | 2218 S. Jupiter Road, Ste. 106 |
| Smokes and More | 1426 W. Kingsley Road |
| Smoke Shop | 1138 Pleasant Valley Road |
| The Vapor Club | 1250 Northwest Highway, Ste. A |
| Tobacco Leaf | 1206 Northwest Highway |
| Tobacco Stop | 2425 W. Walnut |
| Tobacco Talk | 1918 E. Miller Road |
| Vapor Rising | 115 Cedar Sage Drive |

**This list was derived from an Internet search
and may not be complete or accurate.*