



## **AGENDA**

**CITY COUNCIL WORK SESSION  
City of Garland  
Duckworth Building, Goldie Locke Room  
217 North Fifth Street  
Garland, Texas  
January 5, 2015  
5:00 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]

## EXECUTIVE SESSION AGENDA

**1. 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.**

- Annual Review of Municipal Judges
  - Annual Review of City Auditor
  - Discussion of City Secretary Position
- 

**1. Written Briefings:**

**a. Request for Nonprofit Special Event – 26<sup>th</sup> Annual Martin Luther King, Jr. Parade**

*The Garland NAACP has requested that Council consider waiving expenditures for City services in the amount of \$8,200 required for their events celebrating Martin Luther King, Jr. Day on Saturday, January 17, and Sunday, January 18, 2015. City Council Policy OPNS-29, Special Event Policies and Guidelines, states that requests from nonprofit organizations for donated services in excess of \$5,000 must be brought to Council for consideration. Unless otherwise directed by Council, staff will proceed with the proposed recommendations for special event assistance.*

**b. Resolution to the 84<sup>th</sup> Legislature Supporting the Texas Recreation & Parks Account Local Grant Program**

*Funding for the Texas Recreation & Park Account (TRPA) and the Large County and Municipality Recreation and Parks Account (Urban Account) local grant programs has suspended or approved at lower than authorized levels during the past legislative bienniums. Cities across Texas are requesting the 84<sup>th</sup> Legislature of Texas seek passage of legislation to restore this funding for matching grants to acquire and develop local parks. Council is requested to consider approval of a resolution supporting the TRPA. Unless otherwise directed by Council,*

*this item will be scheduled for formal consideration at the January 20, 2015 Regular Meeting.*

**c. Project and Financing Plan for Downtown Area Tax Increment Reinvestment Zone**

*Council is requested to consider adopting proposed revisions to the Project and Financing Plan for the Downtown/Forest-Jupiter Tax Increment Financing Reinvestment Zone (TIRZ #1) that are required due to its funding participation in the City Center project. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the January 20, 2015 Regular Meeting.*

**d. Change Order No. 1 – Term Contract for Concrete Finish Work**

*Council is requested to consider authorizing Change Order No. 1 to BL 5792 in the amount of \$360,000 with Jerusalem Corporation to provide additional concrete finish work at various locations throughout the city. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the January 20, 2015 Regular Meeting.*

**e. Sale of City Property – 1609 Flores Drive**

*Council is requested to consider authorizing the sale of vacant residential property at 1609 Flores Drive to Sufi Maria de L. Gonzalez de Lopez for \$11,270. On July 2, 2013, the vacant residential property was struck off to the City of Garland pursuant to a delinquent tax suit. The property was struck for a total judgment of \$43,765.99. The appraisal district fair market value for the property is \$14,000. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the January 20, 2015 Regular Meeting.*

**f. Sale of City Property – 2622 Churchill Way**

*Council is requested to consider authorizing the sale of vacant residential property at 2622 Churchill Way to Mark Campbell for \$10,000. On September 6, 2011, the vacant residential property was struck off to the City of Garland pursuant to a delinquent tax suit. The property was struck for a total judgment of \$133,575.83. The appraisal district fair market value for the property is \$25,000. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the January 20, 2015 Regular Meeting.*

**g. Police Officer Injury Leave Extension – Officer Billy Ivy**

*Officer Billy J. Ivy sustained significant injuries when he was involved in a motor vehicle accident while on duty performing his duties as a Garland Police Officer. Section 143.073 of the Texas Local Government Code (Municipal Civil Service for Firefighters and Police Officers) specifies that a police officer may be on a leave of absence for a line of duty injury for at least one year. Further, at the end of that one year period, the municipality's governing body (City Council) may extend the line of duty injury leave at full or reduced pay. Council is requested to consider extending Officer Ivy's injury leave at full pay through June 27, 2015 (an additional six months from the one-year anniversary of the injury) until such time that he has received the appropriate medical care for the line of duty injury and is medically cleared to return to work by his treating physician(s). This item is scheduled for formal consideration at the January 6, 2015 Regular Meeting.*

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

**a. 2014 Christmas on the Square Update**

**Stone**

*Staff will provide an update on the 2014 Christmas on the Square Event that was held on December 5, 2014.*

**b. Transportation Report**

**Dean/Schaffner**

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

- *Transportation Program Updates*
  - *IH-635*
    - *Next Steps*
  - *IH-30*
  - *Annual Missions Update*
- *Strategic Events Update*
- *Advocacy Group Update*
- *Transportation Updates*
  - *TEX-21*
  - *Regional Policy*

- *Federal Policy*
- *State Update*

**c. Internal Audit Committee Report**

**Dodson**

*Council Member Lori Barnett Dodson, chair of the Internal Audit Committee, will provide a committee report on the following items:*

- *Contract management and economic development agreements*
- *Hotel occupancy tax audit*
- *Kraft economic development agreement audit*
- *Building Inspection audit follow-up*
- *South Garland Branch Library investigation follow-up*

**3. 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.*

**4. 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.*

**5. Council will move into Executive Session**

**Council**

## **EXECUTIVE SESSION AGENDA**

1. Discussions, deliberations, voting on, and taking final action with regard to any competitive matter, that being a utility-related matter that is related to the City's competitive activity, including commercial information, and would, if disclosed, give advantage to competitors or prospective competitors including any matter that is reasonably related to the following categories of information:
  - (A) 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;
  - (B) bidding and pricing information for purchased power, generation and fuel, and Electric Reliability Council of Texas bids, prices, offers, and related services and strategies;
  - (C) effective fuel and purchased power agreements and fuel transportation arrangements and contracts;
  - (D) risk management information, contracts, and strategies, including fuel hedging and storage;
  - (E) 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
  - (F) customer billing, contract, and usage information, electric power pricing information, system load characteristics, and electric power marketing analyses and strategies;

**[Sec. 551.806; Sec. 552.133, Tex. Gov't Code]**

- GP&L Risk Oversight Committee/Audit Committee Report
  - Consider the purchase of a renewable energy product
  - Briefing on TMPA debt and generation costs
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**Meeting: Work Session**

**Date: January 5, 2015**

# **Policy Report**

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## **CONSIDER ASSISTANCE REQUEST FOR NONPROFIT SPECIAL EVENT 26TH ANNUAL MARTIN LUTHER KING JR PARADE**

### **ISSUE**

The Garland NAACP has requested the City Council to consider waiving expenditures for city services required for their events celebrating Martin Luther King Jr. Day on Saturday, January 17 and Sunday, January 18, 2015. The City Council Policy on Special Event Policies and Guidelines (OPNS-29) states that requests from nonprofit organizations for donated services in excess of \$5,000 be brought to the City Council for consideration.

### **OPTIONS**

The City Council may: 1) approve the proposed recommendations for special events assistance, 2) deny or revise proposed funding levels, or 3) return the item to staff for further review and recommendations.

### **RECOMMENDATION**

Staff recommends the City Council approve assistance for the annual Martin Luther King, Jr. Parade & March and the MLK Youth Extravaganza by waiving fees and charges for City services in the amount of \$8,200.

City departmental fees to be waived include:

Police:	\$ 6500	(traffic control & security)
Transportation:	\$ 500	(installation and removal of barricades)
Environmental Waste:	\$ 400	(installation and removal of waste containers)
Cultural Arts Facilities:	\$ 800	(Brownlee Auditorium rental fee)

### **COUNCIL GOAL**

Fully Informed and Engaged Citizenry  
Embrace Diversity

### **BACKGROUND**

This annual parade event spotlights the unity among Garland's diverse communities. The parade will begin at 10 a.m. on Saturday, January 17 at the intersection of Dairy Road and Garden Drive. It will travel north on Dairy Road to Highway 66, then along First Street, Avenue B, Fifth Street, and Austin Street, ending at the Granville Arts Center for a commemorative program that is free and open to the public.



## CONSIDER ASSISTANCE REQUEST FOR NONPROFIT SPECIAL EVENT

Page 2

The MLK Youth Extravaganza (showcasing dance, step routines and military style drills) takes place at the Granville Arts Center the following Sunday afternoon and is also free and open to the public.

By assisting various nonprofit organizations through the donation of City services for nonprofit special events, the City promotes and celebrates the diversity and vitality of the community. From parades and festivals to various multicultural events, the City of Garland is showcased through the efforts of these nonprofit organizations.

### **CONSIDERATION**

The 2014-15 annual operating budget has \$30,500 budgeted in the General Fund (non-departmental) to provide assistance in covering fees and charges for City services for special events held by nonprofit organizations. The proposed assistance is within the budgeted amount.

### **ATTACHMENT**

None

Submitted By:

Jim Stone, Managing Director  
Parks, Recreation & Cultural Services

Date: December 29, 2014

Approved By:

William E. Dollar  
City Manager

Date: December 29, 2014



# **Policy Report**

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## **CONSIDER RESOLUTION TO THE 84<sup>RD</sup> LEGISLATURE SUPPORTING THE TEXAS RECREATION & PARKS ACCOUNT LOCAL GRANT PROGRAM**

### **ISSUE**

Funding for the Texas Recreation & Park Account (TRPA) and the Large County and Municipality Recreation and Parks Account (Urban Account) local grant programs has suspended or approved at lower than authorized levels during the past legislative bienniums. Cities across Texas are requesting the 84<sup>rd</sup> Legislature of Texas seek passage of legislation to restore this funding for matching grants to acquire and develop local parks.

### **OPTIONS**

The available options are: 1) approve the attached supporting resolution, 2) return the issue for further review, or 3) take no action at this time.

### **RECOMMENDATION**

It is recommended the City Council consider approval of the attached resolution to the 84<sup>rd</sup> Texas Legislature supporting the Texas Recreation & Parks Account local grant fund program. Unless otherwise directed by Council, this item will be placed on the January 20, 2015 Regular Meeting agenda.

### **COUNCIL GOAL**

Sustainable Quality Development and Redevelopment

### **BACKGROUND**

The Texas Recreation & Parks Account Program (TRPA), which replaced the Texas Local Park Fund Program, was created in 1993 by the Texas Legislature to provide financial assistance to local governments in the acquisition of land and development of both outdoor and indoor recreation facilities. The revenue for the program comes solely from a portion of the sales tax on designated sporting goods in Texas. Grants from this account are a 50/50 match between the state and the local sponsor.

Since 1979 Texas Parks and Wildlife Department local park grant programs have invested more than \$390 million grant dollars (matching funds) in 1,629 local projects

CONSIDER RESOLUTION TO THE 84<sup>RD</sup> LEGISLATURE SUPPORTING THE TEXAS  
RECREATION & PARKS ACCOUNT LOCAL GRANT PROGRAM

Page 2

throughout the state. This investment has provided for the acquisition and development of local park and recreation sites, and provided resources to supplement local park and conservation programs that introduce children and families to the outdoors. Many of these grants have been made from the TRPA, reinvesting sporting goods sales taxes paid by Texas citizens for close to home recreation opportunities, including parks in Garland.

**CONSIDERATIONS**

Texas local park fund grant program matching funds have assisted in the acquisition and/or development of a range of projects in Garland's park system including, Windsurf Bay Park, Coomer Park, Ablon Park, Duck Creek Trail, Spring Creek Greenbelt.

This effort to restore funding to the Texas local parks fund program is supported by the Texas Municipal League and the Texas Recreation & Park Society (an affiliate of the Texas Municipal League).

**ATTACHMENT**

Draft Resolution

Submitted By:

Jim Stone, Managing Director  
Parks, Recreation & Cultural Services

Date: December 24, 2014

Approved By:

William E. Dollar  
City Manager

Date: December 29, 2014

## **RESOLUTION NO.**

**A RESOLUTION OF THE CITY OF GARLAND, TEXAS REQUESTING THE MEMBERS OF THE 84rd LEGISLATIVE SESSION OF THE STATE OF TEXAS SUPPORT LEGISLATION THAT INCREASES FUNDING FOR THE TEXAS RECREATION & PARKS ACCOUNT AND THE LARGE COUNTY & MUNICIPALITY RECREATION & PARKS ACCOUNT LOCAL PARK GRANT PROGRAMS, AND THE TEXAS STATE PARK SYSTEM**

**WHEREAS**, the Texas Parks & Wildlife Department ("TPWD") administers the Texas Recreation & Parks Account Local Park Grant Program ("TRPA") and the Large County and Municipality Recreation and Parks Account (Urban Account) and manages 94 State parks and historical sites in Texas; and

**WHEREAS**, TPWD has a separate account in their general revenue fund referred to as the TRPA and Urban Account for the purpose of providing matching grants to political subdivisions for parks and recreation projects, and for outreach grants to introduce new populations to outdoor experiences; and

**WHEREAS**, the matching grants provided by the TPWD are utilized for the planning, acquisition, and development of local park, recreation and open space areas to be owned and maintained by political subdivisions; and

**WHEREAS**, funds granted to political subdivisions under the TRPA and Urban Account guidelines have funded 1,629 projects of the 3,470 submitted over 30 years delivering over \$800 million to the local Texas economy; and

**WHEREAS**, political subdivisions throughout the State of Texas depend on grants from TPWD through the TRPA to stimulate the acquisition and development of parks and recreational areas for the benefit and enjoyment of their citizenry; and

**WHEREAS**, the TRPA, Urban Account, and State parks are funded from sales tax on sporting goods and that the development of new parks stimulates the purchase of sporting goods; and

**WHEREAS**, the maintenance and improvements of State park and historic sites and the addition of new parks is a priority to Texans due to the State's expanding population and extensive tourism industry; and

**WHEREAS**, the development of parks encourages and promotes public health, economic development, job creation, education; corporate relocations, an improved quality of life, and juvenile crime prevention; and

**WHEREAS**, funds are needed for major repairs at state parks and for the acquisition and development of parks and facilities; and

**WHEREAS**, it is the desire of this City Council that a copy of this resolution with appropriate names affixed be presented to the Governor of Texas and the leadership of the 83rd Texas Legislature.

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

**Section 1**

That members of the 84rd Legislature of Texas seek passage of legislation maximizing the use of revenue from the sporting goods sales tax federal funds to increase funding for parks and recreation programs for both Local and State parks and that all TRPA and Urban Account funded park projects be subject to the established TPWD competitive scoring system.

**Section 2**

That members of the 84rd Legislature of Texas restore funding to the TRPA and Urban accounts in the amount of at least \$15.5 million per year.

**Section 3**

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

**PASSED AND APPROVED** this the \_\_\_\_ day of \_\_\_\_\_ 2015.

**CITY OF GARLAND, TEXAS**

\_\_\_\_\_  
Mayor

**ATTEST:**

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



# **Policy Report**

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## **PROJECT AND FINANCING PLAN FOR DOWNTOWN AREA TAX INCREMENT REINVESTMENT ZONE**

### **ISSUE**

Revisions to the Project and Financing Plan for the Downtown/Forest-Jupiter Tax Increment Financing Reinvestment Zone (TIRZ #1) are required due to its funding participation in the City Center project.

### **OPTIONS**

1. Adopt the revised Project and Financing Plan.
2. Do not adopt the revised Project and Financing Plan.

### **RECOMMENDATION**

It is recommended that Council adopt the revised Project and Financing Plan for the TIRZ #1. Unless otherwise directed by Council, staff will prepare an ordinance for Council's consideration at the Regular Meeting on January 20, 2015.

### **COUNCIL GOAL**

Financially Stable Government with Tax Base that Supports Community Needs –  
Revising the Project and Financing Plan

### **BACKGROUND**

A Project and Financing Plan is a required document in conjunction with the creation of a Tax Increment Financing Reinvestment Zone. The document includes a description of the designated zone, the boundaries and its approximate size. The Plan also includes a forecast of the annual increments of real property tax to be contributed by the participating entities as well as the projects to be funded with the tax increments.

The Project and Financing Plan for TIRZ #1 was last updated on July 1, 2008 by Ordinance No. 6238. The purpose for adopting that ordinance was to reflect the financial participation of Dallas County and the Dallas County Community College District in the TIRZ.

The Board of Directors of TIRZ #1 met on December 9, 2014 to consider a revised Project and Financing Plan. The Board unanimously voted to accept the revised Plan so that approximately \$4.8 million of TIRZ revenues can be used to fund City Center projects.

Council is asked to adopt the Board of Directors' recommendation to revise the Project and Financing Plan for TIRZ #1.

## **CONSIDERATION**

Adopting the revised Project and Financing Plan will enable funding of a portion of the City Center project.

## **ATTACHMENT**

- Project Plan and Financing Plan for the Tax Increment Financing Reinvestment Zone Number One

Submitted By:

David Schuler  
Chief Financial Officer

Date: December 29, 2014

Approved By:

William E. Dollar  
City Manager

Date: December 29, 2014

# Project Plan and Financing Plan

## Tax Increment Financing Reinvestment Zone Number One, City of Garland

Updated December 3, 2014



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## **Disclaimer**

Neither this document nor its conclusion may be referred to or included in any product or part of any offering made in connection with private syndication of equity, sales of bonds, sales of securities or sale of participation interests to the public without express written consent of Stein Planning, LLC.

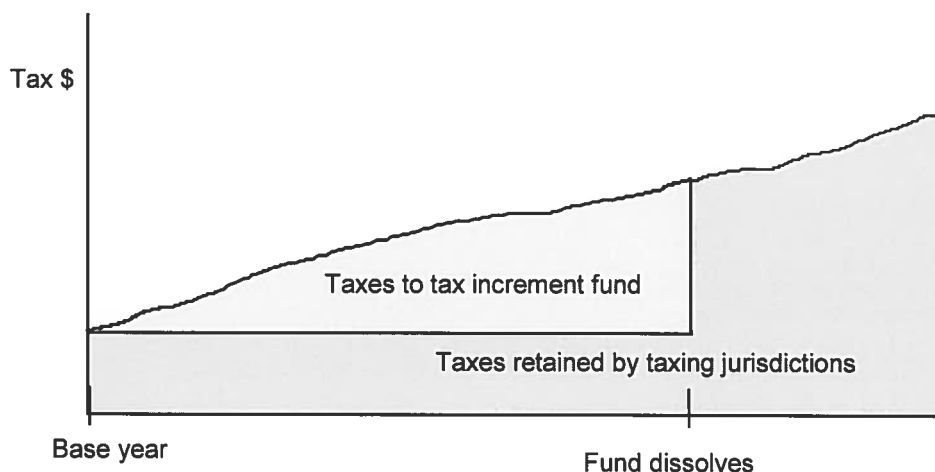
## Section 1: Tax Increment Financing Defined

Tax increment financing (TIF) is a tool local governments of Texas have used since 1986 to finance public improvements within defined areas that have unique challenges and opportunities for economic development. The improvements strengthen existing communities and attract investment. Statutes governing tax increment financing reinvestment zones are codified in Chapter 311 of the Texas Tax Code.

A municipality makes an area eligible for tax increment financing by designating a reinvestment zone ("Zone"). The additional tax dollars generated by growth of real property value in the Zone are called the "tax increment." All or a designated part of these tax increment dollars flow to a tax increment fund ("Fund") for a specified term of years. Money flowing to the Fund may be disbursed according to a plan approved by the City Council after a TIF Board has made a recommendation concerning the plan, as prescribed by Chapter 311. The Fund may be used for public improvements within the Zone and other purposes authorized by Chapter 311, including grants and loans for activities that benefit the Zone and stimulate business and commercial activity in the Zone. This assumes that Dallas County consents by Commissioners Court Order to the revisions of the project plan and financing plan. Until and unless Dallas County agrees to plan revisions, the most recent project plan and financing plan approved by Court Order shall govern use of County funds paid to the TIF fund.

Exhibit A shows how tax from real properties in a Zone flows to a taxing jurisdiction and to a TIF Fund. Exhibit A assumes real property values in the Zone rise after the Zone's designation.

**Exhibit A:  
Real Property Tax Flow with Tax Increment Financing**

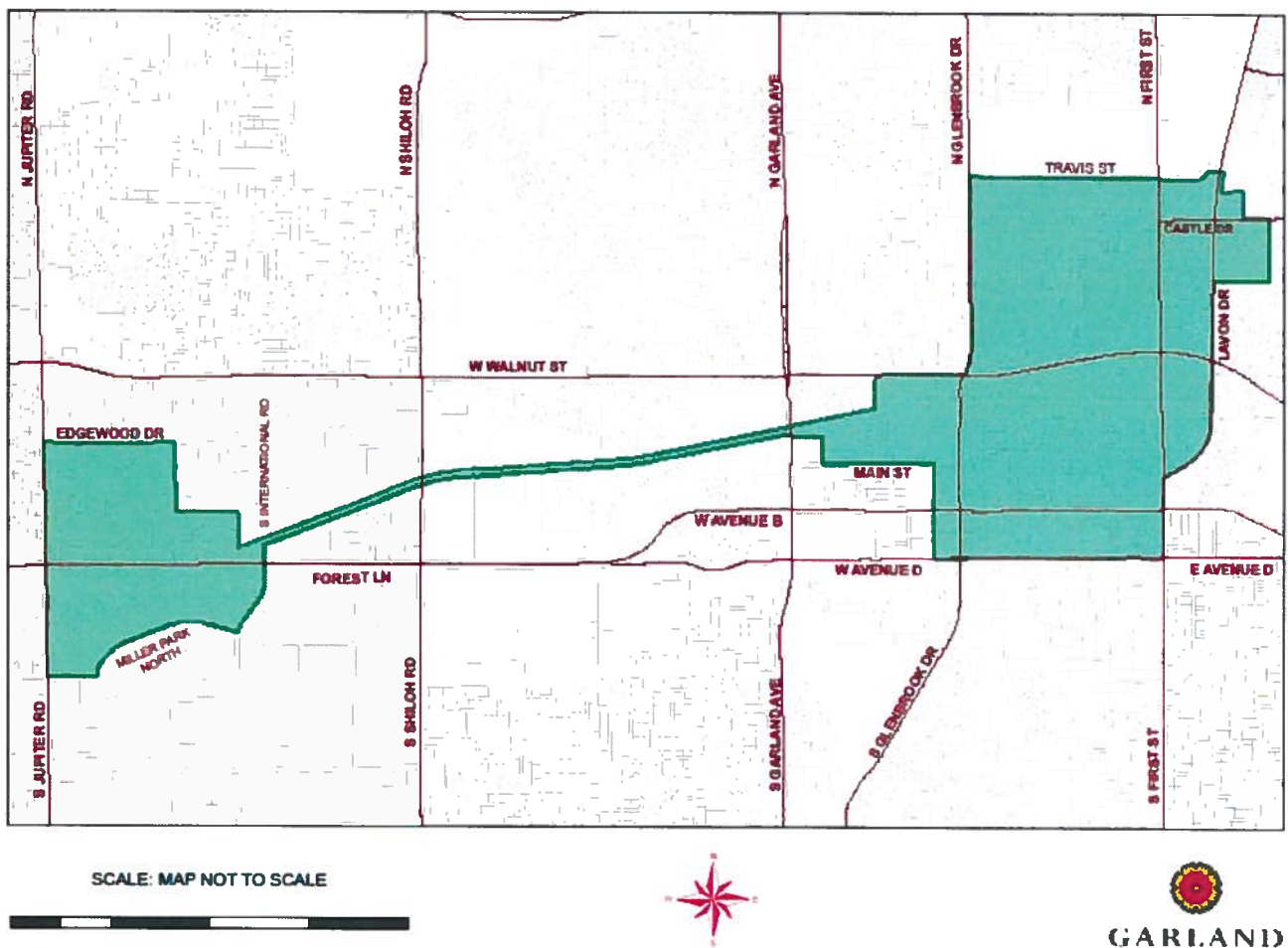


Inclusion of property in a Zone does not change any tax rate for the property. Tax rates in Zone are the same as tax rates outside the Zone, within the same set of taxing jurisdictions.

## Section 2: Zone Description

The City of Garland designated TIF Zone Number One in 2003. The Zone #1 boundary includes both Downtown Garland and area around the Forest/Jupiter DART train station. This boundary remains constant as mapped in Exhibit B.

Exhibit B:  
TIF Reinvestment Zone #1 Boundary Map



Boundaries that follow public streets and highways extend to the far sides of such rights-of-way, measured from the center of the reinvestment zone. Boundaries that approximate property lines shall be construed as following such property lines.

The Zone contains approximately 23,634,427 square feet of land, not counting rights-of-way. Excluding rights-of way and other land owned by government entities, land area was measured at 19,876,393 square feet in 2003. Taxable land was approximately 17,928,063 square feet. The corrected value of real property in Zone #1 taxable by the City of Garland in base year 2003 was \$102,575,503, according to the City of Garland, based on information from the Dallas Central Appraisal District. This value was significantly below the statutory maximum 25% of taxable real property a municipality may include in all its reinvestment zones. The corrected value of real property in Zone #1 taxable by Dallas County in base year 2003 was \$102,350,473, according to the same sources.

Exhibits C and D map existing uses and conditions in the Zone, as updated in 2013 by the City of Garland. In 2003 approximately 68% of land area in the zone, excluding land area owned by government, was used for commercial purposes. About 25% of privately owned land area was vacant. Only 7% of private land was used for residences with one to four dwellings per building. Residential land in the Zone was and is far below the statutory maximum 30% of the entire zone.

Economic development of Downtown Garland, Forest/Jupiter and adjacent areas is a City goal. Downtown developments in recent years have included:

- DART train services to stations at Downtown Garland and Forest/Jupiter (began 2002)
- 188 residences and 24,000 square feet of retail floor area in the Oaks Fifth Street Crossing project (opened 2008)
- Garland Campus of Richland College (opened 2009)
- Charles E. Duckworth Building, housing Garland Power & Light, City Utility Customer Service Department and City Tax and Revenue Recovery Department (opened 2010)
- Extension of DART train service to Rowlett (began service 2012)
- Exterior and interior improvements to the Nicholson Memorial Library

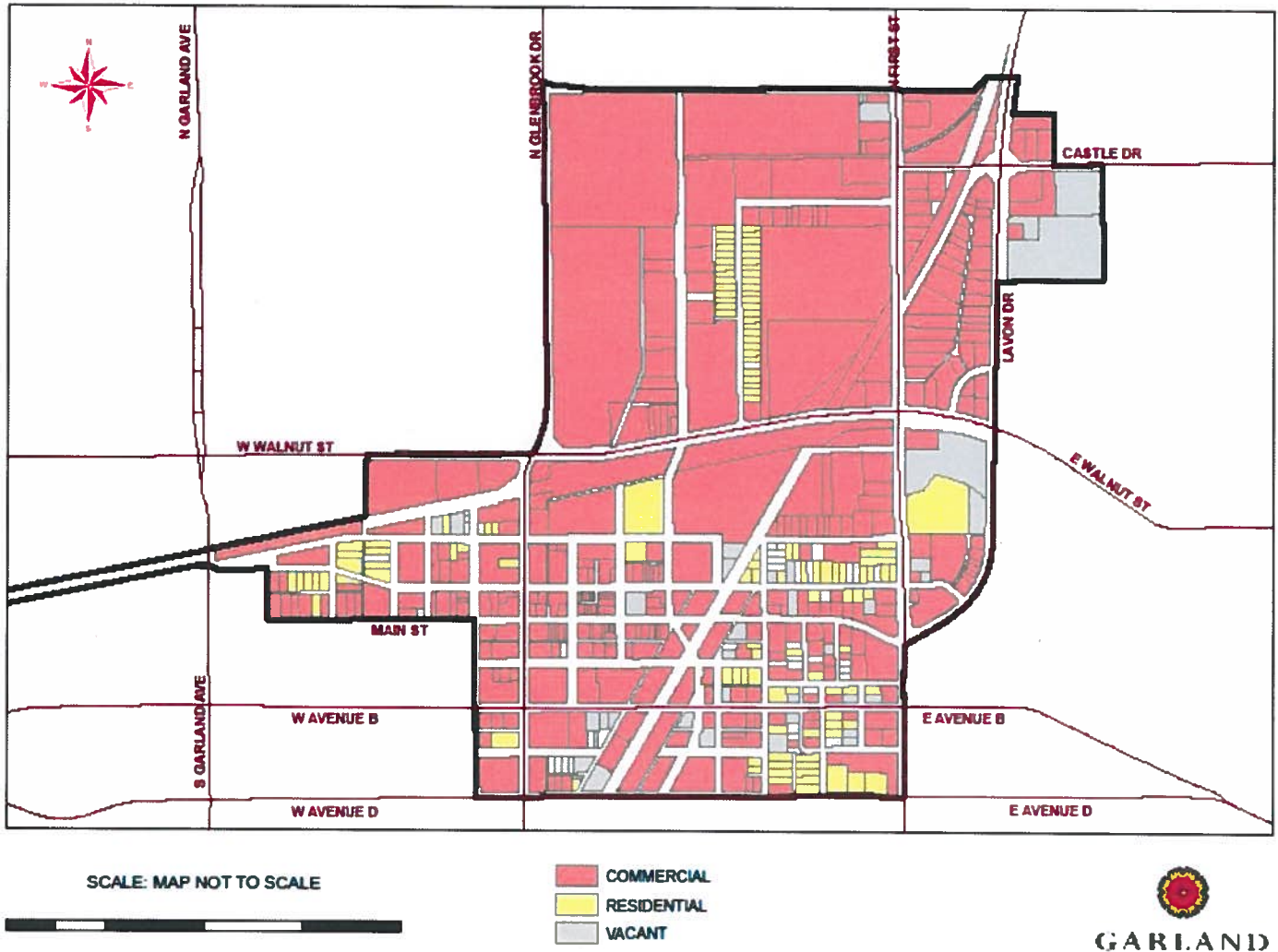
Even with these significant improvements, Downtown Garland and TIF Zone #1 have not yet generated the development anticipated by professional studies in 1999 studies by Wallace Roberts and Todd and Insight Research.

At the inception of TIF Zone #1, the City Council found that conditions of Downtown Garland and vicinity impaired sound growth and private investment. Impediments included the following problems, any of which were sufficient statutory cause to designate a zone for tax increment financing:

- 1) A substantial number of deteriorated or deteriorating structures;
- 2) Inadequate sidewalks or street layout;
- 3) Small lots with many owners, making assembly of parcels with sufficient size, access and utility for development an economically difficult or prohibitive task.

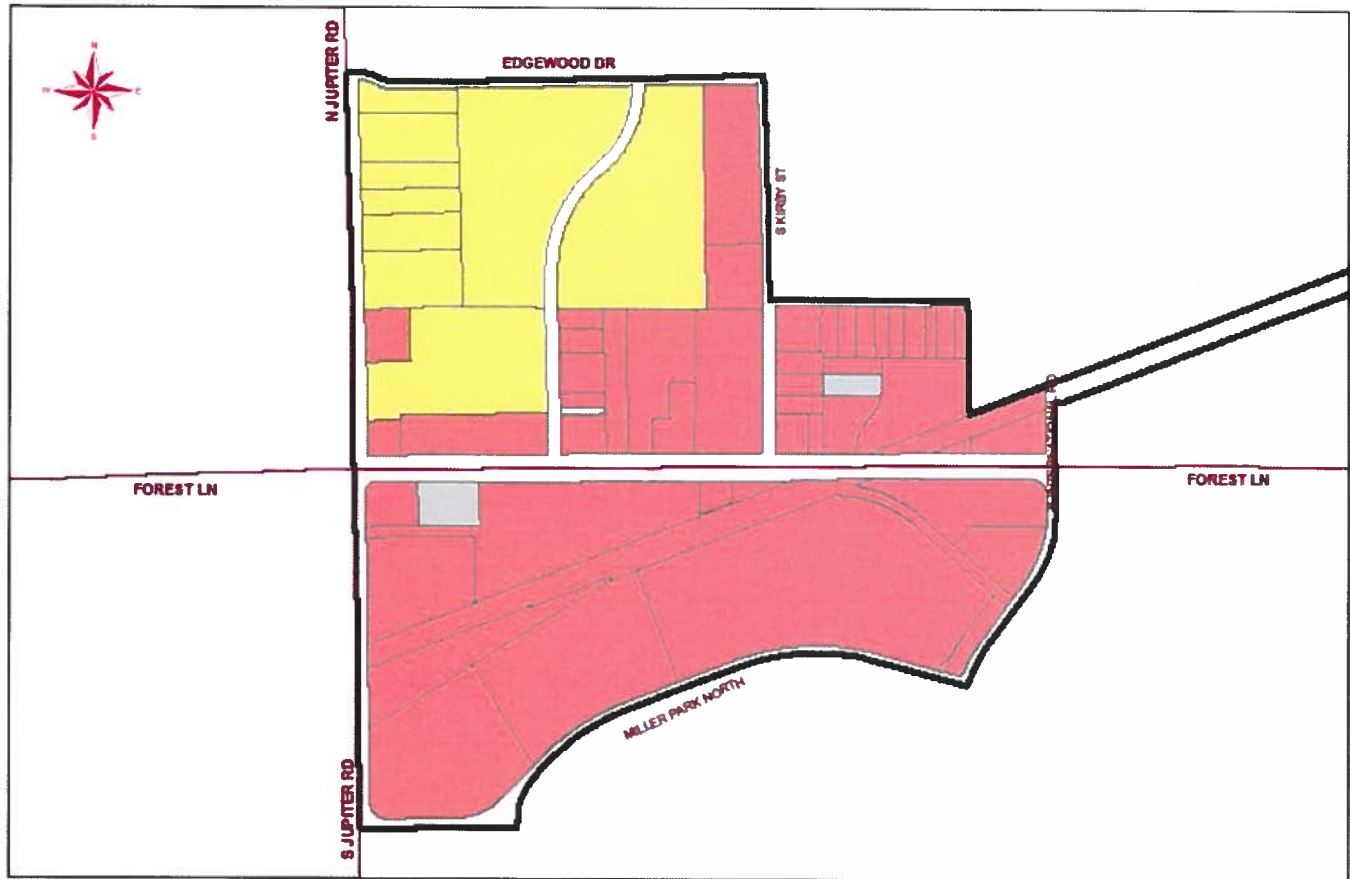
## Exhibit C:

### Existing Land Use - Downtown Part Of TIF Zone



## Exhibit D:

### Existing Land Use - Forest Jupiter Part Of TIF Zone



SCALE: MAP NOT TO SCALE



- COMMERCIAL
- RESIDENTIAL
- VACANT



### **Section 3:**

## **Revenue from Tax Increment Financing**

The Zone #1 tax increment financing program has provided revenue of approximately \$2 million, including interest income on fund balances, from its inception through the end of fiscal year 2013-2014. Through the City fiscal year ended September 30, 2014, \$1,430,838 had been applied to improvements to the City Hall façade (transfer to capital improvements fund, bond debt principal payment and bond debt interest payment) and \$517,181 had been applied to payment obligations for the Oaks Fifth Street Crossing residential and retail project. A balance of \$178,333 was carried from September 30, 2014 into the 2014-2015 fiscal year.

Schedule 1 forecasts annual revenue to the TIF Fund, based on several assumptions stated thereon. Cumulative tax increment revenue received by the TIF fund from fiscal year 2014-2015 through the 2023 end of the Zone's term (including tax increments from the levy of 2023, largely received in 2024), is forecast as approximately \$7.5 million. Added to receipts before fiscal year 2014-2015, a total Fund revenue forecast from inception through the end of the Zone term totals approximately \$9.5 million.

The historic annual rate of change in taxable real property value within TIF Zone #1 for the ten-year period from January 2003 to January 2013 has been 3.9%. This includes \$15.7 million of taxable value for the Oaks Fifth Street Crossing, a residential and retail project. The historic annual taxable value change rate can be applied to years beyond 2013 to yield a forecast of annual taxable values similar to Schedule 1. Schedule 1 has been adjusted, however, in that the standard growth rate is not applied for January 1, 2015. Instead, a taxable value increase of \$15 million is assumed for that year, corresponding to the forecast taxable value of the City Center improvements now under construction and anticipated for completion on or before January 1, 2015. Although Schedule 1 appears a plausible forecast of taxable values, actual taxable values will be somewhat higher or lower. Values taxable by the City of Garland and by Dallas County will differ slightly due to slightly different tax exemption and abatement policies.

In addition to annual taxable values, Schedule 1 forecasts "captured appraised values"—the differences between taxable value and year 2003 base value. Applying assumed tax rates to the captured appraised values yields annual forecasts of real property tax increments. Garland has pledged 100% of real property tax increments from the TIF Zone to the TIF Fund for a term of twenty years from 2004 through 2023. City tax increments levied in 2023 will flow to the TIF fund. Dallas County has pledged 55% of real property tax increments to the TIF fund for a term of fourteen years from 2010 through the levy of 2023. The Dallas County Community College District has not paid tax increments to the Fund. Garland anticipates the District will retroactively pay 50% of its tax increments earned from Zone value growth from tax years 2009 through 2014 in the fiscal year ended September 30, 2015.

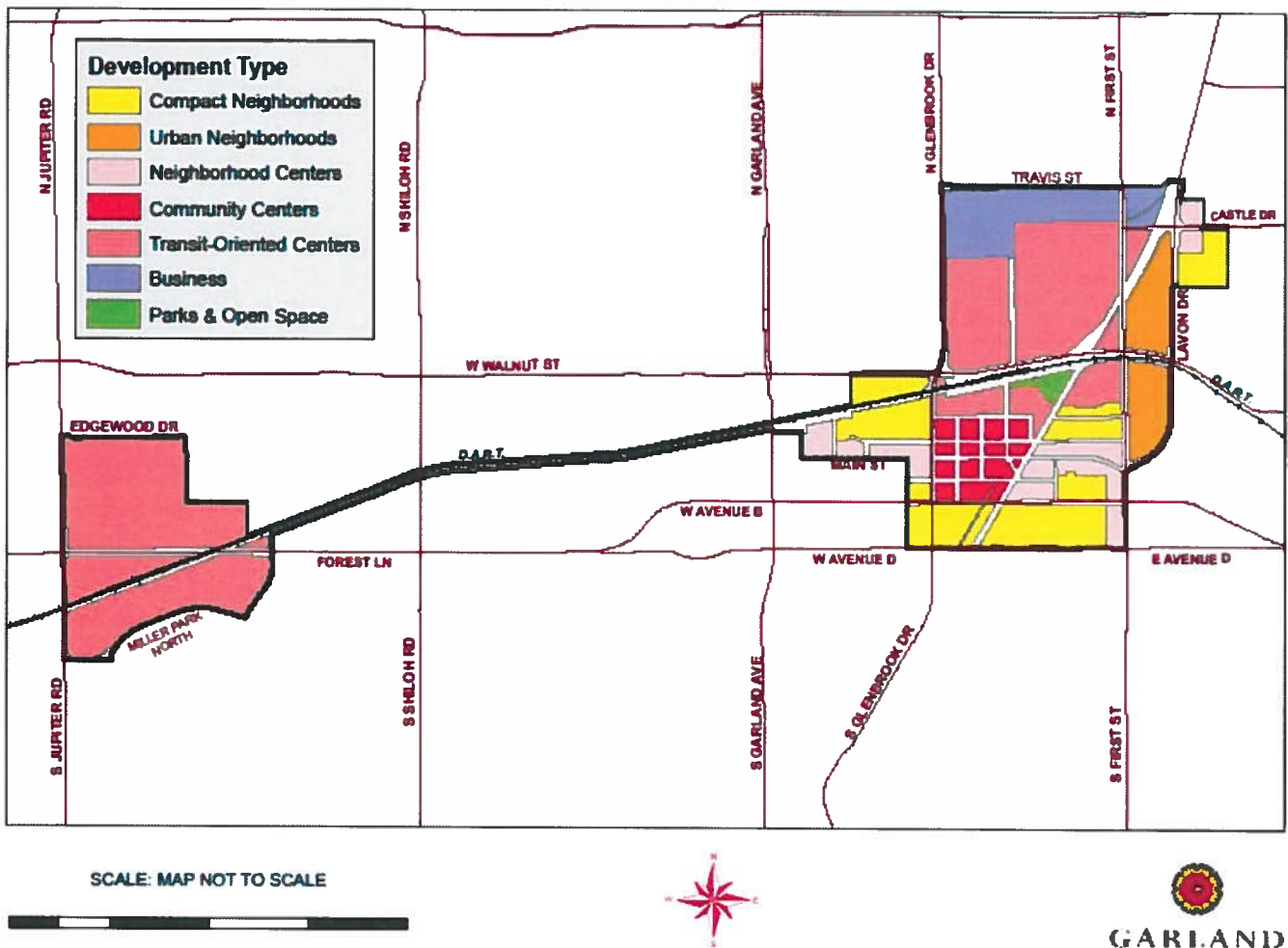
Note that real property tax generated in the Zone by the base value (or in the case of a tax decrement year, taxable value) flows to ordinary funds of the City and County in



every year, not to the TIF fund. Annual taxes on values up to the base value are not calculated in Schedule 1. At 2014 tax rates, the annual tax on base value retained by the City would be roughly \$723,000. County and College District taxes retained on base value would be roughly \$249,000 and \$128,000, respectively.

The Schedule 1 Fund revenue forecast may prove conservative in that it does not assume specific major development projects in the Zone except the City Center taxable improvements under construction as of 2014. Normal good maintenance of existing structures, some replacement or infill of small-value properties and market stability are conditions anticipated by the historic annual value change rate factor. Exhibit E locates types of activities, improvements and neighborhood conditions planned for the Zone.

### Exhibit E: Proposed Uses of Land in the Zone



## **Section 4: TIF Fund Expenditures**

The assets and future revenue to the TIF fund are intended to be spent to push marginally infeasible development that would serve a public purpose to financial feasibility. Spending from the Fund must accord with a project plan and financing plan for the TIF Zone approved by the City Council.

Schedule 2 lists anticipated TIF “project costs” for the fiscal year ended September 30, 2014 and thereafter. These are items eligible for payment or reimbursement from cash in the TIF fund. This schedule of project costs may be amended from time to time, upon recommendation of the TIF Board and approval of the City Council.

A condition of participation in the TIF program by Dallas County is that twenty percent of all housing units in projects receiving Dallas County TIF funds in the District must meet the County’s criteria for affordable housing. Affordable housing units are those which are affordable to a household earning 80% or less of the median family income for the Dallas metropolitan area. A developer may, subject to County approval, propose an alternative means of fulfilling the County’s affordable housing requirement.

The preferred method of financing public improvements with the Fund will be for property developers or other private sources to advance funds for public improvements. The City may contract to reimburse principal costs and reasonable interest for the public improvements, using cash flow to the Fund. The City may issue bonds secured by revenue to the TIF Fund.

An estimate of the private investment for new development in the Zone during the Zone’s term of years also appears as Schedule 2. These relatively greater “nonproject costs” will not be reimbursed by the Fund.

Schedule 3 is an estimate of the Fund’s annual obligations to reimburse expenses for the parking garage at the Oaks Fifth Street Crossing development. Those obligations are modeled on a 2007 “Disposition and Development Agreement” between the City of Garland and High Street Development, LLC, more specifically by the “Exhibit J, TIF Agreement” referenced by that development agreement. Amounts due from the TIF fund in fulfillment of the agreement will vary with taxes collected from the Oaks Fifth street project.

Schedule 4 is a forecast of annual sources and uses of TIF fund cash. It illustrates prospective tax increments received by the Fund and disbursements to repay approximately \$4,834,369 million of project costs after September 30, 2014. (This total disbursement includes 2025 debt service for bonds supporting City Hall façade improvements.) Schedule 4 of this study indicates that it will be economically feasible for the Fund to pay all identified project costs, with a surplus of approximately

\$2,893,398, including money set aside for 2025 debt service on bonds to improve the City Hall façade. That surplus might eventually be allocated to additional TIF projects.

No residents will be displaced as a result of implementing this project plan. Neither are any changes of zoning ordinances, the master plan of Garland, building codes or other municipal ordinances necessary at this time to implement the project plan.

## **Section 5: Additional Tax for Garland**

In addition to the tax on greater real property values in the Zone, the City of Garland and other taxing jurisdictions will likely receive more business personal property tax. Increased sales tax from new development in the Zone is possible, depending on the type of new development in the Zone and the stability of sales tax from existing development.

The tax increment fund may have a residual balance of cash on hand after all financial obligations have been met. A residual balance is indicated on the bottom line of Schedule 4. Any residual balance will be prorated to the general funds of participating taxing jurisdictions after all obligations of the TIF Fund have been discharged.

Notes:

City taxable values and captured appraised values through 2014 and most County values for the base year, 2013 and 2014 are as reported by the City of Garland. Other values are estimates. City taxable value for the base year was reset to the indicated amount after 2008. Base value fluctuated slightly with annual updates until set in 2009.

The average annual rate of change in taxable value from 2003 to 2014 was 3.9%. Continuation of this historic growth rate is assumed, except for Jan. 1, 2015, when \$15,000,000

of new taxable value is anticipated. This assumes taxable value of the City Center apartments will have unit value similar to Oaks Fifth Street Crossing.

Estimated College District incremental taxes through 2014 assume the same captured appraised value as Dallas County.

After 2013, constant tax rates are assumed. Actual rates will be set annually.

The City contributes 100% of tax increment from the zone to the TIF fund. Dallas County contributes 55% of increments. The City anticipates the Dallas County Community College District will contribute 50% of tax increments and that DCCCD increments from TIF years 6 through 11 will be received in 2015 with payments for tax year 2014.

Values for shaded areas are unknown.

(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)		
TIF Year	Appraisal for Jan. 1,	DCAD		City of Garland		Dallas County and DCCCD		Incremental Real Property Tax						Combined Increments		Received in FY Ending Sept. 30,
		Taxable Value For Jan. 1 of This Year	Captured Appraised Value for Year	Taxable Value For Jan. 1 of This Year	Captured Appraised Value for Year	City		County		College District		To TIF Fund				
						Tax Rate = \$ 0.7046	Total	Tax Rate = \$ 0.2431	Total	Tax Rate = \$ 0.124775	Total	To TIF Fund	This Year	Cumulative After 2006		
Base	2003	\$102,575,503	\$0	\$102,330,473	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	2004		
1	2004									\$0		\$0		2005		
2	2005									\$0		\$0		2006		
3	2006	\$118,694,978	\$18,469,579							\$0		\$0		2007		
4	2007	\$135,297,287	\$31,560,414			\$125,335	\$125,335			\$0		\$0	\$125,335 \$125,335	2008		
5	2008	\$137,715,188	\$34,343,335			\$217,325	\$217,325			\$0		\$0	\$217,325 \$342,660	2009		
6	2009	\$139,766,024	\$37,190,521			\$240,544	\$240,544			\$0	\$35,294	\$0	\$240,544 \$583,204	2010		
7	2010	\$143,356,034	\$40,780,531			\$270,932	\$270,932			\$44,372	\$40,467	\$0	\$315,304 \$898,508	2011		
8	2011	\$136,170,390	\$33,594,887			\$289,457	\$289,457			\$56,989	\$33,484	\$0	\$346,446 \$1,244,954	2012		
9	2012	\$135,301,325	\$32,725,822			\$239,170	\$239,170			\$40,912	\$39,066	\$0	\$280,082 \$1,525,036	2013		
10	2013	\$141,539,576	\$38,964,073	\$140,678,253	\$38,347,780	\$234,586	\$234,586			\$54,318	\$47,820	\$0	\$288,904 \$1,813,940	2014		
11	2014	\$147,023,575	\$44,448,072	\$146,162,955	\$43,832,482	\$313,181	\$313,181	\$106,557	\$58,606	\$54,692	\$125,411	\$497,199	\$2,311,139	2015		
12	2015	\$162,023,575	\$59,448,072	\$161,162,955	\$58,832,482	\$418,871	\$418,871	\$143,022	\$78,662	\$73,408	\$36,704	\$534,237	\$2,845,376	2016		
13	2016	\$168,342,494	\$65,766,991	\$167,448,310	\$65,117,837	\$463,394	\$463,394	\$158,301	\$87,066	\$81,251	\$40,625	\$591,085	\$3,436,462	2017		
14	2017	\$174,907,852	\$72,332,349	\$173,978,794	\$71,648,321	\$509,654	\$509,654	\$174,177	\$95,797	\$89,399	\$44,700	\$650,151	\$4,086,612	2018		
15	2018	\$181,729,258	\$79,153,755	\$180,763,967	\$78,433,494	\$557,717	\$557,717	\$190,672	\$104,870	\$97,865	\$48,933	\$711,520	\$4,798,132	2019		
16	2019	\$188,816,699	\$86,241,196	\$187,813,762	\$85,483,289	\$607,655	\$607,655	\$207,810	\$114,295	\$106,662	\$53,331	\$775,282	\$5,573,414	2020		
17	2020	\$196,180,550	\$93,605,047	\$195,138,499	\$92,808,026	\$659,541	\$659,541	\$225,616	\$124,089	\$115,801	\$57,901	\$841,531	\$6,414,944	2021		
18	2021	\$203,831,592	\$101,256,089	\$202,748,900	\$100,418,427	\$713,450	\$713,450	\$244,117	\$134,264	\$125,297	\$62,649	\$910,363	\$7,325,308	2022		
19	2022	\$211,781,024	\$109,205,521	\$210,656,107	\$108,325,634	\$769,462	\$769,462	\$263,340	\$144,837	\$135,163	\$67,582	\$981,881	\$8,307,188	2023		
20	2023	\$220,040,484	\$117,464,981	\$218,871,696	\$116,541,223	\$827,658	\$827,658	\$283,312	\$155,821	\$145,414	\$72,707	\$1,056,187	\$9,363,375	2024		
21	2024	\$228,622,063	\$126,046,560	\$227,407,692	\$125,077,219	\$888,124	\$0	\$304,063	\$0	\$156,065	\$0	\$0	\$9,363,375	2025		
22	2025	\$237,538,323	\$134,962,820	\$236,276,592	\$133,946,119	\$950,948	\$0	\$325,623	\$0	\$167,131	\$0	\$0	\$9,363,375	2026		
23	2026	\$246,802,318	\$144,226,815	\$245,491,379	\$143,160,906	\$1,016,222	\$0	\$348,024	\$0	\$178,629	\$0	\$0	\$9,363,375	2027		
24	2027	\$256,427,608	\$153,852,105	\$255,065,542	\$152,735,069	\$1,084,042	\$0	\$371,299	\$0	\$190,575	\$0	\$0	\$9,363,375	2028		
25	2028	\$266,428,285	\$163,852,782	\$265,013,099	\$162,682,626	\$1,154,507	\$0	\$395,481	\$0	\$202,987	\$0	\$0	\$9,363,375	2029		
26	2029	\$276,818,988	\$174,243,485	\$275,348,609	\$173,018,136	\$1,227,720	\$0	\$420,607	\$0	\$215,883	\$0	\$0	\$9,363,375	2030		
27	2030	\$287,614,928	\$185,039,425	\$286,087,205	\$183,756,732	\$1,303,788	\$0	\$446,713	\$0	\$229,282	\$0	\$0	\$9,363,375	2031		
28	2031	\$298,831,911	\$196,256,408	\$297,244,606	\$194,914,133	\$1,382,823	\$0	\$473,836	\$0	\$243,204	\$0	\$0	\$9,363,375	2032		
29	2032	\$310,486,355	\$207,910,852	\$308,837,146	\$206,506,673	\$1,464,940	\$0	\$502,018	\$0	\$257,669	\$0	\$0	\$9,363,375	2033		
30	2033	\$322,595,323	\$220,019,820	\$320,881,795	\$218,551,322	\$1,550,260	\$0	\$531,298	\$0	\$272,697	\$0	\$0	\$9,363,375	2034		
Receipts since TIF year 10 (received after fiscal year ended September 30, 2014)						\$17,863,957	\$5,840,585		\$1,098,308		\$610,542	\$7,549,435				

% of total tax increment receipts from this source:(after FY ended Sept. 30, 2014)

77%

15%

8%

100%

Project costs may be reimbursed by the TIF fund. Nonproject costs are not reimbursed by the TIF fund.  
 Costs are approximate.  
 Private nonproject costs for mixed-use developments are not included in this schedule.

(a)	(b)	(c)
Item	Estimated TIF Project Costs	"Nonproject Costs" (Not Reimbursed by TIF Fund)
<b>Downtown Catalyst Improvements</b>		
City Center development		
Parking structure	\$0	\$7,487,000
Heritage Park relocation	\$0	\$1,230,000
City Hall façade		
Transfer to CIP fund in FY 2013-2914	\$1,277,122	
Bond debt principal through Sept. 30, 2014	\$55,000	
Bond interest through Sept. 30, 2014	\$98,716	
Bond debt principal after Sept. 30, 2014	\$2,805,000	
Bond interest after Sept. 30, 2014	\$537,975	
City Hall façade subtotal	\$4,773,813	\$6,230,000
Streetscape tracts A and E	\$0	\$265,000
Site preparation	\$0	\$165,000
Arts Plaza	\$0	\$500,000
City Center development subtotal	\$4,773,813	\$15,877,000
Downtown infrastructure		
Water	\$0	\$611,000
Streets and drainage	\$0	\$1,363,000
Walnut pedestrian corridor	\$0	\$1,065,000
Fifth Street streetscape	\$0	\$395,000
Electric line underground relocation	\$0	\$817,000
Downtown infrastructure subtotal	\$0	\$4,251,000
Other Downtown municipal facility improvements		
Library parking lot lighting	\$0	\$350,000
City Hall UPS upgrade and data center relocation	\$0	\$420,000
Sound studio/CGTV upgrades	\$0	\$1,090,000
City Hall code/safety upgrades	\$0	\$2,245,000
Demolition of facilities (DGNO and 504 State)	\$0	\$250,000
Other Downtown facilities subtotal	\$0	\$4,355,000
Estimated obligation to Oaks Fifth Street Crossing (City-owned garage at mixed-use project 341 N. Fifth)		
Paid through Sept. 30, 2014	\$517,451	\$25,000,000
Estimated obligation after Sept. 30, 2014	\$1,491,394	\$0
Estimated Oaks Fifth Street Crossing obligation subtotal	\$2,008,845	\$25,000,000
<b>Total</b>	<b>\$6,782,658</b>	<b>\$49,483,000</b>

**Notes:**

For years when the TIF fund receives tax increments, the City will pay to the owner of Oaks Fifth Street Crossing or its assigns the real property tax increments generated by the Oaks Fifth Street Crossing mixed-use development and received by the TIF fund.

The "Tax Increment Base" for the Oaks Fifth Street Crossing development is defined as \$441,698 by Exhibit J of the Disposition and Development Agreement (2007).

The City of Garland anticipates that the DCCCD will pay tax increments earned for tor TIF years 6 through 10 in FY 2014-2015 in addition to the tax increment due for year 11.

Annual obligations for the tax increment end with termination of the TIF zone.

Disbursements through Sept. 30, 2014 are as reported by the City of Garland.

2015 disbursement excludes anticipated receipts from DCCCD for previous years already paid from the TIF fund.

Disbursements after 2015 assume the January 1, 2014 estimated taxable value of Oaks Fifth Street Crossing remains constant.

(a) TIF Year	(b) DCAD Appraisal for Jan. 1,	(c) Disbursement in FY Ending Sept. 30,	(d) Oaks Fifth Street Taxable Value	(e) Captured Appraised Value of Oaks Fifth Street Crossing	(f) (g) (h) (i) Estimated Tax Increments to TIF Fund from OFSC			
					From City, If	From County, If	From DCCCD, If	Total
					Tax Rate = \$0.7046	Tax Rate = \$0.2431	Tax Rate = \$0.124775	Disbursement This Year
Base	2003	2004	\$0	\$0	\$0	\$0	\$0	\$0
1	2004	2005	\$0	\$0	\$0	\$0	\$0	\$0
2	2005	2006	\$0	\$0	\$0	\$0	\$0	\$0
3	2006	2007	\$0	\$0	\$0	\$0	\$0	\$0
4	2007	2008	\$441,698	\$0	\$0	\$0	\$0	\$0
5	2008	2009	\$441,698	\$0	\$0	\$0	\$0	\$0
6	2009	2010	\$441,698	\$0	\$0	\$0	\$0	\$0
7	2010	2011	\$13,700,000	\$13,258,302	\$93,418	\$17,727	\$0	\$164,528
8	2011	2012	\$11,800,000	\$11,358,302	\$80,031	\$15,187	\$0	\$100,925
9	2012	2013	\$13,390,000	\$12,948,302	\$91,234	\$17,313	\$0	\$114,472
10	2013	2014	\$15,700,000	\$15,258,302	\$107,510	\$20,401	\$0	\$137,527
11	2014	2015	\$17,000,000	\$16,558,302	\$116,670	\$22,139	\$39,811	\$149,139
12	2015	2016	\$17,000,000	\$16,558,302	\$116,670	\$22,139	\$10,330	\$149,139
13	2016	2017	\$17,000,000	\$16,558,302	\$116,670	\$22,139	\$10,330	\$149,139
14	2017	2018	\$17,000,000	\$16,558,302	\$116,670	\$22,139	\$10,330	\$149,139
15	2018	2019	\$17,000,000	\$16,558,302	\$116,670	\$22,139	\$10,330	\$149,139
16	2019	2020	\$17,000,000	\$16,558,302	\$116,670	\$22,139	\$10,330	\$149,139
17	2020	2021	\$17,000,000	\$16,558,302	\$116,670	\$22,139	\$10,330	\$149,139
18	2021	2022	\$17,000,000	\$16,558,302	\$116,670	\$22,139	\$10,330	\$149,139
19	2022	2023	\$17,000,000	\$16,558,302	\$116,670	\$22,139	\$10,330	\$149,139
20	2023	2024	\$17,000,000	\$16,558,302	\$116,670	\$22,139	\$10,330	\$149,139
21	2024	2025	\$17,000,000	\$0	\$0	\$0	\$0	\$0
22	2025	2026	\$17,000,000	\$0	\$0	\$0	\$0	\$0
23	2026	2027	\$17,000,000	\$0	\$0	\$0	\$0	\$0
24	2027	2028	\$17,000,000	\$0	\$0	\$0	\$0	\$0
25	2028	2029	\$17,000,000	\$0	\$0	\$0	\$0	\$0
26	2029	2030	\$17,000,000	\$0	\$0	\$0	\$0	\$0
27	2030	2031	\$17,000,000	\$0	\$0	\$0	\$0	\$0
28	2031	2032	\$17,000,000	\$0	\$0	\$0	\$0	\$0
29	2032	2033	\$17,000,000	\$0	\$0	\$0	\$0	\$0
30	2033	2034	\$17,000,000	\$0	\$0	\$0	\$0	\$0
Estimated totals after year 10					\$1,166,698	\$221,393	\$132,784	\$1,491,394
Totals for years 1-30					\$1,538,890	\$292,020	\$132,784	\$2,008,845

**Notes:**

Annual tax increments forecast for the TIF fund are from another schedule.

Estimated annual disbursements to meet an obligation to Oaks Fifth Street Crossing are from another schedule.

Disbursements for principal and interest on City certificates of obligation were provided by the City of Garland

Interest earned on TIF fund balances are not included in this forecast.

Disbursements for TIF projects may be more or less than indicated on this schedule. Annual disbursements must be less than or equal to actual total cash available to the TIF fund in each year.

The TIF Zone will expire in 2023, but the TIF Fund will receive tax increments levied during the Zone term. If a sufficient cash balance in the Fund is distributed to another City fund before FY 20124-2025, the 2025 debt service payments for City Hall façade improvements may be paid from the recipient City fund.

For the fiscal year ended September 30,	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	Cum. After Sept. 2014
<b>Fund assets carried from Sept. 30 of previous FY</b>	\$1,457,793	\$178,333	\$350,142	\$531,815	\$744,536	\$992,347	\$1,274,627	\$1,598,819	\$1,962,286	\$2,368,660	\$2,821,676	\$3,323,711	
<b>Annual revenue to TIF fund</b>													
Total increments received in FY	\$288,904	\$497,199	\$534,237	\$591,085	\$650,151	\$711,520	\$775,282	\$841,531	\$910,363	\$981,881	\$1,056,187	\$0	\$7,549,435
<b>Total cash available to TIF fund in FY</b>	\$1,746,697	\$675,531	\$884,379	\$1,122,900	\$1,394,686	\$1,703,866	\$2,049,909	\$2,440,350	\$2,872,649	\$3,350,540	\$3,877,863	\$3,323,711	
<b>Disbursement from TIF fund this FY</b>													
City TIF administrative expense	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Oaks Fifth Street Crossing	\$137,527	\$149,139	\$149,139	\$149,139	\$149,139	\$149,139	\$149,139	\$149,139	\$149,139	\$149,139	\$149,139	\$0	\$1,491,394
Transfer to CIP for City Hall façade replacement	\$1,277,122	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Debt service on City certificates of obligation for City Hall improvements													
Principal	\$55,000	\$95,000	\$125,000	\$155,000	\$185,000	\$220,000	\$250,000	\$285,000	\$320,000	\$355,000	\$390,000	\$425,000	\$2,805,000
Interest	\$98,716	\$81,250	\$78,425	\$74,225	\$68,200	\$60,100	\$51,950	\$43,925	\$34,850	\$24,725	\$15,012	\$5,313	\$537,975
<b>Total disbursements</b>	<b>\$1,568,365</b>	<b>\$325,389</b>	<b>\$352,564</b>	<b>\$378,364</b>	<b>\$402,339</b>	<b>\$429,239</b>	<b>\$451,089</b>	<b>\$478,064</b>	<b>\$503,989</b>	<b>\$528,864</b>	<b>\$554,151</b>	<b>\$430,313</b>	<b>\$4,834,369</b>
<b>Net TIF fund cash carried forward</b>	<b>\$178,333</b>	<b>\$350,142</b>	<b>\$531,815</b>	<b>\$744,536</b>	<b>\$992,347</b>	<b>\$1,274,627</b>	<b>\$1,598,819</b>	<b>\$1,962,286</b>	<b>\$2,368,660</b>	<b>\$2,821,676</b>	<b>\$3,323,711</b>	<b>\$2,893,398</b>	

# **Checklist for Inclusion of Items Required in TIF Project Plans and Financing Plans by Sec. 311.011, Texas Local Government Code**

Where Addressed?

(b) The project plan must include:

Ex. C, D, E

(1) a map showing existing uses and conditions of real property in the zone and a map showing proposed improvements to and proposed uses of that property;

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(2) proposed changes of zoning ordinances, the master plan of the municipality, building codes, other municipal ordinances, and subdivision rules and regulations, if any, of the county, if applicable;

Sched. 2

(3) a list of estimated nonproject costs;

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(4) a statement of a method of relocating persons to be displaced as a result of implementing the plan.

(c) The reinvestment zone financing plan must include:

Sched. 2, 3

(1) a detailed list describing the estimated project costs of the zone, including administrative expenses;

Sched. 2, 4

(2) a statement listing the kind, number, and location of all proposed public works or public improvements in the zone;

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(3) an economic feasibility study;

Sched. 2

(4) the estimated amount of bonded indebtedness to be incurred;

Sched. 4

(5) the time when related costs or monetary obligations are to be incurred;

Sched. 1, 4

(6) a description of the methods of financing all estimated project costs and the expected sources of revenue to finance or pay project costs, including the percentage of tax increment to be derived from the property taxes of each taxing unit that levies taxes on real property in the zone;

Sched. 1

(7) the current total appraised value of taxable real property in the zone;

Sched. 1

(8) the estimated captured appraised value of the zone during each year of its existence; and

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(9) the duration of the zone.





**Meeting: Work Session**

**Date: January 5, 2015**

# **Policy Report**

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## **CHANGE ORDER NO. 1 TO BL 5792 TERM CONTRACT FOR CONCRETE FINISH WORK**

### **ISSUE**

Council is requested to consider authorizing Change Order No. 1 to BL 5792 in the amount of \$360,000 to provide additional concrete finish work at various locations throughout the city.

### **OPTIONS**

1. Authorize the City Manager to execute Change Order No. 1 with Jerusalem Corporation and allocate the additional funds necessary for the change order.
2. Take no action.

### **RECOMMENDATION**

Staff recommends that Council consider approval of Option 1 and direct the City Manager to execute Change Order No. 1 in the amount of \$360,000 with Jerusalem Corporation. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the January 20, 2015 Regular Meeting.

### **COUNCIL GOAL**

Consistent Delivery of Reliable City Services

### **BACKGROUND**

On December 3, 2013, the City Council awarded Bid No. 4017-14 in the amount of \$1,481,900 to Jerusalem Corporation to provide for the removal and replacement of failed concrete pavement on arterial and collector streets as part of the Street Department's infrastructure construction program. This contract has subsequently been renewed once and, based on Jerusalem Corporation's pace of work, the available funds in the existing renewal, Blanket Order BL 5792, will be exhausted in late January or early February.

## **CONSIDERATION**

The basis for the bid approval for this contract was an interlocal agreement with the City of Plano. Jerusalem Corporation's contract with Plano will soon expire and the City of Plano will be placing another concrete finish work contract out for bid in early January. Because the Plano contract that the Street Department's contract is based upon will no longer be in effect, this contract cannot be renewed for another term.

Issuing a change order in the amount of \$360,000, which is 24.3% of the original contract amount, will provide enough funds to enable Jerusalem Corporation to complete an additional month (or more) of concrete replacement work. The funds from this change order will be used primarily to complete concrete repairs on Centerville Road. Issuing this change order will allow the Street Department time to either pursue another interlocal agreement with the City of Plano or to develop our own concrete repair contract.

## **ATTACHMENTS**

None

Submitted By:

Steven L. Oliver, P.E.  
Director of Streets

Date: December 23, 2014

Approved By:

William E. Dollar  
City Manager

Date: December 23, 2014



**Meeting: Work Session**

**Date: January 5, 2015**

# **Policy Report**

---

## **SALE OF CITY PROPERTY – 1609 FLORES DRIVE TO SUFI MARIA DE L. GONZALEZ DE LOPEZ**

### **ISSUE**

Consider the sale of vacant residential property at 1609 Flores Drive, in the City of Garland to Sufi Maria de L. Gonzalez de Lopez for \$11,270.

### **OPTIONS**

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

### **RECOMMENDATION**

Sell the subject property to Sufi Maria de L. Gonzalez de Lopez. Unless otherwise directed by Council, staff will prepare a resolution for consideration at the January 20, 2015 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 2 2013, the vacant residential property located at 1609 Flores Drive, was struck off to the City of Garland pursuant to delinquent tax suit No. TX12-40294, Garland ISD vs. Lucille Grimsley. The property was struck for a total Judgment of \$43,765.99. The appraisal district's fair market value for the property is \$14,000. Sufi Maria de L. Gonzalez de Lopez has offered to purchase this property for \$11,270.

### **CONSIDERATION**

Because the purchase price is less than either the Judgment amount of taxes and court costs, \$43,765.99, or the market value as stated in the judgment, \$14,000, all

jurisdictions included in the judgment must consent to the sale, which they have. In addition, the City is entitled to reimbursement for its costs in the amount of \$1,500.00, leaving \$6,593.49 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 \$1,565.37, with \$3,752.06 distributed to GISD and \$1,276.06 distributed to Dallas County.

Total Distribution:

Court Costs	\$ 2,914.98
City of Garland	\$ 3,065.37
GISD	\$ 3,752.06
Dallas County	\$ 1,276.06
City of Garland Post-Judgment Taxes	\$ 72.00
GISD Post-Judgment Taxes	\$ 122.74
Dallas County Post-Judgment Taxes	<u>\$ 66.79</u>
	\$ 11,270.00

The residential property has been vacant for several years. Selling the vacant lot will allow the buyer to build a new 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: December 29, 2014

Approved By:

William E. Dollar  
City Manager

Date: December 29, 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  
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

September 11, 2014

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

Via electronic-mail

Re: Offer by Sufi Maria de L. Gonzalez de Lopez to purchase 1609 Flores Dr., Garland, Texas

Dear Ms. Clark:

The above referenced property was struck off to the City of Garland on July 2, 2013 at a Sheriff's Sale pursuant to delinquent tax suit No. TX12-40294, City of Garland and Garland ISD vs. Lucille Grimsley, et al. The property was struck off for the assessed value in the Judgment, \$14,000. The total amount due under the Judgment was \$43,765.99. Maria de L. Gonzalez de Lopez has offered to purchase this property for \$11,270. The property is currently assessed by the Dallas Central Appraisal District at \$14,000.

The costs and distribution of net proceeds are:

Court Costs		\$1,281.99
Sheriff's Costs of Sale		\$1,323.61
Publication Fees		\$309.38
Net Court Costs and Costs of Sale		<u>\$2,914.98</u>
Personnel and Overhead		<u>\$1,500.00</u>
Total City Reimbursement		<u>\$1,500.00</u>
City of Garland	23.7%	\$1,565.37
Garland ISD	56.9%	\$3,752.06
Dallas County	19.4%	\$1,276.06
City of Garland Post-Judgment Taxes		\$72.00
Garland ISD Post-Judgment Taxes		\$122.74
Dallas County Post-Judgment Taxes		<u>\$66.79</u>
Total Tax Distribution		\$6,855.02
Net Court Costs and Costs of Sale		\$2,914.98
Total City Reimbursement		<u>\$1,500.00</u>
Total Distribution		<u>\$11,270.00</u>

Because the purchase price is less than either the Judgment amount of taxes and court costs, \$43,765.99, or the market value as stated in the judgment, \$14,000.00, all jurisdictions included in the judgment must consent to the sale. Our office will obtain the necessary consent for the sale to proceed.

If the City Council approves this transaction, please forward to me the executed Deed. I will contact Maria de L. Gonzalez de Lopez 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 #:	26037500001030000
Property address:	1609 Flores Drive
Prior Owner:	Lucille Grimsley
Cause No.:	TX12-40294
Judgment Date:	February 13, 2013
Sheriff's Sale Date:	July 2, 2013
Judgment amount:	GISD \$7,261.90
	City \$3,029.67
	County \$2,469.75
Total Judgment for Taxes:	\$12,761.32
City Liens:	\$22,620.62
Court costs:	\$1,281.99
Constable's fees for sale:	\$1,323.61
Publication fees for sheriff's sale, paid by Gay & McCall:	\$309.38
Post-Judgment Taxes	GISD \$122.74
	City \$72.00
	County \$66.79

**Checks to be disbursed as follows:**

<b>1.</b>	<b>Dallas County District Clerk</b>	<b>\$1,281.99</b>
<b>2.</b>	<b>Dallas County Sheriff</b>	<b>\$1,323.61</b>
<b>3.</b>	<b>Gay, McCall, Isaacks, Gordon &amp; Roberts</b>	<b>\$309.38</b>
<b>4.</b>	<b>City of Garland (administrative fee)</b>	<b>\$1,500.00</b>
<b>5.</b>	<b>City of Garland (Pro-rata Judgment tax year distribution)</b>	<b>\$1,565.37</b>
<b>6.</b>	<b>City of Garland (Post Judgment taxes)</b>	<b>\$72.00</b>
<b>7.</b>	<b>Garland ISD (Pro-rata Judgment tax year distribution)</b>	<b>\$3,752.06</b>
<b>8.</b>	<b>Garland ISD (Post Judgment taxes)</b>	<b>\$122.74</b>
<b>9.</b>	<b>John Ames, Dallas County Tax Assessor (Pro-rata Judgment tax year distribution)</b>	<b>\$1,276.06</b>
<b>10.</b>	<b>John Ames, Dallas County Tax Assessor (Post Judgment taxes)</b>	<b>\$66.79</b>
	<b>TOTAL</b>	<b>\$11,270.00</b>

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

**COURT ORDER  
2014-1628**



Consent to City of Garland's Resale of Tax Foreclosed Property at 1609 Flores Drive, Garland,  
TX

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

BRIEFING DATE: 11/18/2014  
FUNDING SOURCE: N/A

Be it resolved and ordered that the Dallas County Commissioners Court does hereby consent to the sale of the Property at 1609 Flores Drive, Garland, Texas, to Maria de L. Gonzalez de Lopez for \$11,000, subject to the prior owners' remaining right of redemption, if any, pursuant to Section 34.05(i) of the Texas Property Tax Code, and authorize the City of Garland, as trustee, 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, acquired by tax foreclosure, which has been jointly vested in the name of the Taxing Authorities.

Done in open court December 2, 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



## COMMISSIONERS COURT BRIEFING



**DATE:** 11/18/2014

**SUBMITTING DEPARTMENT:** Public Works

**THROUGH:**

**SUBJECT:** Consent to City of Garland's Resale of Tax Foreclosed Property at 1609 Flores Drive, Garland, TX

---

### **BACKGROUND:**

The unimproved property at 1609 Flores Drive, Garland, Texas (Property), was struck off to the City of Garland on February 13, 2013 at a Sheriff's Sale pursuant to delinquent tax suit No. TX-12-40294, styled City of Garland, et al vs. Heirs and Unknown Heirs of Lucille Grimsley. The City of Garland holds the Property in trust for each taxing jurisdiction party to the judgment, e.g., City of Garland, Garland I.S.D., and Dallas County pursuant to Section 34.01(k) Property Tax Code.

The law firm of Gay, McCall, Isaacks, Gordon & Roberts, P.C. ("tax attorneys") on behalf of the City of Garland ("City") is submitting an offer received from Maria de L. Gonzalez de Lopez to purchase the Property for \$11,000. According to DCAD, the Property is a vacant single family residential lot, 65 feet by 215 feet and is assessed at \$14,000. Acceptance of the offer will discharge and extinguish only the ad valorem property tax liens for tax years included in the tax judgment. The purchaser will be responsible and liable for the payment of post judgment tax liens for 2012-2013.

Since the offer amount is less than either the aggregate amount of the judgments against the property or the market value of the property as stated in the judgment, all taxing jurisdictions included in the judgment must consent to the sale.

### **OPERATIONAL IMPACT:**

No impact.

### **FINANCIAL IMPACT:**

The Property was struck off at the Sheriff's Sale for the assessed value in the Judgment of \$14,000. The total Judgment amount at the sale was \$44,327.79. Taking into account the post judgment tax liens of approximately \$270, the purchaser will be paying approximately \$11,270 for the Property, which is 81% of DCAD value of \$14,000.

As noted on the attached Resale Worksheet prepared by tax attorneys, after payment of the \$2,914.98 in court costs and costs of sale and \$1,500 administrative fee for post-sale maintenance provided by the City of Garland, \$6,585.02 will be available for distribution to the taxing entities. This amount will be distributed based on the pro rata percentages of the total judgment for taxes, i.e., City 23.7%, Garland ISD 56.9% and County 19.4%. Dallas County will receive approximately \$1,274.43 of the original taxes due under the judgment of \$2,469.75 or

<b>RECOMMENDED BY:</b>	Public Works	<b>PREPARED BY:</b>	Debra Campagna
		<b>APPROVED BY DEPT HEAD:</b>	Alberta Blair

52% after payment of the above costs.

It should be noted the City of Garland is requiring all post-judgment taxes (approximately \$270) be paid at closing exclusive of the above amounts, of which Dallas County will receive approximately \$67.34.

**LEGAL IMPACT:**

The sale complies with the Texas Property Tax Code, Section 34.05(i).

**PROJECT SCHEDULE:**

N/A

**M/WBE PARTICIPATION:**

N/A

**STRATEGIC PLAN COMPLIANCE:**

Acceptance of the offer is consistent with Vision 5 (Dallas County is the destination of choice for residents and businesses) of the County's Strategic Plan in partnering with the City returning tax foreclosure properties to productivity, encouraging revitalization of deteriorating neighborhoods, and provide an increased tax base.

**RECOMMENDATION:**

Consent to the sale of the Property at 1609 Flores Drive, Garland, Texas, to Maria de L. Gonzalez de Lopez for \$11,000, subject to the prior owners' remaining right of redemption, if any, pursuant to Section 34.05(i) of the Texas Property Tax Code, and authorize the City of Garland, as trustee, 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, acquired by tax foreclosure, which has been jointly vested in the name of the Taxing Authorities.

Re-sale Disbursement Worksheet  
City of Garland

CAD Acct #:	26037500001030000
Property address:	1609 Flores Dr
Cause No.:	TX12-40294
Judgment Date:	February 13, 2013
Sheriff's Sale Date:	July 2, 2013
Judgment amount:	GISD 1996-2012 taxes \$7,261.90 (56.9%)
	City 2002-2012 taxes \$3,029.67 (23.7%)
	County 2002-2011 taxes \$2,469.75 (19.4%)
Total Judgment for Taxes:	\$12,761.32
City Abatement Liens:	\$21,790.78
Court costs:	\$1,281.99
Sheriff's fees for sale:	\$1,323.61
Publication fees for sheriff's sale, paid by Gay & McCall:	\$309.38
Total Costs:	\$2,914.98

**Checks to be disbursed as follows:**

1.	Dallas County District Clerk	\$1,281.99
2.	Dallas County Sheriff	\$1,323.61
3.	Gay, McCall, Isaacks, Gordon & Roberts	\$309.38
4.	City of Garland (administrative fee)	\$1,500.00
5.	City of Garland (Pro-rata Judgment tax year distribution)	\$1,563.35
6.	Garland ISD (Pro-rata Judgment tax year distribution)	\$3,747.24
7.	John Ames, Dallas County Tax Assessor (Pro-rata Judgment tax year distribution)	\$1,274.43
	<b>TOTAL</b>	<b>\$11,000.00</b>

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



DCAD Account No.	Site Address	Assessed Value	Land	DCAD Zoning
26037500001030000	1609 Flores Drive	\$14,000	12,881 sf	Residential

**2013 COMMISSIONER DISTRICT 1**

**DISTRICT 1  
COUNTY BUILDINGS**

**Dr. Theresa M. Daniel**  
411 ELM ST  
DALLAS, TEXAS 75202  
(214) 653-7473

**LEGEND**

- County Boundary
- City
- Acres
- Water
- Map Index
- Freeway/Highways
- Red Roads
- Major Roads
- Minor Roads
- DACT
- County Boundary
- City
- Acres
- Water

**MAP DISCLAIMERS \*\*\*\*\***

THIS MAP IS FOR INFORMATIONAL PURPOSES ONLY. THE COUNTY OF DALLAS AND ITS COMMISSIONERS AND EMPLOYEES MAKE NO WARRANTY, REPRESENTATION OR GUARANTEE AS TO THE ACCURACY OF THE DATA SHOWN ON THIS MAP. THE COUNTY OF DALLAS AND ITS COMMISSIONERS AND EMPLOYEES SHALL NOT BE LIABLE FOR ANY DAMAGES, INCLUDING CONSEQUENTIAL DAMAGES, ARISING FROM THE USE OF THIS MAP.



**Dr. Theresa M. Daniel**  
411 ELM ST  
DALLAS, TEXAS 75202  
(214) 653-7473

**Legend**

Map Index

	Freeways/Highways		County Boundary
	Rail Roads		Cities
	Major Roads		Airports
	Minor Roads		Lakes/Ponds
	DART		

**\*\*\*\*\* MAP DISCLAIMERS \*\*\*\*\***

**MAP DISCLAIMER:** This map is for reference use only. Data provided are derived from multiple sources with varying levels of accuracy. The Dallas County Trading Partnerships Division disclaims all responsibility for the accuracy or completeness of the data shown.



## **RESOLUTION**

### **A RESOLUTION AUTHORIZING THE CITY OF GARLAND TO RE-SELL TAX FORECLOSED PROPERTY LOCATED AT 1609 FLORES DR, 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 1609 Flores Dr, 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 \$11,000.00, 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 1609 Flores Dr, 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 1609 Flores Dr, Garland, Texas for an amount not less than \$11,000.00 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 11th day of November, 2014, by the  
Board of Trustees for the Garland Independent School District.

GARLAND INDEPENDENT SCHOOL DISTRICT

By: 

Rick Lambert  
President, Board of Trustees

ATTEST:



Scott Luna  
Secretary, Board of Trustees  
Garland Independent School District

EXHIBIT A

BEING LOT 103, BELLA VISTA 2ND ADDITION, AN ADDITION TO THE CITY OF GARLAND, DALLAS COUNTY, TEXAS ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME 13, PAGE 93 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS AKA 1609 FLORES DRIVE

**Sheriff's Deed**

070213-62

The State of Texas, }  
County of Dallas.

**KNOW ALL MEN BY THESE PRESENTS:**



201300257751

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 193<sup>rd</sup> Judicial District Court, Dallas County, State of Texas, on 25<sup>th</sup> day of March, A. D. 2013 in and for Dallas County, Styled CITY OF GARLAND AND GARLAND ISD, Plaintiff, -versus- HEIRS AND UNKNOWN HEIRS OF LUCILLE GRIMSLEY, Cause No.TX-12-40294. On a certain judgment and Decree of Foreclosure rendered on the 13<sup>th</sup> day of February, 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 10<sup>th</sup> day of May, 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 Heirs and Unknown Heirs of Lucille Grimseley, Defendant(s) and on the 1st Tuesday in July, A.D. 2013 it being the 2<sup>nd</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 \$14,000.00 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 \$14,000.00 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 13<sup>th</sup> day of February ,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: 1609 FLORES DRIVE,CITY OF GARLAND, TEXAS. LOT 103, BELLA VISTA 2 ADDITION, AKA 1609 FLORES DRIVE, CITY OF GARLAND, TEXAS AS RECORDED.**



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 29<sup>th</sup> day of July, A.D. 2013.

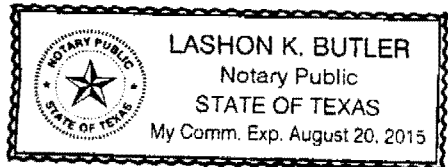
LUPE VALDEZ, SHERIFF,  
DALLAS, COUNTY, TEXAS

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 29<sup>th</sup> day of July, 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  
08/15/2013 07:59:48 AM  
\$20.00



JFW

Send This Deed To: City of Garland

201300257751





**Meeting: Work Session**

**Date: January 5, 2015**

# **Policy Report**

---

## **SALE OF CITY PROPERTY – 2622 CHURCHILL WAY TO MARK CAMPBELL**

### **ISSUE**

Consider the sale of vacant residential property at 2622 Churchill Way, in the City of Garland to Mark Campbell for \$10,000.

### **OPTIONS**

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

### **RECOMMENDATION**

Sell the subject property to Mark Campbell. Unless otherwise directed by Council, staff will prepare a resolution for consideration at the January 20, 2015 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 September 6, 2011, the vacant residential property located at 2622 Churchill Way, was struck off to the City of Garland pursuant to delinquent tax suit No. TX09-40640, Garland ISD vs. Eli Olvera. The property was struck for a total Judgment of \$133,575.83. The appraisal district's fair market value for the property is \$25,000. Mark Campbell has offered to purchase this property for \$10,000.

### **CONSIDERATION**

Because the purchase price is less than either the Judgment amount, \$133,575.83, or the market value as stated in the judgment, \$25,000.00, all jurisdictions included in the judgment must consent to the sale, which they have. In addition, the City is entitled to

reimbursement for its costs in the amount of \$1,500.00, leaving \$3,198.75 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 \$779.73, with \$1,784.34 distributed to GISD and \$624.68 distributed to Dallas County.

Total Distribution:

Court Costs	\$ 3,390.05
City of Garland	\$ 2,279.73
GISD	\$ 1,784.34
Dallas County	\$ 624.68
City of Garland Post-Judgment Taxes	\$ 533.01
GISD Post-Judgment Taxes	\$ 914.66
Dallas County Post-Judgment Taxes	<u>\$ 473.53</u>
	\$ 10,000.00

The residential property has been vacant for several years. Selling the vacant lot will allow the buyer to build a new 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: December 29, 2014

Approved By:

William E. Dollar  
City Manager

Date: December 29, 2014

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

A PROFESSIONAL CORPORATION  
ATTORNEYS AND COUNSELORS

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DAVID MCCALL +  
LEWIS L. ISAACKS ♦+  
SYDNA H. GORDON  
WILLIAM J. ROBERTS +  
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1919 S. SHILOH ROAD  
GARLAND, TEXAS 75042  
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♦ BOARD CERTIFIED -- CIVIL TRIAL LAW  
TEXAS BOARD OF LEGAL SPECIALIZATION  
+ATTORNEY - MEDIATOR

July 24, 2014

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

Via electronic-mail

Re: Offer by Mark Campbell to purchase 2622 Churchill Way, Garland, Texas

Dear Ms. Clark:

The above referenced property was struck off to the City of Garland on September 6, 2011 at a Sheriff's Sale pursuant to delinquent tax suit No. TX09-40640, City of Garland and Garland ISD vs. Eli Olvera, et al. The property was struck off for the assessed value in the Judgment, \$25,000. The total Judgment amount at the sale was \$133,575.83. Mark Campbell has offered to purchase this property for \$10,000. The property is currently assessed by the Dallas Central Appraisal District at \$25,000.

The costs and distribution of net proceeds are:

Court Costs		\$1,700.49
Sheriff's Costs of Sale		\$1,332.06
Publication Fees		\$357.50
Net Court Costs and Costs of Sale		<u>\$3,390.05</u>
Personnel and Overhead		<u>\$1,500.00</u>
Total City Reimbursement		<u>\$1,500.00</u>
City of Garland	24.4%	\$779.73
Garland ISD	56.0%	\$1,784.34
Dallas County	19.6%	<u>\$624.68</u>
City of Garland Post-Judgment Taxes		\$533.01
Garland ISD Post-Judgment Taxes		\$914.66
Dallas County Post-Judgment Taxes		<u>\$473.53</u>
Total Tax Distribution		\$5,109.95
Net Court Costs and Costs of Sale		\$3,390.05
Total City Reimbursement		<u>\$1,500.00</u>
Total Distribution		<u>\$10,000.00</u>

Because the purchase price is less than either the Judgment amount, \$133,575.83, or the market value as stated in the judgment, \$25,000.00, all jurisdictions included in the judgment must consent to the sale. Our office will obtain the necessary consent for the sale to proceed.

If the City Council approves this transaction, please forward to me the executed Deed. I will contact Mark Campbell 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 #:	26074520020100000
Property address:	2622 Churchill Way
Prior Owner:	Eli Olvera
Cause No.:	TX09-4064
Judgment Date:	January 6, 2011
Sheriff's Sale Date:	September 6, 2011
Judgment amount:	GISD \$9,973.16
	City \$4,358.11
	County \$3,491.51
Total Judgment for Taxes:	\$17,822.78
City of Garland Abatement Liens:	\$7,174.86
City of Garland Demolition Lien:	\$8,535.87
City of Garland Civil Penalties Lien:	\$68,691.29
Court costs:	\$1,700.49
Constable's fees for sale:	\$1,332.06
Publication fees for sheriff's sale, paid by Gay & McCall:	\$357.50
Post-Judgment Taxes	GISD \$914.66
	City \$533.01
	County \$473.53

**Checks to be disbursed as follows:**

<b>1.</b>	<b>Dallas County District Clerk</b>	<b>\$1,700.49</b>
<b>2.</b>	<b>Dallas County Sheriff</b>	<b>\$1,332.06</b>
<b>3.</b>	<b>Gay, McCall, Isaacks, Gordon &amp; Roberts</b>	<b>\$357.50</b>
<b>4.</b>	<b>City of Garland (administrative fee)</b>	<b>\$1,500.00</b>
<b>5.</b>	<b>City of Garland (Pro-rata Judgment tax year distribution)</b>	<b>\$779.73</b>
<b>6.</b>	<b>City of Garland (Post Judgment taxes)</b>	<b>\$533.01</b>
<b>7.</b>	<b>Garland ISD (Pro-rata Judgment tax year distribution)</b>	<b>\$1,784.34</b>
<b>8.</b>	<b>Garland ISD (Post Judgment taxes)</b>	<b>\$914.66</b>
<b>9.</b>	<b>John Ames, Dallas County Tax Assessor (Pro-rata Judgment tax year distribution)</b>	<b>\$624.68</b>
<b>10.</b>	<b>John Ames, Dallas County Tax Assessor (Post Judgment taxes)</b>	<b>\$473.53</b>
	<b>TOTAL</b>	<b>\$10,000.00</b>

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

**COURT ORDER  
2014-1626**



Consent to City of Garland's Resale of Tax Foreclosed Property at 2622 Churchill Way,  
Garland, TX

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

BRIEFING DATE: 11/18/2014  
FUNDING SOURCE: N/A

Be it resolved and ordered that the Dallas County Commissioners Court does hereby consent to the sale of the Property at 2622 Churchill Way, Garland, Texas, to Mark Campbell for \$10,050, subject to the prior owners' remaining right of redemption, if any, pursuant to Section 34.05(i) of the Texas Property Tax Code, and authorize the City of Garland, as trustee, 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, acquired by tax foreclosure, which has been jointly vested in the name of the Taxing Authorities.

Done in open court December 2, 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 2622 CHURCHILL WAY, 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 2622 Churchill Way, 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 \$10,050.00, 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 2622 Churchill Way, 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 2622 Churchill Way, Garland, Texas for an amount not less than \$10,050.00 in compliance with Section 34.05 of the Texas Property Tax Code, and each taxing unit entitled to receive proceeds of the sale consents to the sale for that amount.

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

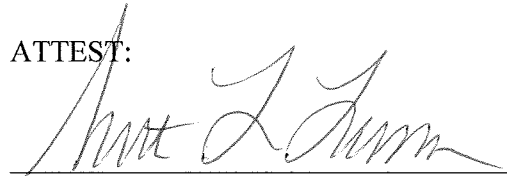
PASSED AND APPROVED this 11th day of November, 2014, by the  
Board of Trustees for the Garland Independent School District.

GARLAND INDEPENDENT SCHOOL DISTRICT

By: 

Rick Lambert  
President, Board of Trustees

ATTEST:



Scott Luna  
Secretary, Board of Trustees  
Garland Independent School District

EXHIBIT A

BEING LOT 10, BLOCK 2, CAMELOT NO. 13 ADDITION, AN ADDITION TO THE CITY OF GARLAND, DALLAS COUNTY, TEXAS ACCORDING TO THE DEED THEREOF RECORDED IN VOLUME 2000024, PAGE 2055 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS, AKA 2622 CHURCHILL WAY

# Sheriff's Deed

090611-90

The State of Texas,  
County of Dallas.



KNOW ALL MEN BY THESE PRESENTS:



201100268333

SHERIFF DEED 1/3

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 116<sup>th</sup> Judicial District Court, Dallas County, State of Texas, on 23<sup>rd</sup> day of March, A. D. 2011 in and for Dallas County, Styled CITY OF GARLAND AND GARLAND ISD, Plaintiff, -versus- ELI OLVERA, ET AL, Case #TX-09-40640, . On a certain judgment and Decree of Foreclosure rendered on the 13<sup>th</sup> day of January, 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 25<sup>th</sup> day of July, A.D., 2011, 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 ELI OLVERA, CONSUELO S. OLVERA , Defendant(s) and on the 1<sup>st</sup> Tuesday in September, A.D. 2011 it being the 6<sup>th</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, Dallas County, Garland ISD, for the sum of \$25,000.00 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 \$25,000.00 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 , Dallas County, Garland ISD, all of the estate, right, title and interest which the said Defendant had on the 17<sup>th</sup> day of November, A.D. 2010 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: 2622 CHURCHILL WAY, CITY OF GARLAND, DALLAS COUNTY, TEXAS. BEING LOT 10, BLOCK 2, CAMELOT 13 ADDITION, AKA 2622 CHURCHILL WAY, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AS RECORD IN VOL. 2000024, PAGE 2055, OF THE DALLAS COUNTY, TEXAS.

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 30<sup>th</sup> day of September, A.D. 2011.

LUPE VALDEZ, SHERIFF,  
DALLAS, COUNTY, TEXAS

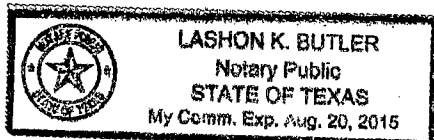
by [Signature]  
Deputy Tim Davis #276, Deputy J.T. Wilson #329

**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 30<sup>th</sup> day of September, A.D. 2011.



[Signature]  
Notary Public, State of Texas  
Commission Expires 08-20-2015

**The State of Texas, }**

**County of Dallas**

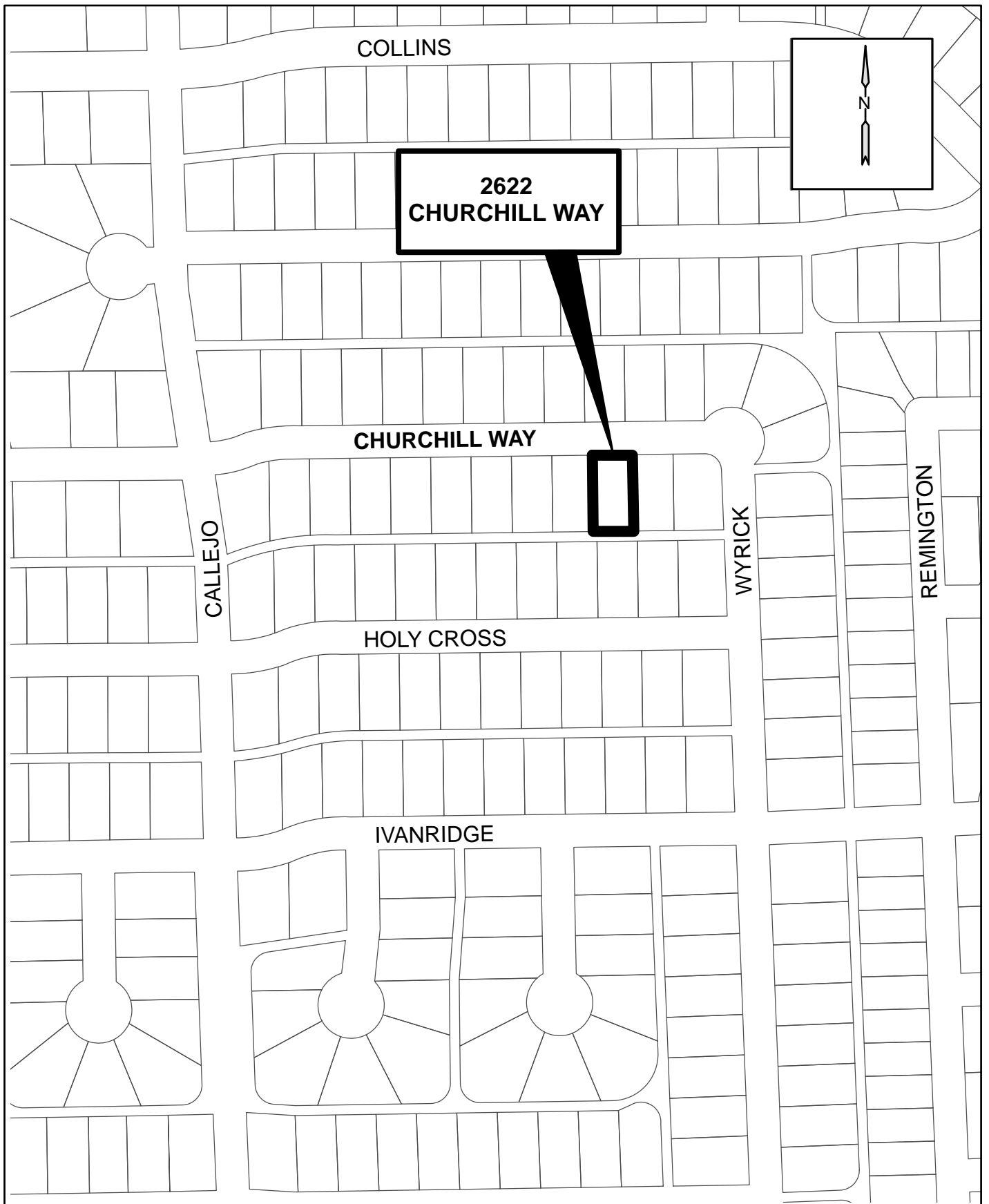
I \_\_\_\_\_ County Clerk of said County, do hereby certify that the above instrument of writing, together with its Certificate of Authentication was filed for record in my office on the \_\_\_\_\_ day of \_\_\_\_\_ A.D. 2011, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and duly recorded the \_\_\_\_\_ day of \_\_\_\_\_ A.D., 2011, in Volume \_\_\_\_\_, Page \_\_\_\_\_ of the Records of Deeds, etc., of said County.

WITNESS MY HAND AND OFFICIAL SEAL This \_\_\_\_\_ of \_\_\_\_\_ A.D.2011.

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

By \_\_\_\_\_  
Deputy

Send This Deed To: City of Garland, Attn: J.DOUGLAS BURNSIDE, 1919 S.SHILOH RD, SUITE 310 LB 40, GARLAND, TEXAS 75042





# Policy Report

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## POLICE OFFICER INJURY LEAVE EXTENSION – OFFICER BILLY IVY

### ISSUE

Officer Billy J. Ivy, ID#7160 sustained injuries when he was involved in a motor-vehicle accident while on-duty performing his duties as a Garland Police Officer. The officer is not yet able to return to work. Further medical treatment is required in order to rehabilitate the officer so that he may be able to return to work at the Police Department.

Section 143.073 of the Texas Local Government Code (Municipal Civil Service for Firefighters and Police Officers) specifies that a police officer may be on a leave of absence for a line of duty injury for at least one year. Further, at the end of that one year period, the municipality's governing body (City Council) may extend the line of duty injury leave at full or reduced pay.

### OPTIONS

1. Extend Officer Ivy's injury leave at full pay.
2. Extend Officer Ivy's injury leave at reduced pay.
3. Do not extend Officer Ivy's injury leave.

### RECOMMENDATION

Chief Bates recommends **Option 1**: Extend Officer Ivy's injury leave, at full pay, through June 27, 2015 (an additional period of 6 months from the one-year anniversary of the injury), until such time that he has received the appropriate medical care for the line of duty injury and is medically cleared to return to work by his treating physician(s). This item is scheduled for formal consideration at the January 6, 2015 Regular Meeting.

### COUNCIL GOAL

Consistent Delivery of Reliable City Services

### BACKGROUND

On December 28, 2013, Officer Billy J. Ivy, ID#7160 was involved in a motor-vehicle accident while on-duty performing his duties as a Garland Police Officer. The officer

sustained significant injury. Officer Ivy is currently recovering from back surgery. It is anticipated that Officer Ivy should be able to return to full-duty status by June 27, 2015, if not sooner, after recovering from the most recent medical procedures.

## **CONSIDERATION**

Section 143.073 of the Texas Local Government Code (Municipal Civil Service for Firefighters and Police Officers) addresses police officer line of duty injuries and reads as follows:

§ 143.073. LINE OF DUTY ILLNESS OR INJURY LEAVE OF ABSENCE.

(a) A municipality shall provide to a fire fighter or police officer a leave of absence for an illness or injury related to the person's line of duty. The leave is with full pay for a period commensurate with the nature of the line of duty illness or injury. If necessary, the leave shall continue for at least one year.

(b) At the end of the one-year period, the municipality's governing body may extend the line of duty illness or injury leave at full or reduced pay. If the fire fighter's or police officer's leave is not extended or the person's salary is reduced below 60 percent of the person's regular monthly salary, and the person is a member of a pension fund, the person may retire on pension until able to return to duty.

(c) If pension benefits are not available to a fire fighter or police officer who is temporarily disabled by a line of duty injury or illness and if the year at full pay and any extensions granted by the governing body have expired, the fire fighter or police officer may use accumulated sick leave, vacation time, and other accrued benefits before the person is placed on temporary leave.

(d) If a fire fighter or police officer is temporarily disabled by an injury or illness that is not related to the person's line of duty, the person may use all sick leave, vacation time, and other accumulated time before the person is placed on temporary leave.

(e) After recovery from a temporary disability, a fire fighter or police officer shall be reinstated at the same rank and with the same seniority the person had before going on temporary leave. Another fire fighter or police officer may voluntarily do the work of an injured fire fighter or police officer until the person returns to duty.

Acts 1987, 70th Leg., ch. 149, § 1, eff. Sept. 1, 1987. Amended by Acts 2001, 77th Leg., ch. 683, § 1, eff. Sept. 1, 2001.

## **ATTACHMENT(S)**



Police Officer Injury Leave Extension – Officer Billy Ivy  
Page 3

None

Submitted By:

Mitchel L. Bates  
Chief of Police

Date: December 29, 2014

Approved By:

William E. Dollar  
City Manager

Date: December 29, 2014



# City Council Item Summary Sheet

☒ **Work Session**

**Date:** January 5, 2015

☐ **Agenda Item**

## 2014 Christmas on the Square Update

### Summary of Request/Problem

Staff will provide an update on the 2014 Christmas on the Square Event that was held on December 5, 2014.

### Recommendation/Action Requested and Justification

Council discussion.

**Submitted By:**

**Approved By:**

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



# City Council Item Summary Sheet

☒ **Work Session**

**Date:** January 5, 2015

☐ **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
    - Next Steps
  - IH-30
  - Annual Missions Update
- Strategic Events Update
- Advocacy Group Update
- Transportation Updates
  - TEX-21
  - Regional Policy
  - 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:** January 5, 2015

☐ **Agenda Item**

## Internal Audit Committee Report

### Summary of Request/Problem

Council Member Lori Barnett Dodson, chair of the Internal Audit Committee, will provide an Internal Audit Committee report on the following items:

- Contract management and economic development agreements
- Hotel occupancy tax audit
- Kraft economic development agreement audit
- Building Inspection audit follow-up
- South Garland Branch Library investigation follow-up

### Recommendation/Action Requested and Justification

Council discussion.

**Submitted By:**

**Approved By:**

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