



## **AGENDA**

**CITY COUNCIL WORK SESSION  
City of Garland  
Duckworth Building, Goldie Locke Room  
217 North Fifth Street  
Garland, Texas  
July 6, 2015  
6:00 p.m.**

### **DEFINITIONS:**

**Written Briefing:** Items that generally do not require a presentation or discussion by the staff or Council. On these items the staff is seeking direction from the Council or providing information in a written format.

**Verbal Briefing:** These items do not require written background information or are an update on items previously discussed by the Council.

**Regular Item:** These items generally require discussion between the Council and staff, boards, commissions, or consultants. These items are often accompanied by a formal presentation followed by discussion.

**[Public comment will not be accepted during Work Session  
unless Council determines otherwise.]**

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

- (1) Pending/contemplated litigation, settlement offer(s), and matters concerning privileged and unprivileged client information deemed confidential by Rule 1.05 of the Texas Disciplinary Rules of Professional Conduct. Sec. 551.071, TEX. GOV'T CODE.
- (2) The purchase, exchange, lease or value of real property, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Sec. 551.072, TEX. GOV'T CODE.
- (3) A contract for a prospective gift or donation to the City, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Sec. 551.073, TEX. GOV'T CODE.
- (4) Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint against an officer or employee. Sec. 551.074, TEX. GOV'T CODE.
- (5) The deployment, or specific occasions for implementation of security personnel or devices. Sec. 551.076, TEX. GOV'T CODE.
- (6) Discussions or deliberations regarding commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the territory of the City and with which the City is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect of the sort described in this provision. Sec. 551.087, TEX. GOV'T CODE.
- (7) Discussions, deliberations, votes, or other final action on matters related to the City's competitive activity, including information that would, if disclosed, give advantage to competitors or prospective competitors and is reasonably related to one or more of the following categories of information:
  - generation unit specific and portfolio fixed and variable costs, including forecasts of those costs, capital improvement plans for generation units, and generation unit operating characteristics and outage scheduling;
  - bidding and pricing information for purchased power, generation and fuel, and Electric Reliability Council of Texas bids, prices, offers, and related services and strategies;
  - effective fuel and purchased power agreements and fuel transportation arrangements and contracts;
  - risk management information, contracts, and strategies, including fuel hedging and storage;
  - plans, studies, proposals, and analyses for system improvements, additions, or sales, other than transmission and distribution system improvements inside the service area for which the public power utility is the sole certificated retail provider; and
  - customer billing, contract, and usage information, electric power pricing information, system load characteristics, and electric power marketing analyses and strategies. Sec. 551.086; TEX. GOV'T CODE; Sec. 552.133, TEX. GOV'T CODE]

**1. Written Briefings:**

**a. Abandonment of Drainage Easement on Apollo Road in Winchester Commons, to Winchester Commons, LLC**

*Consider the abandonment of a variable width Drainage Easement in proposed Winchester Commons addition. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the July 21, 2015 Regular Meeting.*

**b. Sale of City Property – 826 Beverly Drive to Sufi Properties, Inc.**

*Consider the sale of residential property at 826 Beverly Drive, in the City of Garland to Sufi Properties, Inc. for \$20,226.58. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the July 21, 2015 Regular Meeting.*

**c. Appointment of a Paying Agent and Registrar**

*Consider appointment of a new Paying Agent and Registrar for all bonded debt. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the July 21, 2015 Regular Meeting.*

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

**a. Transportation Report**

**Dean/Schaffner**

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

- Transportation Program Updates
  - IH-635
  - IH-30
- Strategic Events Update
- Advocacy Group Update
- Transportation Updates
  - TEX-21

- Regional Policy
- Federal Policy
- State Update

**b. Resolution Supporting the IH-635 East Legislative Delegation's Efforts** **Stanley/B.J. Williams**

*At the request of Councilmembers Stephen W. Stanley and B.J. Williams, Council is requested to approve a resolution of the City of Garland supporting the IH-635 East Legislative Delegation's efforts regarding the development of IH-635 East and noise walls along the corridor.*

**c. 2015 Animal Services Performance Evaluation** **B.J. Williams/LeMay**

*At the request of Councilmembers B.J. Williams and Scott LeMay, a representative from Strategic Government Resources will present the findings of the 2015 Animal Services Performance Evaluation.*

**d. 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:

- Economic Development Agreement monitoring
- Big Bass Wrecker Contract Compliance Audit
- City Secretary Processes and Procedures Audit
- Utility Contract Investigation follow-up
- A/P Vendor Master File Audit follow-up
- Municipal Court System Access Right follow-up

**e. Administrative Services Committee Report** **Cahill**

*Mayor Pro Tem Jim Cahill, chair of the Administrative Services Committee, will provide a committee report on the Council Policies rewrite 2015.*

**f. National League of Cities Salt Lake City, UT Stanley/B.J. Williams Meeting Update**

*At the request of Councilmembers Stephen W. Stanley and B.J. Williams, Councilmember Stephen W. Stanley will provide an overview on his attendance at the Salt Lake City National League of Cities seminar.*

**g. Council Approval of Travel Expenses, Airfare to Salt Lake City Athas**

*At the request of Mayor Douglas Athas, Council will discuss approval of travel expenses, airfare to Salt Lake City.*

**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**

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**EXECUTIVE SESSION  
AGENDA**

**1. The deployment, or specific occasions for implementation, of security personnel or devices or a security audit. Sec. 551.076, Tex. Gov't Code.**

- **Physical Security Audit – Management Report**

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**6. Adjourn**

**Council**



# Policy Report

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## **ABANDONMENT OF DRAINAGE EASEMENT ON APOLLO ROAD IN WINCHESTER COMMONS, TO WINCHESTER COMMONS LLC**

### **ISSUE**

Consider the abandonment of a variable width Drainage Easement in proposed Winchester Commons addition.

### **OPTIONS**

1. Abandon the easement.
2. Take no action.

### **RECOMMENDATION**

Approve Option 1. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the July 21, 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**

1. On April 8, 1992, the City acquired a drainage easement for the improvement of the vacant tract now being developed as Winchester Commons.
2. The Winchester Commons residential subdivision is currently being developed over a portion of the drainage easement. The original drainage easement was required by the City for offsite drainage conveyance. A proposed residential lot and HOA lot would be encumbered by the existing drainage easement. The proposed Final Plat and plans of Winchester Commons will extend the existing storm sewer system through the subdivision and dedicate a new drainage easement on the Homeowners Association (HOA) Common Area lot.

3. Council action is required to abandon the easement.

## **CONSIDERATION**

1. The current configuration of the drainage easement is no longer required due to improvements being constructed by the developer. The improvements include the extension of the underground drainage system through the subdivision. The abandonment would allow the developer to construct a residential home on an encumbered lot and better utilize the property.
2. The City Attorney's Office has reviewed this information.

## **ATTACHMENTS**

1. Copy of original easement instrument and exhibit.
2. Location Map

Submitted By:

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

Date: July 6, 2015

Approved By:

Brian L. Bradford  
City Manager

Date: July 6, 2015



12

EXHIBIT 'A'

DRAINAGE EASEMENT

THE STATE OF TEXAS §  
COUNTY OF DALLAS §

KNOW ALL MEN BY THESE PRESENTS: DEED 12.00  
TOYL 12.00  
A001 5401 0000000 1472 10:31AM 4/10/92

THAT ROSEWOOD PROPERTY COMPANY, a Delaware corporation (hereinafter referred to as "Grantor"), for and in consideration of the sum of \$1,960.20 cash to Grantor in hand paid by the CITY OF GARLAND, a municipal corporation of Dallas County, Texas (herein, together with its successors and assigns, referred to as "Grantee"), the receipt of which is acknowledged, and the further consideration of the benefits to be derived by Grantor on account of the construction, reconstruction and maintenance by Grantee of underground drainage facilities in and through the hereinafter described premises, does hereby give, grant and convey to Grantee the easement and right to construct, reconstruct and perpetually maintain said underground drainage facilities in, upon and across the real property located in Dallas County, Texas, as more particularly described in Exhibit "A" which is attached hereto and incorporated herein by reference as if fully set forth herein (the "Easement Tract").

TO HAVE AND TO HOLD the same perpetually unto Grantee, together with the right and privilege at all times to enter said premises, or any part thereof, for the purpose of constructing, reconstructing and maintaining said underground drainage facilities and for making connections therewith.

All upon the conditions that Grantee will at all times, after doing any work in connection with the construction, reconstruction or repair of said drainage facilities, restore the Easement Tract to the condition in which it was found before such work was undertaken, and that in the use of the rights and privileges herein granted, Grantee will not create a nuisance or do any act that will be detrimental to said premises.

Grantor reserves the right to use the land within the Easement Tract for purposes not inconsistent with Grantee's

92071 0626

EXHIBIT "A" 1 of 5

**EXHIBIT 'A'**

use of such property, provided such use shall not unreasonably interfere with the exercise by Grantee of the rights herein granted.

This easement may be assigned in whole or in part.

WITNESS my hand this 29<sup>th</sup> day of January, 1992.

ROSEWOOD PROPERTY COMPANY,  
a Delaware corporation

By: *John J. Roark*  
John J. Roark  
Senior Vice President

500 Crescent Court  
Suite 300  
Dallas, Texas 75201

THE STATE OF TEXAS §  
COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, on this day personally appeared John J. Roark, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as Senior Vice President of Rosewood Property Company, a Delaware corporation, for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN under my hand and seal of office this the 29<sup>th</sup> day of January, 1992.



*Deborah L. Lujan*  
Notary Public in and for  
the State of Texas

My Commission Expires:

*June 17, 1995*



NKD10403

92071 0627

-2-

*EXHIBIT "A" 2 of 5*

DRAINAGE EASEMENT  
THE ROSEWOOD CORPORATION  
TRACT 9-2

BEING a tract of land out of the ONOFRE ALVARADO SURVEY, Abstract No. 2, City of Garland, Dallas County, Texas and being part of a 5.00 acre tract of land conveyed to THE ROSEWOOD CORPORATION by deed recorded in Volume 84054, Page 1922, Deed Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at a point in the northeast right-of-way line of Apollo Road (60' ROW) for the west corner of the beforementioned 5.00 acre tract of land and for the south corner of the GARLAND TRAIL APARTMENTS NO. 2, an addition to the City of Garland, Dallas County, Texas according to the plat thereof recorded in Volume 83101, Page 3231, Deed Records of Dallas County, Texas;

THENCE along the southeast line said addition, North 45° 00' 00" East, a distance of 50.00 feet to a point for corner;

THENCE South 45° 00' 00" East, a distance of 20.00 feet to a point for corner;

THENCE South 03° 34' 54" West, a distance of 45.33 feet to a point for corner;

THENCE South 45° 00' 00" West, a distance of 15.00 feet to a point in the said northeast right-of-way line of Apollo Road;

THENCE along said northeast right-of-way line, North 46° 09' 06" West, a distance of 50.00 feet to the POINT OF BEGINNING and containing 0.045 acres of land.

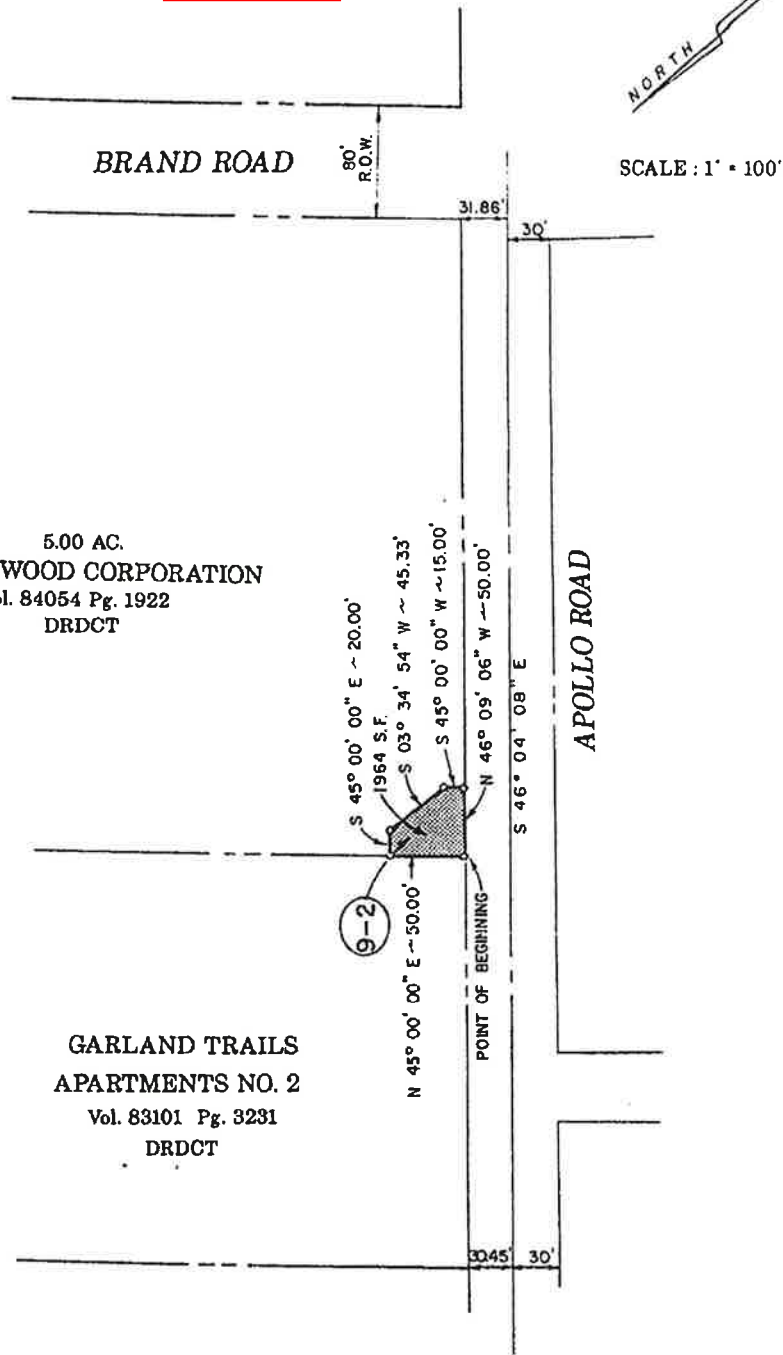
92071 0628

EXHIBIT "A" 3 of 5

EXHIBIT 'A'

5.00 AC.  
THE ROSEWOOD CORPORATION  
Vol. 84054 Pg. 1922  
DRDCT

GARLAND TRAILS  
APARTMENTS NO. 2  
Vol. 83101 Pg. 3231  
DRDCT



92071 0629

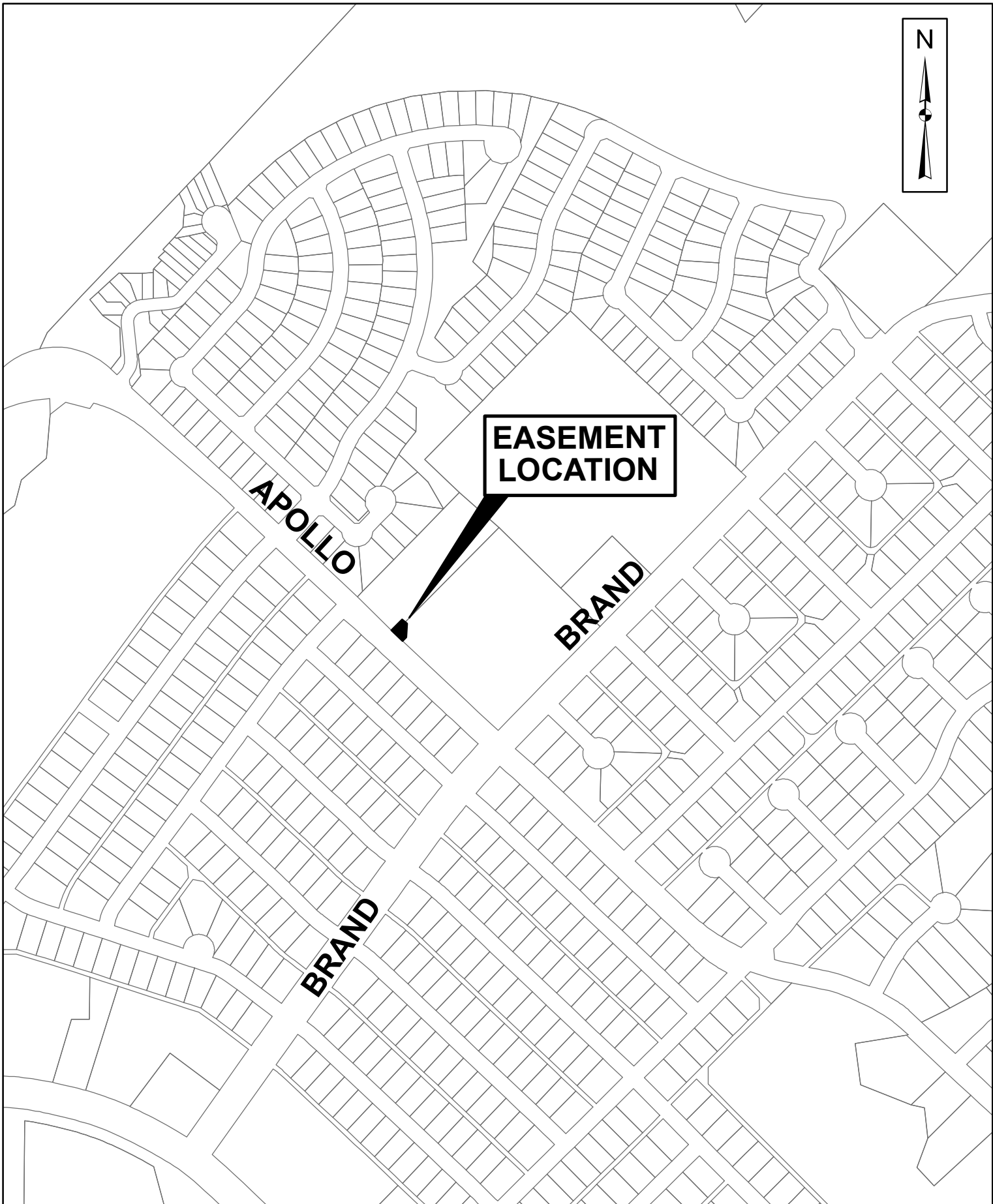
EXHIBIT "A" 4 of 5

FILED  
Eugene B. Bland  
COUNTY CLERK  
1992 APR -8 AM 10:28

COUNTY CLERK, Dallas County, Texas  
Eugene B. Bland  
APR 10 1992  
STATE OF TEXAS  
COUNTY OF DALLAS  
I hereby certify that the within and foregoing instrument was duly recorded in the public records of this county on the date and time hereon stated, and that the same is a true and correct copy of the original as the same appears of record in the public records of this county.

RETURN TO:  
CITY OF GARLAND  
ENGINEERING DEPT.  
P.O. BOX 469002  
GARLAND, TEXAS 75046-9002

92071 0630 EXHIBIT "A" 50P5



**GARLAND**  
ENGINEERING

**LOCATION MAP  
EASEMENT ABANDONMENT**

Scale: 1"=400'

File: Fulton.mxd

Date: 06/25/2015

Drawn: GAV

**SHEET**  
1  
OF  
1



**Meeting: Work Session**

**Date: July 6, 2015**

# **Policy Report**

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## **SALE OF CITY PROPERTY – 826 BEVERLY DRIVE TO SUFI PROPERTIES, INC.**

### **ISSUE**

Consider the sale of residential property at 826 Beverly Drive, in the City of Garland to Sufi Properties, Inc. for \$20,226.58

### **OPTIONS**

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

### **RECOMMENDATION**

Sell the subject property to Sufi Properties, Inc. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the July 21, 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 March 4, 2014, the residential property located at 826 Beverly Drive, was struck off to the City of Garland pursuant to delinquent tax suit No. TX11-30135, Consolidated with TX11-40404, Dallas County, et al vs. Custom Single Ply Roofing, Inc., et al. The property was struck for a total Judgment of \$42,140.00. The appraisal district's fair market value for the property is \$42,140.00. Sufi Properties, Inc. has offered to purchase this property for \$20,226.58.

### **CONSIDERATION**

Because the purchase price is less than either the Judgment amount of taxes and court costs, \$42,140.00, or the market value as stated in the judgment, \$42,140.00, 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 \$9,998.97 to be distributed to the City of Garland, Garland ISD, and Dallas County based on the pro rata percentages of the total judgment for taxes. Garland will receive \$2,337.07, with \$5,605.19 distributed to GISD and \$2,056.71 distributed to Dallas County.

Total Distribution:

Court Costs	\$ 5,672.84
City of Garland	\$ 3,837.07
GISD	\$ 5,605.19
Dallas County	\$ 2,056.71
City of Garland Post-Judgment Taxes	\$ 842.40
<u>GISD/Dallas County Post-Judgment</u>	<u>\$ 2,212.37</u>
<u>Taxes</u>	<u>\$ 20,226.58</u>

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

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

The City Attorney's Office has reviewed this information.

## ATTACHMENTS

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

Submitted By:

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

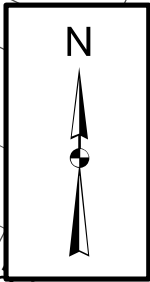
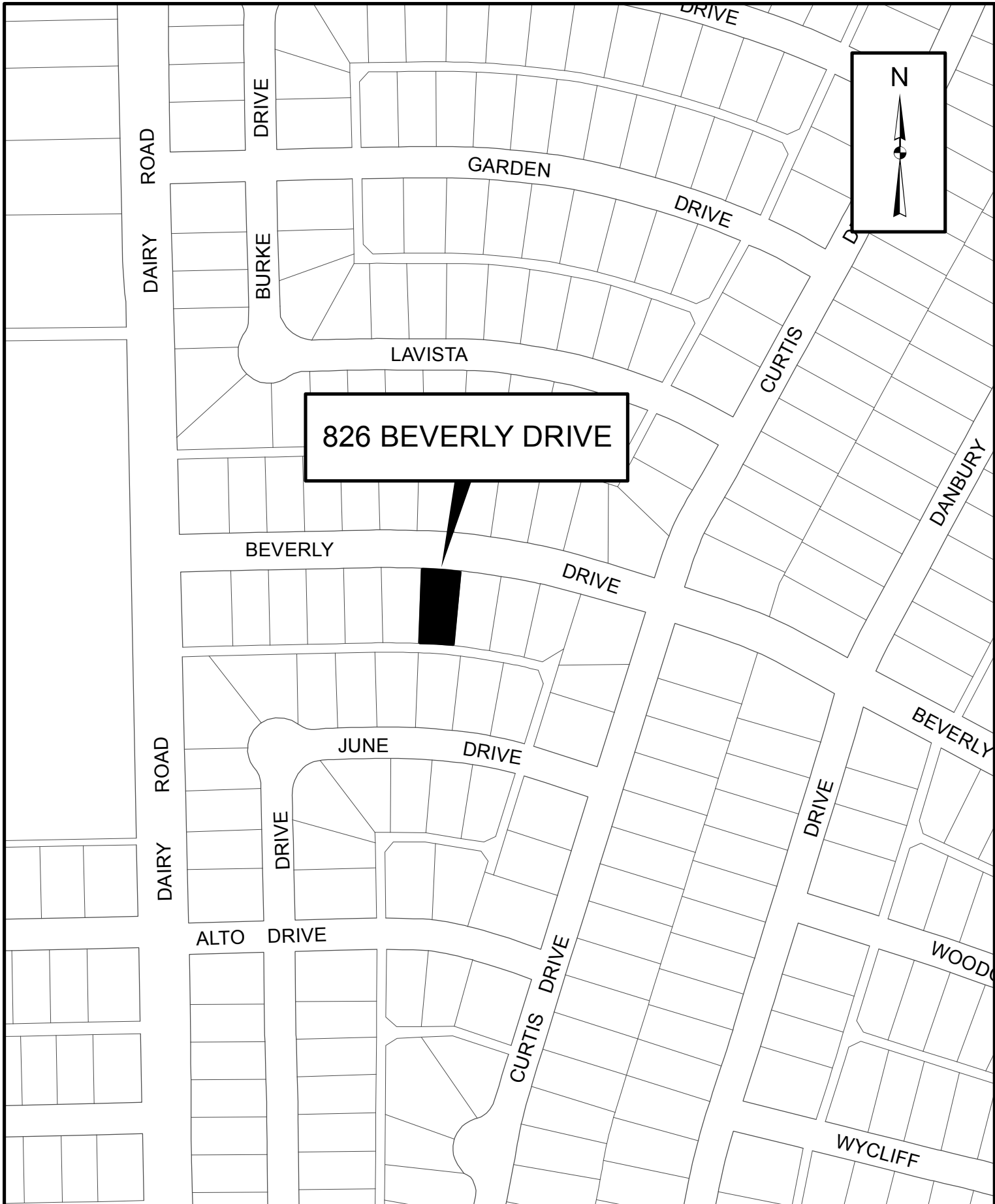
Date: July 6, 2015

Approved By:

Brian L. Bradford  
City Manager

Date: July 6, 2015





826 BEVERLY DRIVE

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  
ERIN MINETT  
DUSTIN L. BANKS  
M. SHANNON KACKLEY  
JOHN RAPIER  
JAMES W. WILSON

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

June 17, 2015

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

Via electronic-mail

Re: Offer by Sufi Properties, Inc. to purchase 826 Beverly Drive, Garland, Texas

Dear Mr. Worsham:

The above referenced property was struck off to the City of Garland on March 4, 2014 at a Sheriff's Sale pursuant to delinquent tax suit No. TX11-30135 Consolidated with TX11-40404, Dallas County, et al vs. Custom Single Ply Roofing, Inc., et al. The property was struck off for the total amount of the Judgment, \$42,140.00. Sufi Properties, Inc. has offered to purchase this property for \$20,226.58. The property is currently assessed by the Dallas Central Appraisal District at \$42,140.00.

The costs and distribution of net proceeds are:

Court Costs		\$5,672.84
Sheriff's Costs of Sale		\$2,690.39
Publication Fees		\$364.38
Net Court Costs and Costs of Sale		<u>\$8,727.61</u>
Personnel and Overhead		<u>\$1,500.00</u>
Total City Reimbursement		<u>\$1,500.00</u>
City of Garland	23.4%	\$2,337.07
Garland ISD	56.0%	\$5,605.19
Dallas County	20.6%	<u>\$2,056.71</u>
Total Tax Distribution		<u>\$9,998.97</u>
Net Court Costs and Costs of Sale		\$8,727.61
Total City Reimbursement		\$1,500.00
Total Tax Distribution		<u>\$9,998.97</u>
Total Sale Price		<u>\$20,226.58</u>

C. Worsham  
June 17, 2015  
Page Two

Please note that as a part of this transaction, all post-judgment taxes for the years 2012-2014 will be paid at closing exclusive of the above amounts. The total amount of post-judgment taxes will be approximately \$3,773.42 of which the City of Garland will receive approximately \$1,040.58.

Because the purchase price is less than either the Judgment amount of taxes and court costs, \$42,140.00, or the market value as stated in the judgment, \$42,140.00, 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 Sufi Properties, Inc. 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 #:	26362500040190000
Property address:	826 Beverly Drive
Cause No.:	TX11-30135 Consolidated with TX11-40404
Judgment Date:	April 4, 2012
Sheriff's Sale Date:	March 4, 2014
Judgment amount:	GISD 1994-2011 taxes \$31,103.35 (56.0%)
	City 1994-2011 taxes \$12,968.44 (23.4%)
	County 1992-2011 taxes \$11,412.72 (20.6%)
Total Judgment for Taxes:	\$55,484.51
Court costs:	\$5,672.84
Sheriff's fees for sale:	\$2,690.39
Publication fees for sheriff's sale, paid by Gay & McCall:	\$364.38
Total Costs:	\$8,727.61

**Checks to be disbursed as follows:**

<b>1.</b>	<b>Dallas County District Clerk</b>	<b>\$5,672.84</b>
<b>2.</b>	<b>Dallas County Sheriff</b>	<b>\$2,690.39</b>
<b>3.</b>	<b>Gay, McCall, Isaacks, Gordon &amp; Roberts</b>	<b>\$364.38</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>\$2,337.07</b>
<b>6.</b>	<b>Garland ISD (Pro-rata Judgment tax year distribution)</b>	<b>\$5,605.19</b>
<b>7.</b>	<b>John Ames, Dallas County Tax Assessor (Pro-rata Judgment tax year distribution)</b>	<b>\$2,056.71</b>
	<b>TOTAL</b>	<b>\$20,226.58</b>

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

**COURT ORDER  
2015-0837**



Resale of Tax Foreclosed Property at 826 Beverly Drive, Garland, Texas - Consent to City of Garland

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

BRIEFING DATE: 6/9/2015  
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 826 Beverly Drive, Garland, Texas, to Sufi Properties, Inc. for \$20,226.58, subject to the prior owners' remaining right of redemption, if any, in compliance with 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 June 16, 2015, 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 826 BEVERLY DRIVE, GARLAND, TEXAS, BY PUBLIC OR PRIVATE SALE, AS PROVIDED BY SECTION 34.05 OF THE TEXAS PROPERTY TAX CODE**

**WHEREAS**, pursuant to a delinquent tax collection lawsuit and tax foreclosure sale, the property located at 826 Beverly Drive, Garland, Texas, ("The Property") was struck off to the City of Garland on its own behalf and as Trustee for the Garland Independent School District and Dallas County, pursuant to Section 34.01(j) of the Property Tax Code, and

**WHEREAS**, Garland Independent School District desires to resell The Property pursuant to Section 34.05 of the Property Tax Code for an amount not less than \$11,311.42, 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 826 Beverly Drive, Garland, Texas, more fully described in Exhibit "A," attached hereto and made a part hereof, and the Board of Trustees for Garland Independent School District does hereby consent to the sale of 826 Beverly Drive, Garland, Texas for an amount not less than \$11,311.42 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 26th day of May, 2015, by the  
Board of Trustees for the Garland Independent School District.

GARLAND INDEPENDENT SCHOOL DISTRICT

By: \_\_\_\_\_

President, Board of Trustees

ATTEST:

Linda L. Briff

Secretary, Board of Trustees  
Garland Independent School District

EXHIBIT A

BEING LOT 19, BLOCK 4, MONICA PARK HEIGHTS ADDITION NO. 2, AN ADDITION TO THE CITY OF GARLAND, DALLAS COUNTY, TEXAS ACCORDING TO THE DEED THEREOF RECORDED IN VOLUME 89083, PAGE 995 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS, AKA 826 BEVERLY DRIVE



**Sheriff's Deed**

030414-32

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

**KNOW ALL MEN BY THESE PRESENTS:**



201400098025

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 134<sup>th</sup> Judicial District Court, Dallas County, State of Texas, on 18<sup>th</sup> day of December, A. D. 2013 in and for Dallas County, Styled DALLAS COUNTY,ET AL, Plaintiff -versus- CUSTOM SINGLE PLY ROOFING,INC.,ET AL, Case No.TX-11-30135 Consolidated W/TX-11-40404. On a certain judgment and Decree of Foreclosure rendered on the 4<sup>th</sup> day of April, A.D. 2012, 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 14<sup>th</sup> day of January, A.D.,2014, 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 Custom Single Ply Roofings, Inc., Raul Garcia (In Rem Only), Bettina Garcia (In Rem Only), Defendant(s) and on the 1<sup>st</sup> Tuesday in March, A.D. 2014 it being the 4<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 its behalf and Trustee for Dallas County, Garland ISD, for the sum of \$42,140.00Dollars 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 \$42,140.00 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 Dallas County, Garland ISD, all of the estate, right, title and interest which the said **Defendant** had on the 4<sup>th</sup> day of April, A.D.2012 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:

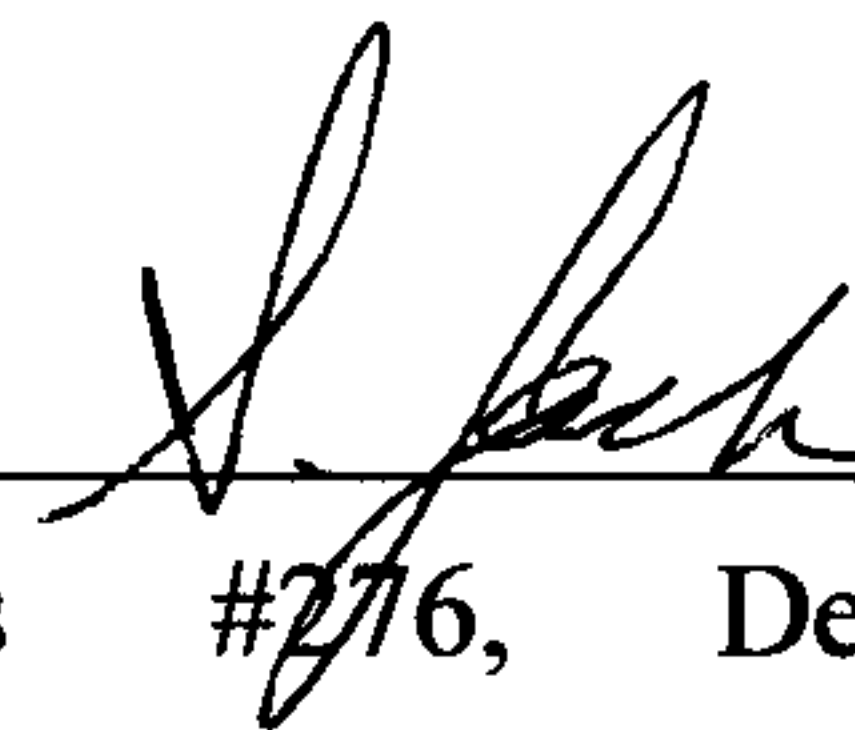
**PROPERTY ADDRESS: 826 BEVERLY DRIVE, GARLAND, DALLAS COUNTY,TEXAS. ACCT. NO. 26362500040190000; LOT 19 OF MONICA PARK HEIGHTS NO. 2 ADDITION SITUATED IN CITY BLOCK 4 IN THE CITY OF GARLAND, DALLAS COUNTY,TEXAS AS SHOWN BY DEED RECORDED IN VOLUME 89083 PAGE 995 OF THE DEED RECORDS OF DALLAS COUNTY,TEXAS AND MORE COMMONLY ADDRESSED AS 826 BEVERLY DRIVE, DALLAS,**



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 6<sup>th</sup> day of March, A.D. 2014.

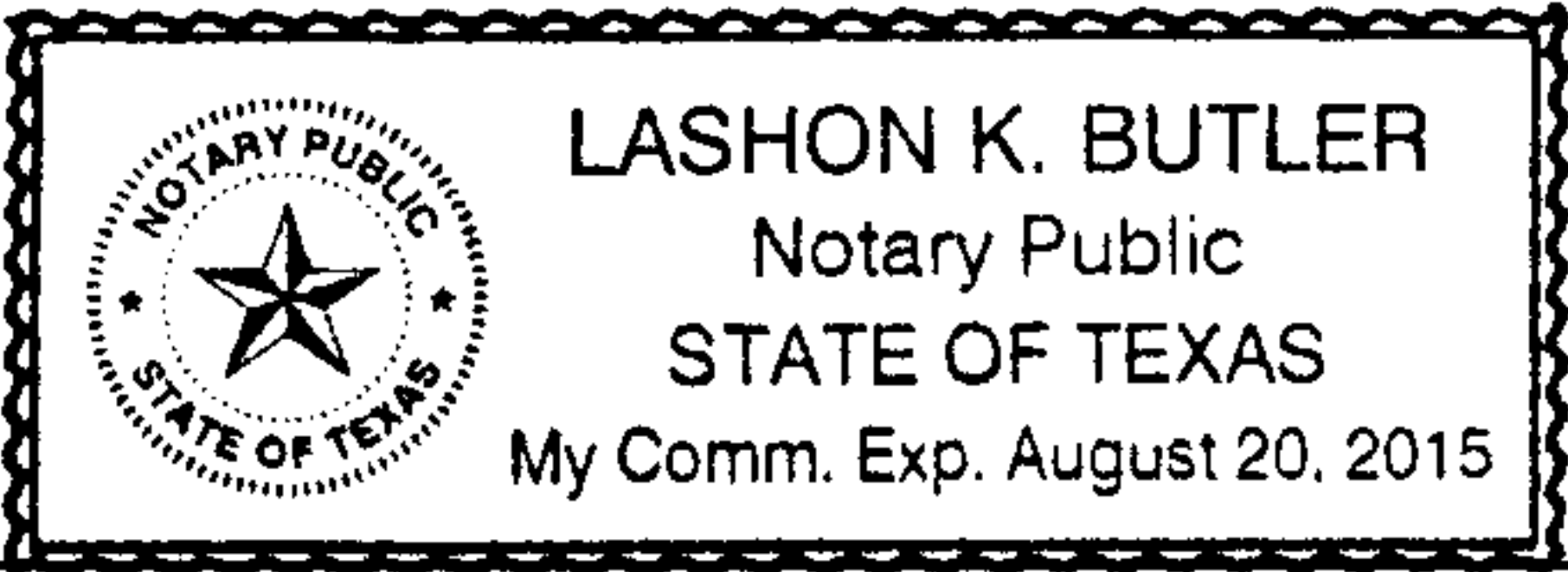
LUPE VALDEZ, SHERIFF,  
DALLAS, COUNTY, TEXAS

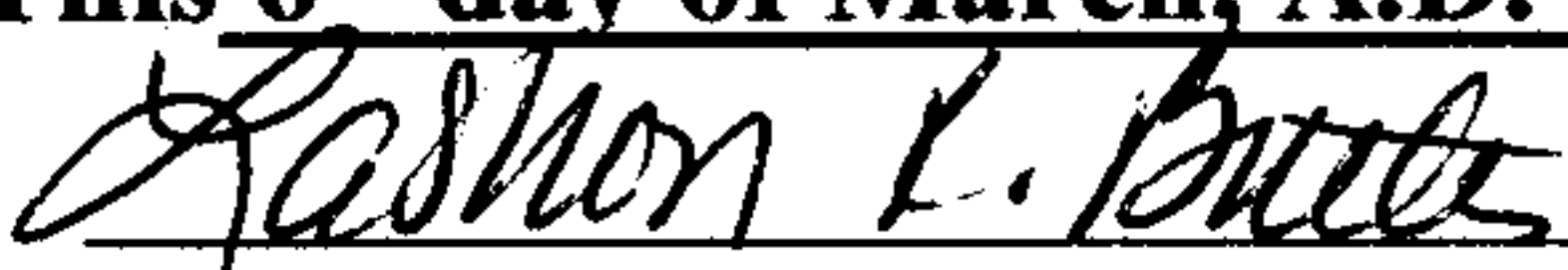
by  #276, Deputy S. Jackson #297  
Deputy Tim Davis #276, Deputy S. Jackson #297

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 6<sup>th</sup> day of March, A.D. 2014.



  
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. 2014, at \_\_\_\_\_ o'clock \_\_\_\_ M, and duly recorded the \_\_\_\_\_ day of \_\_\_\_\_ A.D., 2014, in Volume \_\_\_\_\_, Page \_\_\_\_\_ of the Records of Deeds, etc., of said County.

WITNESS MY HAND AND OFFICIAL SEAL This \_\_\_\_\_ of \_\_\_\_\_ A.D.2014.

Filed and Recorded  
Official Public Records  
John F. Warren, County Clerk  
Dallas County, TEXAS  
04/22/2014 02:25:22 PM  
\$30.00





201400098025

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

Send This Deed To: City of Garland



# **Policy Report**

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## **APPOINTMENT OF A PAYING AGENT AND REGISTRAR**

### **ISSUE**

Consider appointment of a new Paying Agent and Registrar for all bonded debt.

### **OPTIONS**

1. Authorize staff to execute documents to appoint a new paying agent and registrar.
2. Continue using incumbent paying agent.

### **RECOMMENDATION**

Unless otherwise directed by Council, this item will be scheduled for formal consideration at the July 21, 2015 Regular Meeting.

### **COUNCIL GOAL**

Financially Stable City Government – approval of this recommendation will produce modest savings in paying agent and registrar fees and will enhance the level of customer service.

### **BACKGROUND**

Bank of New York Mellon currently serves as Paying Agent and Registrar for all of the outstanding bonded debt of the City. When Council periodically sells debt, a paying agent and registrar is assigned. Norton Rose Fulbright, the City's bond counsel, has advised staff that the appointment of a new paying agent and registrar must be authorized by Council.

### **CONSIDERATION**

Staff has selected Amegy Bank National Association to be the successor paying agent and registrar for the City's bonded debt. An annual reduction in fees of approximately \$7,000 will be realized with the appointment of Amegy as paying agent and registrar.

### **ATTACHMENT(S)**

APPOINTMENT OF A PAYING AGENT AND REGISTRAR

Page 2

None.

Submitted By:

Approved By:

David Schuler  
Chief Financial Officer

Bryan L. Bradford  
City Manager

Date: July 6, 2015

Date: July 6, 2015



# City Council Item Summary Sheet

☒ **Work Session**

**Date:** July 6, 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
  - IH-30
- 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:**

**Bryan L. Bradford**  
**City Manager**



# City Council Item Summary Sheet

☒ **Work Session**

**Date:** July 6, 2015

☐ **Agenda Item**

## **Resolution Supporting the IH-635 East Legislative Delegation's Efforts**

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

At the request of Councilmembers Stephen W. Stanley and B.J. Williams, Council is requested to approve a resolution of the City of Garland supporting the IH-635 East Legislative Delegation's efforts regarding the development of IH-635 East and noise walls along the corridor.

This item will be scheduled for formal consideration at the July 7, 2015 Regular Meeting.

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

Council discussion.

**Submitted By:**

**Approved By:**

**Bryan L. Bradford  
City Manager**

**RESOLUTION NO.**

**A RESOLUTION OF THE CITY OF GARLAND SUPPORTING THE IH-635 EAST LEGISLATIVE DELEGATION'S EFFORTS REGARDING THE DEVELOPMENT OF IH-635 EAST AND NOISE WALLS ALONG THE CORRIDOR; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Council of the City of Garland, Texas, has adopted resolutions supporting the development of the IH-635 East project (Res. No. 10152 and Res. No. 10201) and continues its support of the project;

**WHEREAS**, the IH-635 East Legislative Delegation was created to develop the IH-635 East project with the specific goal to have the project procured before the beginning of the 85th Legislative Session;

**WHEREAS**, the IH-635 East Legislative Delegation consists of ten members from the Dallas County Legislative Delegation:

Senator Bob Hall

Senator Don Huffines

Senator Van Taylor

Representative Cindy Burkett

Representative Angie Chen Button

Representative Eric Johnson

Representative Linda Koop

Representative Morgan Meyer

Representative Kenneth Sheets

Representative Jason Villalba

**WHEREAS**, the IH-635 East Legislative Delegation held its first meeting on June 16, 2015, in the City of Garland, at Richland College - Garland Campus and will have additional monthly meetings through the end of 2015;

**WHEREAS**, the IH-635 East Legislative Delegation discussed the need for the development of the eight additional noise walls along the IH-635 East corridor and urged TxDOT and the Regional Transportation Council (RTC) to develop the additional noise walls;

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

**Section 1**

That the City Council:

(1) Wholly supports the efforts and goals of the IH-635 East Legislative Delegation and will eagerly assist the delegation as requested for its duration;

(2) Wholly supports the accelerated development of the noise walls along the IH-635 East corridor as necessitated in the 2003 environmental approval, and commends the IH-635 East Legislative Delegation for its vision and foresight to have the noise walls constructed;

(3) Encourages the Regional Transportation Council and TxDOT to find the necessary funds to have the noise walls constructed along the corridor - specifically in Dallas and Mesquite - in order to improve the quality of life of the residents living along the corridor.

**Section 2**

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

**PASSED AND APPROVED** this the \_\_\_\_\_ day of July, 2014.

**CITY OF GARLAND, TEXAS**

Mayor

**ATTEST:**

City Secretary





# City Council Item Summary Sheet

☒ **Work Session**

**Date:** July 6, 2015

☐ **Agenda Item**

## 2015 Animal Services Performance Evaluation

### Summary of Request/Problem

At the request of Councilmembers B. J. Williams and Scott LeMay, a representative from Strategic Government Resources will present the findings of the 2015 Animal Services Performance Evaluation.

### Recommendation/Action Requested and Justification

Council discussion.

**Submitted By:**

**Richard Briley  
Managing Director of Health &  
Code Compliance**

**Approved By:**

**Bryan L. Bradford  
City Manager**

# City of Garland, Texas Animal Services Performance Assessment

July 2015



Strategic Government Resources

# City of Garland Animal Services Performance Assessment

- Performed by Strategic Government Resources
- Begun on February 23, 2015
- Field work completed on April 14, 2015
- Primary investigator was Pat Fowler
- Garland Animal Services (GAS) was benchmarked against 9 other municipal animal services programs



# Thanks to:

- Richard Briley
- Jason Chessher
- Uriel Villalpando



# Scope of this Evaluation

- Staffing
- Budget
- Revenue
- Policies
- Infrastructure
- Software
- Performance measures
- Euthanasia procedures
- Collaboration with Animal Welfare groups
- Compliance with laws
- Fee comparison
- Adoptions
- Live release rate
- Efficacy of Pet Adoption Center
- Workload
- Efficacy of Rescue Coordinator Position





# Facts about Garland Animal Services

- GAS is administratively situated in the Health Department
- 20 FT and 1 PT employees
- Annual budget of \$1,602,946
- Estimated dog population is 47,206
- Estimated cat population is 51,605
- Garland's animal shelter has 13,400 sq., with 65 dog kennels and 12 cat cages



# Comparison Cities

- Arlington
- Carrollton
- Dallas
- Fort Worth
- Grand Prairie
- Irving
- Mesquite
- Plano
- Richardson

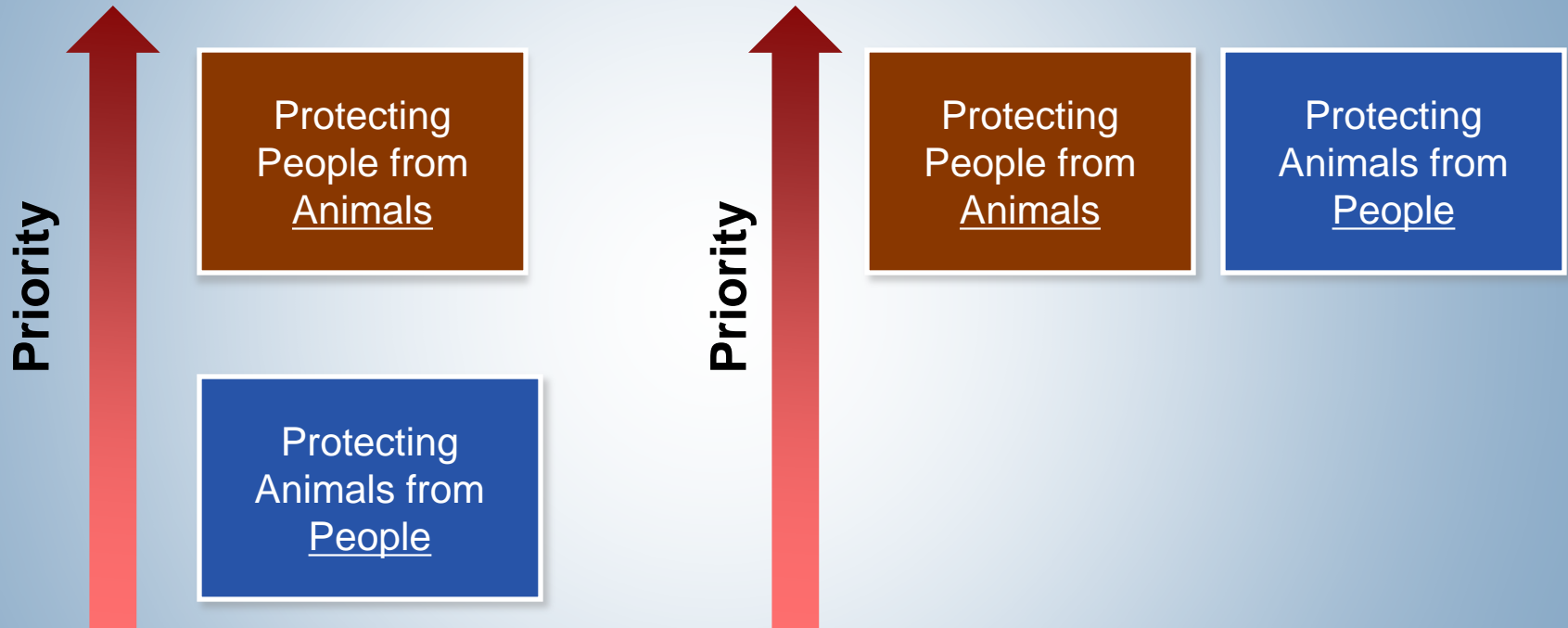


# Changing Animal Services Priorities

STRATEGIC GOVERNMENT RESOURCES

1990's

2015





# Observed Strengths

- Impressive philosophy valuing life of each animal
- High performance customer service ethic
- Effective relationships with animal welfare organizations
- Shelter is clean, sanitary, and odor-free
- Public safety function (protecting people from animals) is well developed and obvious
- GAS is compliant with all applicable laws & regulations



# Observed Strengths

- Efficient and effective software is in use
- GAS's manager has extensive knowledge of all aspects related to Animal Services
- Live Release Rate of 66% constitutes a major improvement from previous years and is commendable
- City Vet adds credibility
- Policies and procedures are well-written and easily understood
- Staff members appear motivated and productive
- Excellent cohesion among field, shelter, & veterinary staff



# Findings & Recommendations



Findings		Recommendations
1	Inadequate weekend staffing levels	Add 0.5 FTE's in shelter
2	Lack of Tandem Teams in euthanasia	Institute mandatory Tandem Team approach
3	Euthanasia log lacks key data fields	Add additional data fields as recommended
4	Inadequate landscape maintenance	Ensure consistent upkeep of landscaping



Findings		Recommendations
5	Unique ID numbers not attached to animals	Implement system collars with unique IDs
6	Lack of tracking animal bites in annual report	Add metric of tracking animal bites to annual report
7	Lack of volunteer bottle feeders for un-weaned puppies and kittens	Seek volunteers who will bottle feed
8	GAS employees need customer service training designed for law enforcement personnel	Offer customer service training designed for law enforcement personnel



Findings		Recommendations
9	Lack of education tool for bite victims	Create brochure for bite victims and their families
10	Lack of policy on tranquilizing animals in the field (darting)	Write a policy on animal tranquilizing and get training
11	Inadequate staffing on weekends to cover heavy field call load	Add 1 ASO to assist with weekend calls
12	Inadequate infrastructure (inadequate shelter facility)	As soon as possible construct a new state of the industry shelter



Findings		Recommendations
13	Inadequate management incoming calls for service (i.e. use of Water Dispatch personnel)	Evaluate feasibility of answering all calls using GAS personnel at animal shelter
14	Animal Service Advisory Committee agenda topics exceeds ordinance authority	Revise ordinance to allow ASAC to consider relevant topics
15	Citizens can't register pets online	Develop and go live with online pet registration

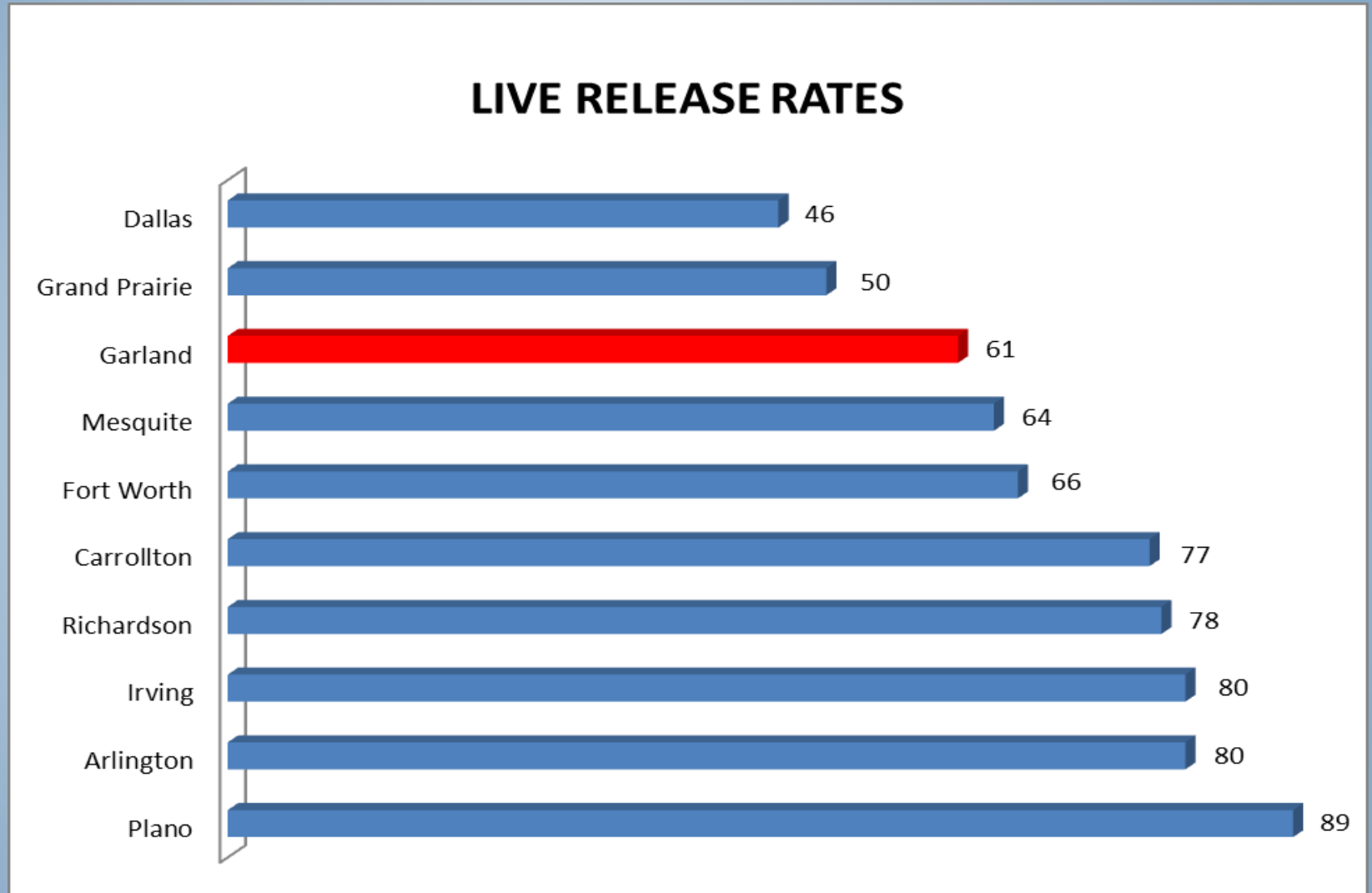


Findings		Recommendations
16	Consistently poor compliance with pet registration law	a. Take actions to increase % of pets registered  a. Delete requirement
17	Lack of policy/procedure to deal with injured pets found by ASO's	Create and implement injured dog/cat policy and train ASO's on policy
18	Dangerous dog section of animal ordinance needs rewrite	Perform a complete re-write of this section



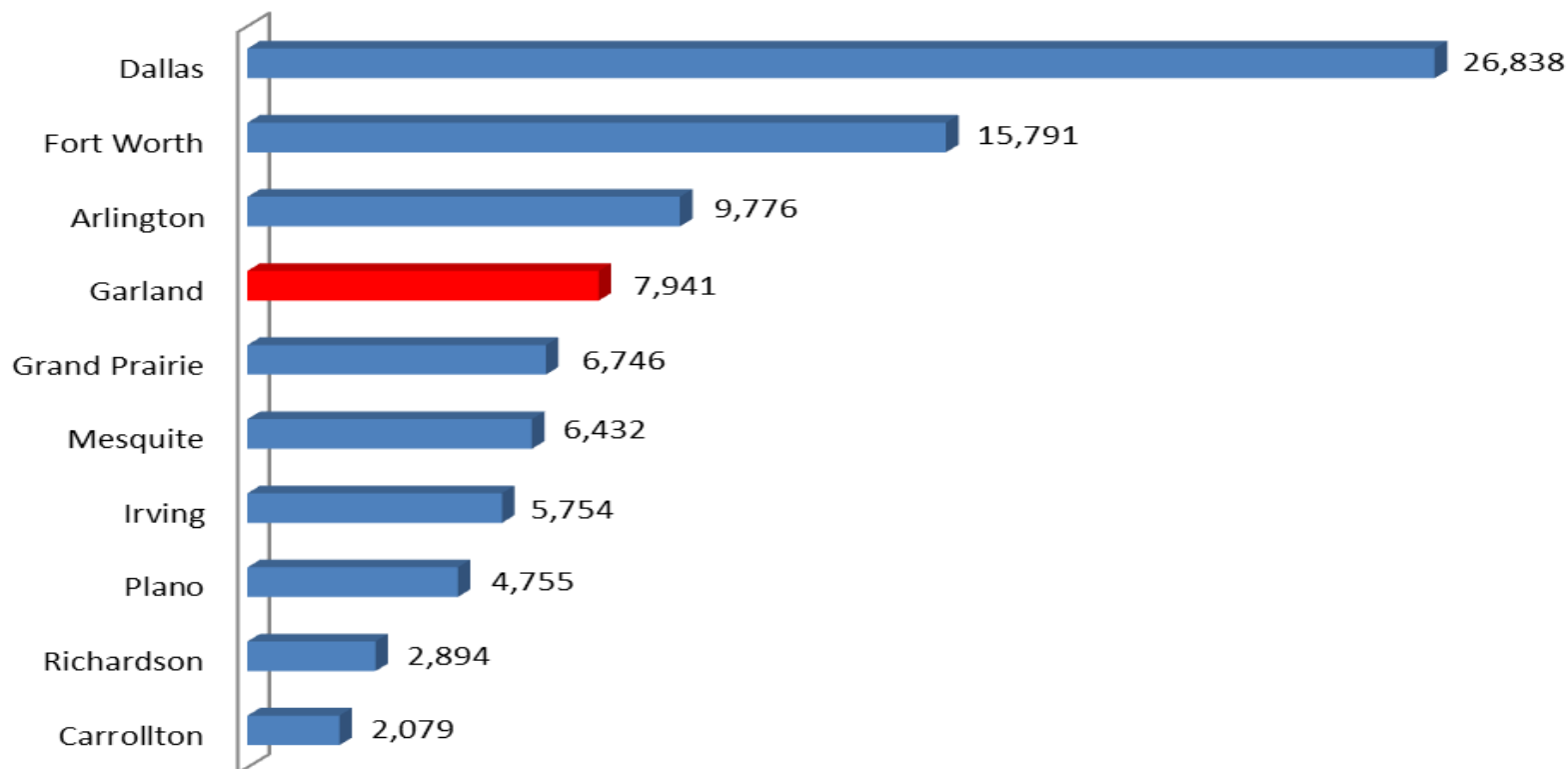


# Live Release Rates



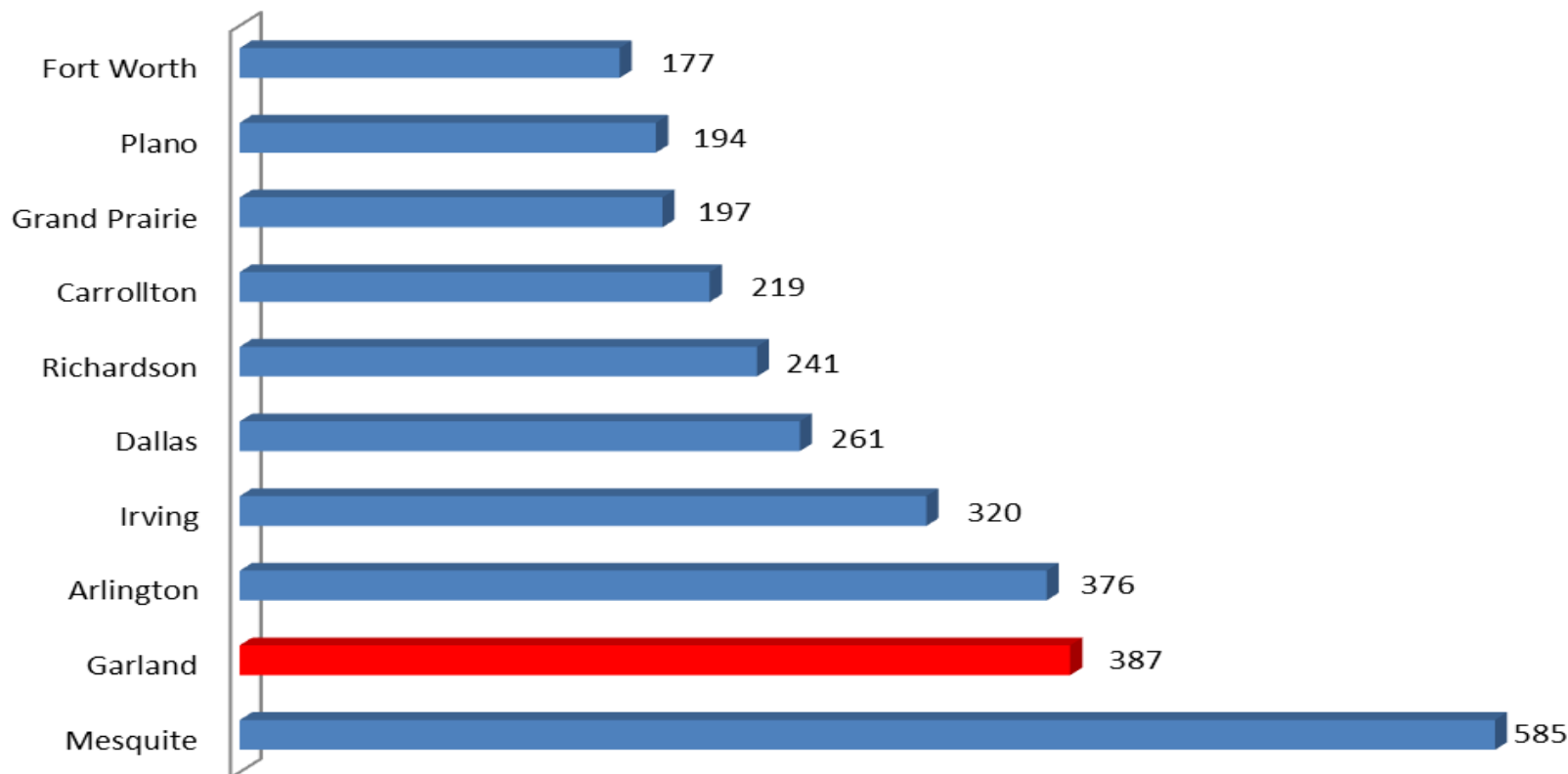
# Dog and Cat Intake by City

## YEARLY DOG AND CAT INTAKE BY CITY



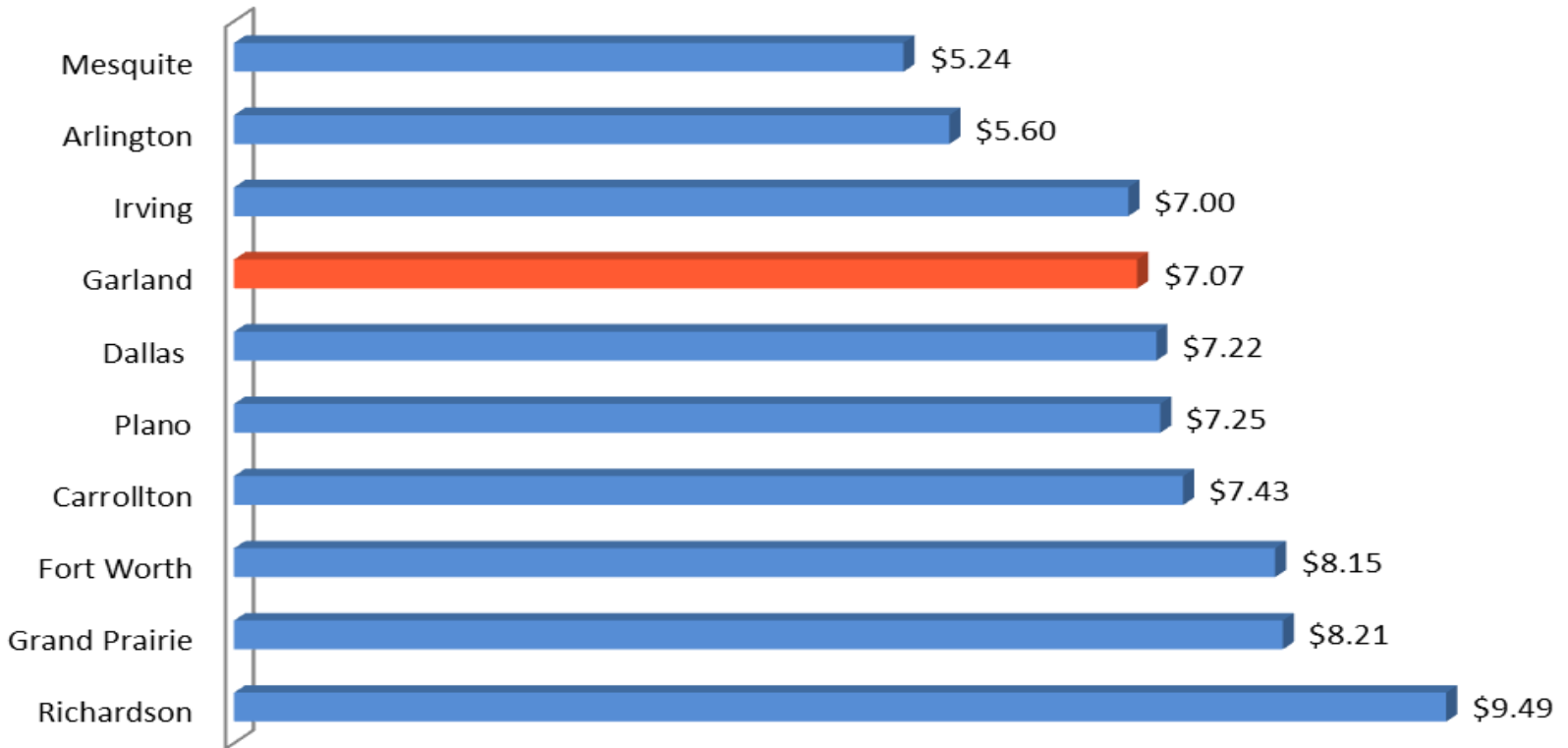
# Productivity of Animal Services Employees

## ANIMALS MANAGED EACH YEAR PER FTE



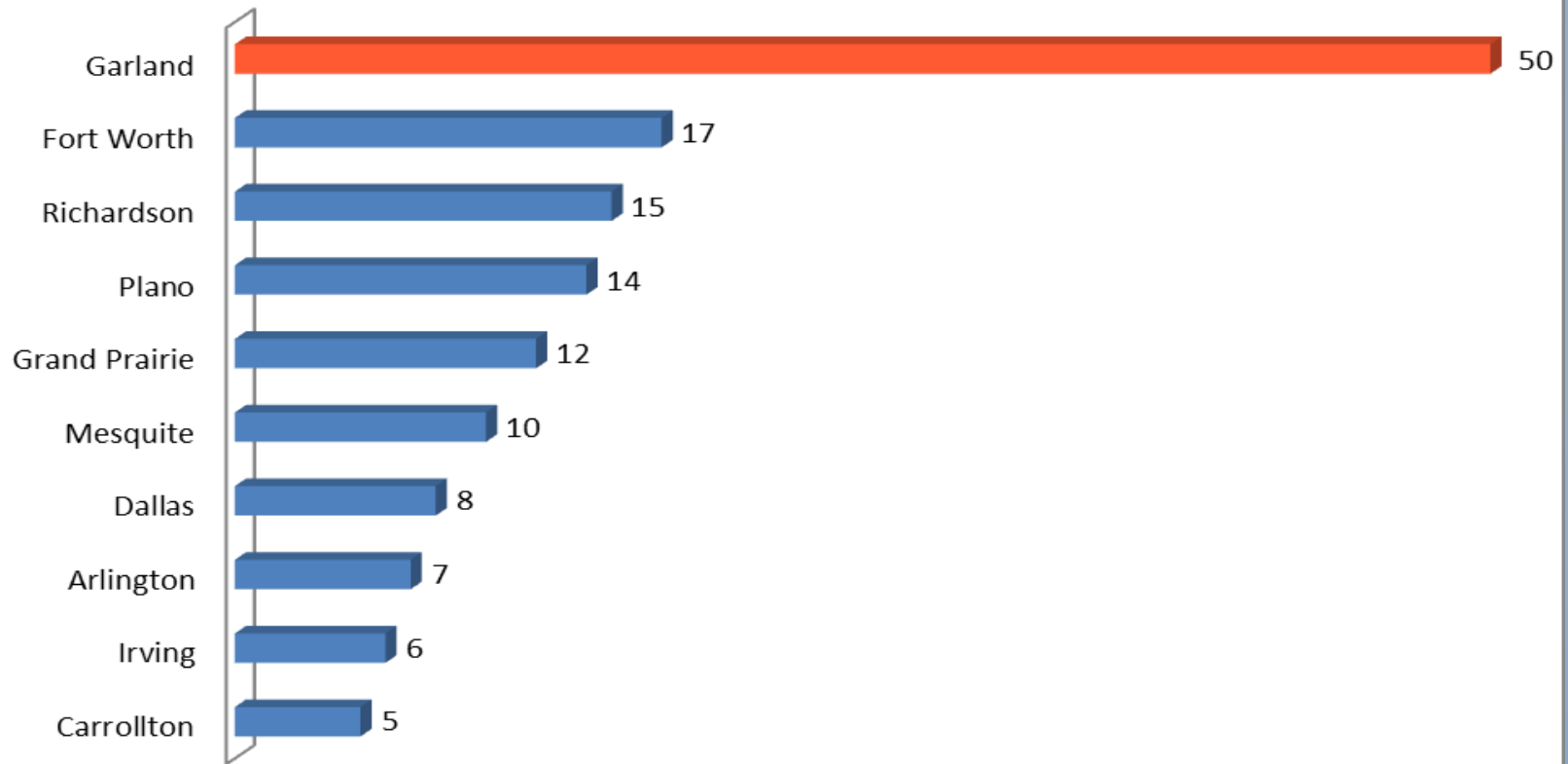
# City Expenditures in Dollars Per Capita

## CITY EXPENDITURES FOR ANIMAL SERVICES IN DOLLARS/CAPITA



# Age of Shelters in Benchmarked Cities

## AGE OF SHELTER (Since Year of Construction)



# “The Bottom Line”

- GAS employees are dedicated, humane, and caring
- There is a staff shortage on weekends (the addition of 1.5 FTE's is recommended)
- Very high level of collaboration with animal welfare organizations
- Inadequate infrastructure



# “The Bottom Line”

- User fees are in line with benchmarked cities
- A Tandem Team method of euthanasia should be adhered to at all times
- The euthanasia log needs to be revised to reduce the possibility of human errors
- GAS has probably reached an upper plateau in its LRR due to the inadequate shelter capacity



# “The Bottom Line”

- For the most part, the ordinance is up-to-date and inclusive of important provisions
- GAS needs a completely re-written ordinance section for Dangerous Dogs
- The current system of incoming phone calls answered by another department is confusing for citizens and should be evaluated for alternatives





## Closing Thoughts

- Even a single mistake can be devastating.
- In the last approximately 10 years, there has been a fundamental paradigm shift in the culture of GAS employees. The life, health, and outcome of every animal entering the shelter is now of paramount importance to every GAS employee.



# Thank You





# City Council Item Summary Sheet

☒ **Work Session**

**Date:** July 6, 2015

☐ **Agenda Item**

## Internal Audit Committee Report

### Summary of Request/Problem

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

- Economic Development Agreement monitoring
- Big Bass Wrecker Contract Compliance Audit
- City Secretary Processes and Procedures Audit
- Utility Contract Investigation follow-up
- A/P Vendor Master File Audit follow-up
- Municipal Court System Access Right follow-up

### Recommendation/Action Requested and Justification

Council discussion.

**Submitted By:**

**Approved By:**

**Bryan L. Bradford**  
**City Manager**



# City Council Item Summary Sheet

☒ Work Session

Date: July 6, 2015

☐ Agenda Item

## Administrative Services Committee Report

### Summary of Request/Problem

Mayor Pro Tem Jim Cahill, chair of the Administrative Services Committee, will provide a committee report on the Council Policies rewrite 2015.

### Recommendation/Action Requested and Justification

Council discussion.

Submitted By:

Approved By:

Bryan L. Bradford  
City Manager

# **COMMITTEE REPORT**

## **A Committee Report from the Administrative Services Committee**

**Mayor Pro Tem Jim Cahill, Chair  
Councilmember B.J. Williams  
Councilmember Billy Mack Williams**

## **COUNCIL POLICIES RE-WRITE July 6, 2015**

Some years ago, the City Council assigned to the Administrative Services Committee the task of reviewing each of the 70-plus existing, written city council policies and offering the Committee's recommendations on revising, updating, retaining or removing those policies in light of current operating procedures, law, and practices. The Committee is pleased to provide the City Council with those recommendations in the form attached to this report.

Two factors provided the major impetus for the work undertaken by the Committee. First, was the simple fact that no comprehensive review of the existing policies had been undertaken in many years, if ever. Some of the current policies have been in place and unrevised for over 30 years. No current procedure exists that requires any policy – old or new – to be occasionally reviewed to determine whether the policy is (1) still relevant and (2) reflective of actual, current operational reality. Second, what city councils over the years have traditionally referred and deferred to as “council policies” are not necessarily the policies of the current City Council. A policy adopted 20 years ago is presumably an accurate reflection of the policy in effect at the time it was adopted. But there is no mechanism currently in place to ensure that council policies adopted by another city council years ago are the policies of the current City Council.

The Committee concurs with the recommendation of the City Attorney that the mechanism needed to address both of the issues described above is a scheme of annual adoption of council policies. To that end, the Committee recommends that council policies be incorporated into and become a part of a comprehensive procedures and policy “manual”. The City Charter already requires the City Council to annually adopt rules of order and procedure. Traditionally, the City Council has done so around August of each year, which provides sufficient time for a newly-elected member of the City Council to become familiar existing rules of order and procedure and a chance for all members to review those rules and procedures and to offer proposed amendments when the annual renewal date arrives. There is no reason that council policies could not be handled in the same manner, thereby assuring that, whatever rules, procedures, and policies are approved, they are the actual rules, procedures, and policies of the sitting council.

You will see that the Committee recommends abandoning the form and format that has been traditionally used for council policies. As best as can be determined, it appears that the “council policy” form was created in pre-word processing/pre-copier days. The pre-printed, standard form was apparently meant to be inserted into a type-writer and completed manually. The existing policies even contain a “policy on policies” that dictates the use of the current form and format. That policy required every policy to contain a lot of unnecessary verbiage. We can see no good purpose in retaining either the current form and formatting or the “policy on policies”. As mentioned above, if the City Council agrees on the substance of the policies, they will be numbered appropriately and incorporated into a unified document to which both the members of the City Council and the public may refer when determining what rules of order, procedures, and policies are controlling at a given time. Moreover, reformatting the policies will make it easier to make the document available online and to revise the policies in the future.

The Committee thoroughly reviewed and discussed each one of the existing council policies.

The Committee determined that all of the policies should be re-written so as to conform to the new, standardized formatting and to shorten and clarify the language used, even if no substantive revisions to the policy was being made. Because the current policies are in a non-word processed format and typed onto a pre-printed form, the Committee is unable to provide a red-line comparison of the current policies with the recommended revisions. (Indeed, some of the older policies could not be found in anything other than a printed version). The attached draft includes a bracketed reference for the source policy from which the recommended policy was derived. You will see a reference such as “[*OPNS-03*” preceding each proposed section. That means the language following that reference was derived from what is currently in the council policies as OPNS-03. A disposition list of policies that are recommended for deletion by the Committee will be found at the end of the attachment. Some of those policies to be “deleted” have already been abrogated. Copies of those abrogated policies were apparently kept in the council policies binder simply for historic reference. The Committee believes that practice is unnecessary and potentially confusing. Thus, previously abrogated policies have been removed. Other policies recommended for deletion include policies that become unnecessary or inappropriate due to changes in the law or City practices. Some have simply become irrelevant due to the passage of time and change-over of membership in the City Council. Some of the policies recommended for deletion are not reflective of current practices.

The Committee trusts that you will find the proposed revisions to be a useful, clear, and even refreshing new way of taking care of council business. We thank those members of the City Council who previously served on the Administrative Services Committee and those who have offered their insights at Committee meetings for their thoughtful input.

**CITY COUNCIL  
of the  
CITY OF GARLAND, TEXAS**

**CITY COUNCIL POLICIES**

**August 2015**

*[Derivation source(s) indicated in opening brackets]*

**I. COUNCIL OPERATING PROCEDURES**

*[OPNS-03]* **Section \_\_\_\_.** **Placing items on an agenda.** (A) Other than matters nominated for discussion during the “Future Agenda Items” segment of the regular agenda (as provided below), the Mayor, individually, or any two or more members of the City Council may request in writing (which includes email) that an item be placed on an agenda for consideration by the City Council as a whole. The request shall be made to the City Manager. If the request is made by a councilmember, the member shall provide the City Manager the name or names of the member(s) who seconds the request. Unless otherwise specified by the requestor, the City Manager shall cause the item to be placed on the next available agenda of the type designated by the requestor (that is, a work session or regular agenda). The requestor must provide adequate detail of the request to allow proper posting of the matter under the Open Meetings Act and to provide other members of the City Council with sufficient information about the request to prepare to discuss the matter. Unless the matter is of such urgency as to constitute an emergency within the meaning provided by the Texas Open Meetings Act, or if the item requires the calling of a special meeting, the matter must be submitted not later than the close of business one week before the next meeting of the City Council.

(B) Each work session agenda prepared by the City Manager shall include a segment entitled “Future Agenda Items”. During the future agenda items segment, a member of the City Council may offer a matter for future consideration by the City Council. The suggested topic must obtain a second from one or more members of the City Council in order to be placed on a future agenda. If a second is obtained, the Mayor will direct the City Manager to place the matter on a subsequent agenda or, with the concurrence of the City Council, refer the matter to a committee.

(C) Other than routine matters placed on an agenda by staff (such as bid approvals, zoning requests, and the like) and emergency items, no matter that requires official action by the City Council will be considered without first having been discussed at a work session.

*[LEGAL-04]* **Section \_\_\_\_.** **Political and other endorsements by members of the City Council.** A member of the City Council may endorse a candidate or a cause by using the councilmember’s name and position, such as the term “Mayor, Garland, Texas”, “Councilmember, District \_\_, Garland, Texas” or similar phrasing. A member of the City

Council may not, in an endorsement, imply that the City of Garland - as an entity - has endorsed any such candidate or cause unless the City Council has formally voted as a body to provide that endorsement. In that regard, the City Council is generally constrained by law from endorsing a candidate or cause in an election. A member of the City Council may not use a City or departmental logo or trademark in providing an endorsement of a candidate or cause, nor may the member use City personnel or supplies to do so.

**[OPNS-23] Section \_\_\_\_.** **Council committees.**

(A) *Purpose.* Due to the complexity and diversity of City government issues, a closer view of some issues is required by the City Council. In order to provide a mechanism for continuous evaluation and discussion of these various issues beyond the limited time available at regularly scheduled work sessions, the City Council adopts this policy regarding the set up and use of Council Committees.

(B) *Assignment to committees.* Agenda items may be assigned to a committee by the Mayor, with the consent of the City Council, or by the City Council.

(C) *Standing committees.* The City Council shall have the following standing committees, aligned with the management responsibilities assigned to City staff by the City Manager:

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

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

(D) *Standing committee responsibilities.* The standing committees identified below shall have the following general responsibilities:

**Administrative Services Committee**

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

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



- Specific budget items.

### **Audit Committee**

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

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

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

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

### **Community Services Committee**

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

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

### **Development Services Committee**

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

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

### **Public Safety Committee**

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

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

(E) *Ad hoc committees.* Ad hoc committees may be created by the Mayor, with the consent of the City Council, or by the City Council, and its members appointed by the Mayor for a specific purpose, project or issue. The committee shall continue until the project is completed, at which time it will be dissolved, unless earlier dissolved by the Mayor, with the consent of the City Council. To the extent not inconsistent with the nature of ad hoc committees, ad hoc committees shall comply with the rules applicable to standing committees.

(F) *Committee recommendation and Council consideration.* Each committee shall prepare reports and make recommendations to the City Council at a work session regarding every matter assigned to or considered by the committee.

(G) *Composition of committees.* Each committee shall be composed of three members of the City Council. The Mayor shall serve as an ex officio member on each committee with the right to discuss any matter that is under consideration, but the Mayor shall have no vote nor serve as chair at the committee level. Any member of the City Council may attend any committee meeting, but only appointed members may participate in deliberations and voting. Testimony from someone not on the committee is permitted at the pleasure of the chair.

(H) *Appointments and vacancies.* After the annual City Council election, a Council Committee Interest Form (see sample attached) shall be completed by each member of the City Council. Following that, appointments to committees will be made by the Mayor, with the consent of the City Council, as soon as practicable after the annual City Council election. The Mayor shall make new appointments as needed to fill vacancies in order to assure continuity on the

committees.

(I) *Term of office.* The term of office of any member of a standing committee shall begin upon appointment by the Mayor and confirmation by the City Council. The term shall continue until a replacement is appointed or until a committee member no longer holds a position on the City Council.

(J) *Chair.* The chair of each committee shall be selected by the Mayor.

(K) *Convening meetings.* The committee chair shall have the responsibility for convening the committee as necessary.

(L) *Minutes of meetings.* Committees shall keep minutes of their meetings. The minutes shall provide a summary of all business discussed or considered, action taken, the outcome of any votes, and those persons present at committee meetings. When completed, the minutes shall be signed by the chair and filed with the City Secretary and promptly posted on the City's website.

(M) *Agenda postings.* Notice of all committee meetings shall be posted in accordance with the Texas Open Meetings Act. Such notices shall be posted in a manner that contemplates the attendance of a quorum of the City Council.

(N) *Recommendation regarding the continuation of committees.* The Mayor shall annually review the activity of existing committees to identify inactive committees and provide a report to the Council recommending which committees should be continued and which dissolved.

**[GOV-01] Section \_\_\_\_.** **Appointments by the City Council to outside organizations of which the City is a member.** (A) Under State law or by reason of contract or other arrangement, the City is represented in the affairs of certain organizations that exist independently of the City. The City appoints representatives to those organizations who serve as voting members of the governing bodies of those organizations. Those persons are charged with representing the interests of the City.

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[This would be the appropriate place for the proposed policy on the appointment of councilmembers to third-party organizations and special committees.]

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Currently, those organizations consist of the (1) Texas Municipal Power Agency; (2) North Texas Municipal Water District; and (3) Dallas Area Rapid Transit Authority. If an organization is created subsequent to the adoption of this policy to which the City is entitled to appoint a representative to the governing body of the organization, this policy shall apply until specifically amended to apply to the organization.

(B) The terms of office for representatives to those organizations vary, but are generally for two years. It is the intent of the City Council that the term of service is “at will” such that the representative may be removed without cause. If, by law, an appointment is for a definite period and an appointed representative may not be removed at will, controlling law shall prevail.

(C) In order to provide for timely appointments to the organizations, the City Council shall be advised at least 45 days in advance of the expiration of a representative’s term of office. The City Manager shall cause a notice to be placed on the City’s website for a minimum of 14 days in order to provide citizens the opportunity to apply for the position. At the close of the 14-day period, applications for the position will be presented to the City Council to allow the City Council to interview candidates for the position. At the close of the interview process, if one is held, the City Council shall make its appointment by minute action or resolution, as prescribed by law.

(D) Persons appointed by the City Council shall provide periodic, but not less than annual, updates to the City Council regarding the activities of the organization to which they have been appointed.

**[GOV-03] Section \_\_\_\_.** **State and Federal legislation and rule-making proceedings.** (A) The City Attorney, with the assistance of the City Manager, shall apprise the City Council of pending matters of legislation or rule-making that may affect the interests of the City. The Mayor or any two members of the City Council may request that a legislative or rule-making initiative be presented to the City Council for a formal determination by the City Council of endorsement or opposition. The City Attorney may, in the exercise of his professional discretion, determine to take action on or intervene in support of or opposition to a legislative or rule-making matter subject always, however, to the prerogatives of the City Council as the policy-making body of the City.

(B) This policy is not intended to prohibit or restrict a member of the City Council acting as a private citizen, and not on behalf of the City, from participating in legislative or rule-making matters provided the councilmember does not in any way imply that the position of the councilmember is the official position of the City unless the City Council has so decided. A member of the City Council may accurately represent himself or herself as an elected official and as a member of the City Council, but may not use City resources, staff, letterhead, official email, or any City-approved logo in doing so.

**[OPNS-05] Section \_\_\_\_.** **Council travel and business expenses.** (A) Funds shall be provided in the City’s budget for City Council travel and business expenses so that members of the City Council may be attend the following:

- ! Annual meeting of the Texas Municipal League.
- ! Texas Municipal League newly-elected officials orientation (for newly-elected members

of the City Council).

- ! National League of Cities annual meeting - Washington, D.C.
- ! National League of Cities annual Congress of Cities (various locations).
- ! Other meetings as designated and approved by the Mayor of the City Council.
- ! Attendance to committee or association functions related to the Texas Municipal League, the National League of Cities, or other organizations as approved by the Mayor or the City Council.
- ! Attendance by the Mayor at the annual meeting of the U.S. Conference of Mayors.

For purposes of this policy, “attendance” includes the payment of applicable membership fees for the councilmember and the allowable expenses as described below. A member of the City Council may not commit to membership or participation in, or attendance at, meetings of organizations not listed in subsection (A) without the approval of the Mayor or the City Council except in the councilmember’s individual capacity and at the councilmembers’ sole expense.

(B) A councilmember who seeks to incur, or obtain reimbursement for, expenses allowed under this policy shall file with the Mayor an approval request or reimbursement request, as the case may be. An accounting of City-paid expenses (which may include a request for reimbursement) shall be made on the City’s standard expense report form (as promulgated by the City Manager for City employees) and must be submitted to the Mayor not later than twenty business days after completing the travel or incurring the expenses reflected in the expense report. A pre-approval request must be submitted as soon as practical prior to incurring travel or other authorized expenses. Travel arrangements should be made through the office of the City Manager and, unless otherwise authorized by the Mayor, may not be made by a councilmember individually. The Mayor shall review and approve by signature, if appropriate, expense reports submitted by a councilmember, and the Mayor pro tem shall review and approve by signature, if appropriate, expense reports submitted by the Mayor.

(C) Allowable expenses include:

- Registration and necessary membership fees (membership and registration should be completed through the office of the City Manager in advance, when possible).
- Transportation:

Councilmembers may select the appropriate mode of transportation. Payment or reimbursement of transportation expenses, however, will be based upon the most economical mode of transportation that is reasonable under the circumstances.

If a councilmember drives a personal vehicle on City business, reimbursement will be made at the lower of either the current mileage reimbursement rate published by the United States Internal Revenue Service or the most economical airline rate to and from the destination. A mileage accounting shall be filed using the City’s standard personal

mileage trip sheet form and shall have attached thereto a calculation of mileage as determined by an on-line trip mileage calculator.

Airline reservations should be made well in advance of the trip in order to take advantage of any discounted fares.

Rental vehicles are authorized, but only when the amount of travel when at the destination will make a rental vehicle more economical than a shared ride, complimentary shuttle or taxi service. If a rental vehicle is used, all supplemental car rental insurance and damage waivers should be declined. Car rental reservations must be made through the office of the City Manager.

- Meals: The City will pay for meals up to the current published U.S. General Services Administration (GSA) allowance for the destination if the purchase of meals is directly attributable to the conduct of City business. GSA allowance rates are available on-line at [www.gsa.gov](http://www.gsa.gov). If the destination city is not listed in the GSA tables, the standard rate will be used. The GSA allowance will be reduced pro-rata for meals provided at a conference, seminar or social event related to the travel and for meals provided as part of the airfare or purchase price of other authorized modes of travel. For less than complete days spent on authorized travel, the GSA allowance will be prorated as follows: Breakfast - 20% of GSA allowance; Lunch - 30% of GSA allowance; Dinner - 50% of GSA allowance. Unused portions of the GSA allowance may not be accumulated or carried over into a following day.

- Lodging:

The City will pay for lodging accommodations through the duration of the meeting, seminar or business travel event. If accompanied by a family member or others, the councilmember will pay any difference between the single and double- or multiple-occupancy rates, if any, for the accommodation.

- Additional and Other:

- 1) Reasonable baggage handling, parking, tolls, service and similar gratuities and expenses are allowed (receipts are not required but the amount must be reflected on the expense report).

- 2) Other travel-related expenses not specifically covered in this policy require the approval of the Mayor.

- Disallowed expenses: The following expenses will not be paid or reimbursed by the City:

G      Trip or travel insurance.

- G Expenses attributable to family or companions.
- G Premium or first-class lodging, transportation or meals.
- G Airfare or rental car expenses not purchased through the office of the City Manager (except as otherwise approved by the Mayor).
- G Alcoholic beverages.
- G In-room movies, games or other entertainment.
- G In-room meal service fees (the meal is reimbursable if otherwise allowed under this policy).
- G Valet service, with the exception of required valet parking.
- G Laundry service for stays of less than seven days
- G Gratuities in excess of 20%.

(D) If a councilmember is owed more than \$75 in reimbursement, the office of the City Manager shall process an accounts payable request through the City's accounts payable system. If less than \$75 is owed, reimbursement may be made from an appropriate petty cash fund. If the councilmember owes the City money, the councilmember must reimburse the City within twenty business days after completing travel or incurring the expense. A check payable to the City shall be attached to the original, signed expense report. If a completed, signed expense report is not timely submitted or, if a completed expense report appears to contain non-allowed or disallowed expenses, the office of the City Manager shall report the same to the Mayor (or to the Mayor pro tem if the report pertains to the Mayor). A late report, or a report that contains non-allowed or disallowed expenses shall be discussed by the Mayor or Mayor pro tem directly with the councilmember who incurred the expenses. If the matter is not resolved within ten days, the matter will be referred to the City Council for resolution. The City Council is responsible for enforcing this policy.

**[OPNS-14] Section \_\_\_\_.** **Council requests for information or services.** (A) By Charter, the people of Garland have chosen a council-manager form of government. In keeping with that form of government, the City Charter specifically provides:

Neither the City Council nor any of its members shall direct or request the appointment of any person to or his removal from office by the City Manager or by any of his subordinates. However, the Council may consult and advise with the City

Manager, make inquiry regarding the appointments or removals, and may express their opinion in regard thereto. In regard to administrative and executive duties under the City Manager, the Council and its members shall deal solely through the City Manager and neither the Council nor any member thereof shall give orders to any subordinates of the City Manager, either publicly or privately. Willful violation of the foregoing provisions of this Charter by any member of the Council shall constitute official misconduct and shall authorize the Council, by a vote of a majority of its membership, to expel such offending member from the Council, if found guilty after public hearing, and thereby create a vacancy in the place held by such member.

(B) The City receives thousands of service requests, information requests, and complaints each month. Some of those requests and complaints are received through members of the City Council and some may be initiated by a member of the City Council. For requests and complaints received or initiated by a member of the City Council, this policy is intended to provide for an expeditious and thorough means of resolving such requests and complaints by providing access to the appropriate level of City management without violating the prohibition on interference contained in the City Charter.

(C) Requests and complaints received through or initiated by members of the City Council generally fall into three categories. Requests and complaints may be made either verbally or in writing, including email. The following guidelines will apply when processing requests or complaints:

<b>SERVICE REQUESTS</b>	
<b>TYPE:</b>	<b>REFER TO:</b>
First time request for routine service when a response to the councilmember is not desired. A department representative will contact the requestor if necessary.	<ul style="list-style-type: none"> <li>! Department service line</li> <li>! Responsible department head or managing director</li> <li>! Assistant City Manager or Deputy City Manager</li> <li>! City Manager</li> </ul>



<b>SERVICE REQUESTS</b>	
Second or third time for routine service request when a response to the councilmember is not desired. The department head or a representative will contact the requestor.	! Responsible department head or managing director ! Assistant City Manager or Deputy City Manager ! City Manager
Routine service request involving more than one department when a response to the councilmember is not desired.	! Responsible department heads or managing directors ! Assistant City Manager or Deputy City Manager ! City Manager
Routine service request when the councilmember desires a response	! Responsible managing director ! Assistant City Manager or Deputy City Manager ! City Manager
Service request that is not routine or that involves a major resource allocation. A response shall be provided to the councilmember.	! Assistant City Manager or Deputy City Manager ! City Manager

<b>INFORMATION REQUESTS</b>	
Information that is readily available (on file or that can be provided verbally).	! Responsible department head ! Assistant City Manager or Deputy City Manager ! City Manager
Information that is available but that requires compilation or interpretation.	! Assistant City Manager or Deputy City Manager ! City Manager

INFORMATION REQUESTS	
Information that involves more than one department and that requires compilation or interpretation.	! Assistant City Manager or Deputy City Manager ! City Manager

COMPLAINTS	
Routine service complaints regarding quality or quantity of service when no response to the councilmember is desired.	! Responsible department head or managing director ! Assistant City Manager or Deputy City Manager ! City Manager
Service complaints regarding quality or quantity of service when a response to the councilmember is requested.	! Assistant City Manager or Deputy City Manager ! City Manager
Complaints regarding the conduct or performance of a City employee.	! City Manager
Complaints involving a City policy, procedure, or ordinance.	! Assistant City Manager or Deputy City Manager ! City Manager ! City Council

**[NEW]:** (D) Information regarding the submission or resolution of a service request, information request or complaint is generally public and may be shared with other members of the City Council. A member of the City Council has no expectation of secrecy regarding the submission or resolution of a service request, information request or complaint. Information received from or given to a member of the City Council is information that may be given to all members of the City Council.

**[OPNS-30] Section \_\_\_\_.** **Who shall act as Mayor.** The City Charter provides, “In case of the absence or disability of both the Mayor and the Mayor Pro Tempore, the remaining members of the Council shall elect one of the members to act as Mayor.” Because there may not be time to assemble a quorum to elect a person as mayor under such circumstances, and in order to increase the efficiency of government, the City Council may choose to elect a deputy mayor pro tempore to act as mayor when the Mayor and the Mayor pro tempore are absent or disabled. If the City

Council chooses to have a deputy mayor pro tempore, the election for the position shall be held at the first regular meeting of the City Council that follows the annual goal-setting retreat. The City Manager shall place an item on an agenda for consideration by the City Council each year.

**[GOV-02] Section \_\_\_\_.** **Communications on behalf of the City by members of Boards and Commissions.** (A) Boards and commissions, whether established by reason of State law, the Charter, by ordinance or on an ad hoc basis, are an integral part of the municipal government process. The citizens who serve on City boards and commissions provide an important service to the citizens of Garland. Boards and commissions, and the members of those boards and commissions, do not, however, speak for the City on larger issues of City governance. The City Council is responsible for all aspects of the City's governance and it is the legislative and policy-making body for the City.

(B) If a board or commission desires to communicate to others a position on any matter of public concern, the board or commission shall first seek approval from the City Council before engaging in such communication. The City Council will speak for the City. The City Council will determine whether and what will be the official position of the City on the issue presented by the board or commission.

**[OPNS-26] Section \_\_\_\_.** **Appointments to boards and commissions.** (A) Generally, appointments to boards and commissions shall be made by the City Council annually during the month of August. The general term of office for a council appointee begins on September 1 and expires on August 31 in the year in which the term of office of the member of the City Council who made the appointment expires. If a vacancy occurs before a term is completed, the councilmember representing the district in which the vacancy occurs shall be responsible for nominating a replacement.

**[OPNS-19] Section \_\_\_\_.** **Annual performance and compensation review of council appointees.** The City Council appoints the City Manager, the City Attorney, the City Secretary, the Internal Auditor, and the judges of the Municipal Court. Except for the chief presiding judge and the associate judge of the Municipal Court (whose terms of office are prescribed by State law), council appointees are employed under contract, the term of which shall not exceed one year. The performance of and compensation afforded to council appointees shall be reviewed and evaluated by the City Council annually.

## **II. LAND USE, ZONING, AND DEVELOPMENT PROCEDURES**

**[DEV-01] Section \_\_\_\_.** **Appeals from recommendations of the Plan Commission.** (A) Certain matters decided by the Plan Commission are subject to the right of appeal to the City Council. If an appealable decision is rendered by the Plan Commission, the Department of Planning shall notify the affected applicant of the decision in writing or by electronic communication. The notification shall advise the applicant that the applicant may file an appeal from the decision

within the time provided in this policy.

(B) An applicant who is aggrieved by a decision of the Plan Commission may appeal to the City Council, if an appeal to the City Council is provided by the applicable ordinance, by filing a written notice of appeal. The notice of appeal shall be filed not later than the time provided in the applicable ordinance for the filing of an appeal or, if no such time is provided by ordinance or other law, not later than fifteen days after the date of the Plan Commission decision being appealed. Upon receipt of a timely notice of appeal, the Director of Planning shall set the matter for hearing with the City Council on the earliest available agenda setting.

**[DEV-02] Section \_\_. Procedures and deadline for the filing of objections to zoning changes (the “20% rule”).** (A) Section 211.006, TEX. LOCAL GOV’T CODE provides that a proposed zoning change must receive the affirmative vote of not less than 3/4 of the members the City Council if the change is protested by 20% or more of the owners of the area of the lots or land covered by the proposed change or the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area. That provision is generally referred to as the “20% rule”.

(B) For purposes of clarity: (1) the area to be included in a calculation as to the applicability of the 20% rule is the 200 feet provided by State law, not the extended 400 foot notification area provided by the Garland Development Code; and (2) the 3/4 votes required means 6 affirmative votes, not merely 3/4 of the membership present and voting. For the latter reason, if less than all members of the City Council are present at a meeting on a zoning change in which the application of the 20% rule may be invoked, the City Council may postpone without further debate the hearing on the change.

(C) A protest must be made in writing and timely received by the City in order to be included in the calculation whether the 20% rule has been invoked. A written protest must be filed by each protesting owner – inclusion of an owner’s name on a petition or other collective protest not actually signed by the owner or an authorized representative of the owner will not be counted in the calculation.

(D) A protest will not be considered timely unless it has been submitted in writing prior to the close of public comments on the proposed change. A protest may be submitted by email or other electronic communication form recognized by the City for the receipt of official correspondence, but a protest so submitted must be received no later than noon on the day of the first public hearing at which the zoning change will be considered.

(E) If a zoning change is approved by a majority of the City Council but nonetheless disapproved by operation of the 20% rule and a motion to reconsider has been granted, a new protest must be filed by the affected owner in order to invoke the 20% rule for the zoning change being reheard. If the zoning change is disapproved by a majority of the City Council regardless of the application of the 20% rule and a motion for reconsideration is granted, a written protest timely

filed in the initial zoning change case will be carried over and applicable to the case on rehearing.

**[DEV-03] Section \_\_. Reconsideration of zoning change denials.** (A) The applicant for a change in zoning may request the reconsideration of a denial of a change in zoning. A motion for reconsideration must be filed with the Director of Planning in writing. The motion must be filed before the close of business not more than five business days following the meeting at which the zoning change request was denied.

(B) The motion for reconsideration must demonstrate that new considerations not known or discoverable at the time of the original hearing constitute good cause for reconsidering the request. The following circumstances generally do not justify the granting of a motion to reconsider:

- (1) Failure of the applicant to appear at the hearing of the City Council at which the request was denied;
- (2) Failure of the applicant to be adequately prepared for presentation of the request to the City Council; or
- (3) Absence of one or more members of the City Council from the meeting at which the request was considered or denied.

Additionally, modifications of a request to address matters identified in the planning report for the zoning change request as reasons for a recommendation of denial are a disfavored basis of reconsideration. Nonetheless, the City Council retains the authority to review each motion for reconsideration on its merits in order to determine if a reconsideration of a request is in the best interests of the public.

(C) A request for reconsideration will be heard by the City Council at the next meeting immediately following the denial of the zoning change request. A motion to grant reconsideration may only be made by a member of the City Council who voted in favor of denial of the request. A motion to grant reconsideration may be seconded by any member of the City Council. A vote of not less than five members of the City Council then present is required to grant a motion for reconsideration. If a motion for reconsideration is granted, the case shall be re-advertised and placed on the next appropriate agenda of the City Council. A denial of a motion for reconsideration may include a motion to waive the six month rule on the refiling of zoning change requests.

**[DEV-08] Section \_\_. Citizen-initiated street name changes.** (A) Street name changes may be initiated either by the City or by citizen request. A street name change request initiated by citizen request will be considered only if 80% or more of the owners of property that will be directly affected by the street name change favor the request. A street name change request may

be approved if the City Council determines that the change is in the public interest and that the name will not cause confusion, continuity or way-finding problems or otherwise adversely affect the public interest.

(B) A request to change a street name must be in writing. The application for a street name change must indicate the proposed name change, the limits (by block number) of the name change, and the reasons for the change in name. A fee of \$500 shall be submitted with the written application for change in name to cover the cost of reviewing the proposal. If an initial determination is made that the change in name will cause confusion, continuity or way-finding problems or otherwise adversely affect the public interest, the applicant(s) shall be notified by the City and the initial application fee shall be refunded. If the proposed name is not acceptable, the applicant(s) shall be given an opportunity to propose another name before the application is disapproved. If the proposed name change is recommended for consideration to the City Council, the applicant(s) shall pay an additional fee based upon the actual costs of research of and notification to addresses that will be directly affected by the proposed name change. If the proposed name change is recommended for consideration to the City Council, the applicant(s) must obtain the written approval (an adequately descriptive petition is acceptable) of at least 80% of the affected property owners.

(C) Upon confirming that written approval has been obtained from the requisite number of affected property owners and payment of estimated sign replacement costs by the applicant(s), a public hearing shall be held by the City Council to consider the proposed name change. A name change may be made only by ordinance. If the name change is disapproved, the estimate sign replacement costs shall be refunded to the applicant(s).

*[OPNS-12; OPNS-16]* **Section \_\_\_\_.** **Private streets.** (A) Private streets are an allowed option under the Garland Development Code. The private street option may be chosen in order to provide a means of limiting access into a development (for example, in private, gated communities), in order to maximize the amount of non-public area within a development, or for other development reasons. The City has no responsibility for any expenses related to the construction, maintenance or repair of a private street.

(B) In recognition of the possibility that a street constructed as a private street may eventually be, and occasionally are, after a period of time, turned over for public use as a public street and to ensure that private streets are built to the same standards and quality of public streets, the following standards apply:

- (1) A private street is not allowed within a development without the prior approval of the City Council either through zoning approval or by separate development agreement.
- (2) A private street must be designed, constructed, and maintained in accordance with the standards for public streets of the type and capacity most like the proposed

private street, including width, turning radii, pedestrian ways and sidewalks, street lighting, and utility facilities.

- (3) Private streets are allowed only in residential developments. Streets within a commercial or industrial development must be public. If, however, access to the proposed street will be restricted (such as by gates or security personnel) the streets must be private. Limited access public streets are not allowed.
- (4) The City is not responsible for the construction or maintenance of any aspect of a private street, including repairs or other maintenance. Accordingly, some perpetual funding source (such as an assessment-levying capable homeowners' association) for repairs must be provided for all maintenance of a private street.
- (5) Only the City Council has authority to accept the public dedication of a street formerly constructed or used as a private street, and the City Council will only do so under the following conditions:
  - (a) The street meets all City requirements as to design and construction standards - upgrades to meet current City standards must be completed prior to the acceptance of the dedication;
  - (b) The area to be dedicated as a public street includes adequate room for sidewalks, street lighting, and utilities;
  - (c) The street provides adequate accessibility for emergency vehicles; and
  - (d) All gates and other limits to accessibility have been or will be removed without cost to the City prior to the acceptance of the dedication.

(C) Design plans for all proposed private streets shall be submitted for approval to the Department of Engineering in the same manner that plans for public streets are submitted. Approval or disapproval by the Department of Engineering will be determined in reference to this policy. A request for a variance from the requirements of this policy will be submitted to the City Council for determination.

**[OPNS-13] Section \_\_\_\_.** **Additional public notification of City activities.** (A) In order to encourage public awareness of and participation in City matters, timely prior notification to the public must be given in addition to that contemplated by the Texas Open Meetings Act or other laws relating to specific notifications such as zoning changes, tax rates, and budget approval. This policy is intended to supplement the notifications required by law, including those contained in the Charter, the Code of Ordinances, and the Garland Development Code.

(B) The City shall endeavor to provide notice of the following matters at the earliest practical

opportunity but, of course, no later than otherwise required by law:

- ! Adoption or amendment of the City's comprehensive plan.
- ! Changes to the thoroughfare plan.
- ! Changes to the City's municipal boundaries (whether by annexation or disannexation or by boundary adjustment agreement with another municipality).
- ! Changes to the City's territorial jurisdiction.
- ! Amendments to the Garland Development Code.
- ! Adoption or amendment of the annual City budget.
- ! Adoption or amendment of the capital improvements budget.
- ! Revisions to flood insurance rate maps and flood boundary-floodway maps affecting the City.
- ! Special paving or drainage assessment projects.

(C) In addition to posting, publication, and delivery of notice as required by law, the City shall endeavor to provide notice by mail, by email, or by other electronic delivery means to homeowners' associations and civic groups that have previously registered with the City Secretary for such purposes. An association or group must register in writing on a form or in a format provided by the City Secretary and shall provide at minimum a mailing address, an email address, and the phone number for the person designated to be the point of contact for the association or group.

### III. FINANCIAL AND FISCAL INTEGRITY POLICIES AND PROCEDURES

*[FIN-02]* **Section \_\_\_\_.** **Rotation of outside auditing firms for annual audits.** The City is required by Charter and State law to have performed annually an independent audit of accounts and other financial transactions of the City by an outside auditor. The integrity and quality of the audit is of paramount concern to the City, to its citizens, and to those considering investments in or transactions with the City. The Audit Committee and staff shall review the outside audit each year to determine whether the City Council should consider a change in the firm conducting the outside audit or a change in the senior auditor in keeping with the goals stated in this policy.

*[FIN-04; FIN-05; FIN-06]* **Section \_\_\_\_.** **Financial policy; statement of investment strategy; statement of investment policy.** The City Council shall annually adopt, by resolution or minute action as appropriate, a financial policy, a statement of investment strategy, and a statement of investment policy as required by and in conformance with State law.

*[FIN-04]* **Section \_\_\_\_.** **Financial policy.** (A) This policy provides a framework for prudent management of the City's financial resources. It is intended to demonstrate to the citizens of Garland, the investment community, and the bond rating agencies that the City is committed to a strong fiscal operation. It is also meant to establish precedents for future policy-makers and financial managers on common financial goals and strategies.



(B) The City shall maintain an operating position in all governmental funds such that annual expenditures shall not exceed annual resources, including fund balance. The City shall maintain an operating position in all proprietary funds such that annual expenses shall not exceed annual resources, including retained earnings. The City shall protect the physical assets of the City to ensure the value, integrity, and utility of these major investments of the City's resources.

(C) *Operating Condition.* A multi-year financial forecast shall be prepared annually projecting revenues and expenditures for all operating funds. This forecast shall be used as a planning tool in developing the following year's operating budget.

- (1) Rates, fees, and charges for service shall be reviewed annually and adjusted as necessary to respond to cost increases or other changing circumstances.
- (2) Activities within enterprise funds shall be budgeted so that revenues support costs of service, satisfy all revenue bond covenants, and provide adequate cash flows.
- (3) Insurance coverage shall be examined annually to ensure that policy limits are adequate and in compliance with revenue bond covenants.
- (4) Estimated costs and funding sources shall be identified prior to any project being submitted for approval by the City Council.

(D) *Debt Management*

- (1) Debt shall not be used for funding current expenses.
- (2) Bonds shall be sold only to finance long-term capital projects.
- (3) A project shall not be financed over a period longer than the estimated life of that project.
- (4) On all capital projects considered by Council, a disclosure statement shall be included, where appropriate, to identify annual operating costs of each project.
- (5) The City shall prepare a multi-year Capital Improvement Program (CIP), updated annually, which will meet the anticipated growth requirements of the City. The CIP shall be adopted by the Council as a guide for staff in planning the subsequent year's capital and financing needs.
- (6) Total tax-supported debt shall be maintained so as not to exceed five percent (5%) of the total assessed valuation of taxable property.

(E) *Financial Condition*

- (1) The City shall budget available resources to maintain an ending “fund balance” goal in each fund according to the following definitions and guidelines:
  - (a) General Fund – 30 days of budget-based operating expenditures less debt service. “Fund balance” is defined as the unreserved, undesignated portion of total assets minus total liabilities.
  - (b) Enterprise Funds - 45 days of budget-based operating expenditures including debt service. “Fund balance” is defined as current assets minus current liabilities, excluding non-budgetary adjustments.
  - (c) Before the City budgets any resources from “fund balance”, as defined above for the respective fund types, the “working cash” (cash and investment balances) of each fund shall be analyzed to ensure that adequate liquidity is projected to be available for cash flow purposes.
  - (d) All internal service funds shall be fully self-supporting to the extent that any retained earnings deficit shall be fully recovered in the subsequent fiscal year through increased charges to benefiting departments.
  - (e) Self-insurance reserves shall be actuarially determined and periodically reviewed to evaluate experience and degree of risk assumptions.
  - (f) The City Council may opt, on an annual basis, to adjust fund balance targets in specific funds to meet short-term economic or other circumstances.

(F) *Asset Maintenance*

- (1) In addition to anticipated growth requirements of the City, the multi-year CIP will identify major infrastructure repair and rehabilitation needs.
- (2) The City will prepare and maintain a facilities master plan. This document will serve as a management tool to project space needs including construction or modification of facilities.
- (3) Repair, renovation, and maintenance shall be regularly performed to protect the life of the assets and to ensure their safety and utility. A systematic program of routine and preventive maintenance shall be developed based on need identification and prioritization.

- (4) The annual operating budget will provide sufficient funding levels for ongoing maintenance of the infrastructure.

(G) *Accounting, Auditing, and Financial Reporting*

- (1) Accounting systems shall produce information that is consistent with generally accepted accounting principles for governmental entities.
- (2) An annual comprehensive audit shall be conducted of all funds by an independent public accounting firm. A policy of full disclosure on every financial report and official statement shall be followed.
- (3) Year-end net revenues of the combined utility system (Electric, Water, Waste Water) shall be maintained at a level sufficient to cover average annual revenue debt service requirements and maximum year revenue debt service requirements by at least 1.25 times.
- (4) A condensed year-end electric utility financial report shall be prepared and receive widespread circulation to the ratepayers and taxpayers of the City.

(H) *Purchasing Authority.* The City Manager is authorized to approve and execute by and on behalf of the City, purchases and other contracts requiring expenditures up to and including the amount of \$99,999.99. The Purchasing Director, as directed by the City Manager, shall have the authority to purchase or contract for all goods and services needed by any department of the City.

[FIN-05] **Section \_\_. Statement of investment strategy.** (A) Chapter 2256 of the Texas Government Code requires the City to adopt a separate written investment strategy for each of the funds or group of funds under its control. Effective investment strategy development coordinates the objectives of the City's investment policy and cash management procedures to reduce investment risk and enhance interest income. The following investment strategy describes the investment objectives for each fund or group of funds using the following priorities in order of importance:

- (1) Suitability
- (2) Safety of principal
- (3) Liquidity
- (4) Marketability of the investment before maturity
- (5) Diversification
- (6) Yield.

(B) This investment strategy applies to the investment and management of all funds under direct authority of the City of Garland. Each of the City's funds or group of funds has varying cash

flow requirements and liquidity needs. Specific strategies shall be implemented considering that fund or group of funds' unique requirements. The City's funds are invested according to the following fund types:

- (1) Operating Funds
- (2) Debt Service Funds
- (3) Reserve Funds.

(C) Investments for operating funds shall be scheduled to match anticipated cash flow projections with their stated final maturities with a stated final maturity of three years or less from the date of purchase. Operating fund portfolios include the treasury portfolio.

*Suitability* - All investments authorized in the Statement of Investment Policy are suitable for Operating Funds.

*Safety of Principal* - All investments shall be high quality securities with no perceived default risk.

*Marketability* - Securities with active and efficient secondary markets will be purchased in the event of an unanticipated cash requirement.

*Liquidity* - Operating Funds have as their primary objective to assure that anticipated cash flows are matched with adequate investment liquidity. Constant \$1 NAV investment pools and money market mutual funds shall be an integral component in maintaining daily liquidity. A dollar weighted average maturity of 365 days or less will be calculated using the stated final maturity date for each security. Purchased securities will have a stated final maturity of three years or less from the date of purchase.

*Diversification* - Maturities shall be staggered throughout the budget cycle to provide cash flows based on anticipated needs. Investment risks will be reduced through diversification among authorized investments.

*Yield* - The City's objective is to attain a competitive market yield for comparable securities and portfolio constraints. The benchmark for operating funds shall be the one year rolling average yield for the one year Treasury bill.

(C) Investments for debt service funds shall mature on or before the next debt service date. Purchased securities will be highly liquid with very short term maturities because of the near term cash flow requirements. Debt service fund portfolios include the general obligation debt service fund and the revenue bond debt service fund.

*Suitability* - All short term, high quality securities that are authorized in the Statement of Investment Policy and are in compliance with applicable bond ordinances are suitable for

debt service funds.

*Safety of Principal* - All investments shall be high quality securities with no perceived default risk. Purchased securities shall have a stated final maturity date on or before the next debt service date.

*Marketability* - Securities with active and efficient secondary markets will be purchased although unanticipated cash requirements are not probable.

*Liquidity* - Debt service funds have predictable cash requirements. Investment maturities shall not exceed the anticipated cash flow requirements.

*Diversification* - Market conditions will greatly influence the selection of maturities and security types. At no time shall maturities go beyond debt service payment dates.

*Yield* - The City's objective is to attain a competitive market yield for comparable securities and portfolio constraints. The benchmark for debt service funds shall be the six month rolling average yield for the 180 day Treasury bill.

(D) Investments for reserve funds have as their primary objective the ability to generate a dependable revenue stream with a low degree of volatility. Purchased securities will be of high quality with short to intermediate term maturities. Reserve fund portfolios include the revenue bond reserve fund and the rate mitigation fund.

*Suitability* - All securities that are authorized in the Statement of Investment Policy except as may be restricted by bond ordinance are suitable for reserve funds.

*Safety of Principal* - All investments shall be short to intermediate term, high quality securities, with no perceived default risk.

*Marketability* - Securities with active and efficient secondary markets will be purchased in the event of an unanticipated cash requirement.

*Liquidity* - Unless there are anticipated cash flow requirements, reserve funds generally do not require a high degree of daily liquidity. Purchased securities shall have a stated final maturity date of five years or less from the date of purchase.

*Diversification* - Market conditions will greatly influence the selection of maturities and security types. Securities shall be of high quality, with short to intermediate term maturities. A dollar weighted average maturity of 3 years or less will be calculated using the stated final maturity date for each security.

*Yield* - The City's objective is to attain a competitive market yield for comparable

securities and portfolio constraints. The benchmark for reserve funds shall be the one year rolling average yield for the three year Treasury note.

[FIN-06] **Section \_\_. Statement of investment policy.** (A) Chapter 2256 of the Texas Government Code requires the City to annually adopt rules governing its investment practices and to define the authority of its investment officers.

(B) This investment policy applies to the investment and management of all funds under direct authority of the City. These funds include all governmental, proprietary, and trust and agency funds which are accounted for in the City's Comprehensive Annual Financial Report. The Employees Deferred Compensation Agency Fund is excluded from coverage under this Policy.

(C) Investment of funds will be governed by the following investment objectives, in order of priority:

*Preservation and safety of principal.* Preservation of capital is the foremost objective of the City. Each investment transaction shall seek first to ensure that capital losses are avoided, whether the loss occurs from the default of a security or from erosion of market value.

*Liquidity.* The City's investment portfolio will remain sufficiently liquid to enable the City to meet all operating requirements which can be reasonably anticipated. Liquidity will be achieved by matching investment maturities with forecasted cash flow requirements and by investing in securities with active secondary markets.

*Yield.* The investment portfolio of the City shall be designed to attain a market-average rate of return throughout budgetary and economic cycles, taking into account the City's investment risk constraints and the cash flow characteristics of the portfolio. The Director of Financial Services will from time to time establish performance measures and goals for the portfolio rates of return. Efforts to seek returns higher than the established goals must be consistent with risk limitations identified in this policy and prudent investment principles.

(D) Responsibility for the management of the investment program is assigned to the Director of Financial Services. Other individuals authorized as investment officials by the City Council are the Cash Manager and the Accounting Manager. Investment authority of all investment officers shall conform to all applicable Federal and Texas laws, the City Charter, the ordinances of the City; the Statement of Investment Strategy; and this Statement of Investment Policy. The Director shall establish written procedures for the operation of the investment program, consistent with this Statement of Investment Policy. No person may engage in an investment transaction or the management of City funds except as provided under the terms of this Statement of Investment Policy, the Statement of Investment Strategy, and the procedures established by the Director of Financial Services.

(E) Each investment officer shall attend a training session not less than once in a two year period

an must receive not less than ten hours of instruction relating to investment responsibilities. Training must be provided by an independent source approved by the City Council.

(F) The Director of Financial Services shall establish a system of internal controls which shall be documented in writing. The controls shall be designed to prevent losses of public funds arising from fraud, employee error, misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by investment officials. Controls deemed most important include: control of collusion, separation of duties, separating transaction authority from accounting and recordkeeping, custodial safekeeping, avoidance of bearer-form securities, clear delegation of authority, specific limitations regarding securities losses and remedial action, written confirmation of telephone transactions, minimizing the number of authorized investment officials, and documentation of and rationale for transactions.

In conjunction with the annual independent audit required by law and the City Charter, the City's independent auditor shall review the investment records for the end of each quarter. The independent auditor shall report the results of the review directly to the City Council.

(F) The City's investment officers shall be governed by the standard of care applicable to a prudent investor. Investments shall be made with the exercise of that degree of judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation but for investment, considering the probable safety of their capital as well as the probable income to be derived.

In applying the "prudent person" rule, the investment officer shall exercise prudence with respect to the management and investment of all funds over which the officer has responsibility and control. The investment officer must determine whether investment decisions are consistent with this Statement of Investment Policy.

All participants in the investment program shall act responsibly as custodians of the public trust. Investment officials will avoid any transaction that might impair public confidence in the City's ability to govern effectively. Investment officers shall recognize that the investment portfolio is subject to public review and evaluation. The overall program shall be designed and managed with a degree of professionalism which is worthy of the public trust. Nevertheless, the City Council recognizes that in a diversified portfolio, occasional measured losses are inevitable and must be considered within the context of the overall portfolio's investment return, provided that adequate diversification has been implemented.

Investment officers, acting in accordance with written procedures and exercising due diligence, shall not be held personally responsible for market price changes, provided that these changes are reported immediately and that appropriate action is taken to control adverse developments.

(G) The investment instruments authorized for purchase by the City are limited to:

- (1) Direct obligations of the United States government with a stated final maturity of five years or less from the date of purchase.
- (2) Debentures or discount notes with a stated final maturity of five years or less from the date of purchase issued by, guaranteed by, or for which the credit of any of the following Federal agencies and instrumentalities is pledged for payment: Federal National Mortgage Association (FNMA), Federal Home Loan Bank (FHLB), Federal Farm Credit Bank (FFCB), Student Loan Marketing Association (SLMA), and Federal Home Loan Mortgage Corporation (FHLMC).
- (3) Bonds or other interest bearing obligations having a stated final maturity of five years or less from the date of purchase of which the principal and interest are guaranteed by the full faith and credit of the United States government.
- (4) Repurchase agreements collateralized with U.S. Treasury securities at a minimum market value of 102 percent of the dollar value of the transaction, with any accrued interest accumulated on the collateral included in the calculation. Eligible collateral will have a maximum maturity of ten years. Repurchase agreements may be entered into only with primary government securities dealers who have executed a City approved Master Repurchase Agreement. Collateral shall be delivered to and held by the City's third party safekeeping agent. As used herein, the term "repurchase agreement" includes direct security repurchase agreements and reverse security repurchase agreements. A written master repurchase agreement shall be established between the City and the seller prior to purchase. The maximum term for direct security repurchase agreements and reverse security repurchase agreements will be 90 days or less. Funds received under the terms of a reverse security repurchase agreement may not be used to purchase any investment whose final maturity date exceeds the expiration of the reverse.
- (5) Certificates of deposit issued by a depository institution that has its main office or branch office in Texas:
  - (a) And such certificates of deposit are: (i) guaranteed or insured by the Federal Deposit Insurance Corporation or the National Credit Union Share Insurance Fund or their successors; or (ii) secured by obligations described in subsection (1) or (2) above, and the collateral will be held by the City's third party custodian; or
  - (b) Such depository institution contractually agrees to place the funds in federally insured depository institutions in accordance with the conditions prescribed in Section 2256.010(b) of the Government Code.

Certificates of deposit brokered by an authorized broker/dealer that has its main office or a branch office in Texas who contractually agrees to place the funds in federally insured depository institutions in accordance with the conditions prescribed in Section



2256.010(b) of the Government Code.

- (6) SEC registered no-load money market mutual funds with a dollar-weighted average portfolio maturity of 90 days or less. Assets will consist exclusively of those securities listed in subsections 1, 2, 3 or 4 above. The investment objective of the fund is to maintain a stable \$1 net asset value. The maximum stated maturity of the fund will be 13 months.
- (7) State or local investment pools organized under the Interlocal Cooperation Act. The investment pool must be rated no lower than investment grade by at least one nationally recognized rating agency and have a dollar-weighted average portfolio maturity of 90 days or less. Assets will consist exclusively of those securities listed in subsections 1, 2, 3 or 4 above. The investment objective of the pool is to maintain a stable \$1 net asset value. All securities owned in the pool will have a stated remaining maturity of thirteen (13) months.
- (8) Commercial paper rated not less than A1 or P1 or an equivalent rating by at least two nationally recognized credit rating agencies or one nationally recognized credit rating agency and is fully secured by an irrevocable letter of credit issued by a bank organized and existing under the laws of the United States or any state. The securities must have a stated maturity of 180 days or less from the date of purchase. No more than 2% of any one issuer may be held and no more than 25% of any fund or group of funds will be invested in commercial paper. Physical delivery securities are ineligible.
- (9) Obligations of states, agencies, cities, and other political subdivisions of any state rated not less than A or an equivalent rating by at least two nationally recognized credit rating agencies.

The credit rating of investment instruments will be continuously monitored through daily market participation and through the monthly mark-to-market pricing of securities. The liquidation of an investment instrument will be considered if its credit rating falls below minimums stated in this Statement of Investment Policy.

The City is expressly prohibited from entering into options trading or futures contracts, hedging or purchasing any security which is not authorized by Texas state law.

(H) As an integral part of this Statement of Investment Policy, the City shall adopt a separate written Statement of Investment Strategy for each fund or group of funds. Each investment strategy shall describe the investment objectives of each fund or group of funds according to the following order of importance:

- (1) Suitability
- (2) Preservation and safety of principal

- (3) Liquidity
- (4) Marketability of the investment before maturity
- (5) Diversification
- (6) Yield

(I) Securities purchased for the City's portfolios will be delivered by book entry and will be held in third party safekeeping by a Federal Reserve member financial institution designated as the City's custody and safekeeping agent.

The City will execute safekeeping agreements prior to utilizing the custodian's safekeeping services. The safekeeping agreement must provide that the safekeeping agent will immediately record and promptly issue and deliver a safekeeping receipt showing the receipt and the identification of the security, as well as the City's interest. All securities owned by the City will be held in a customer account naming the City as the customer.

All security transactions will be on a delivery versus payment basis to the City's third party custody and safekeeping agent through the Federal Reserve Bank wire system. In this manner, the City will always have possession of either the securities or moneys.

Custody and safekeeping procedures will be reviewed annually by the independent auditor.

(J) The City seeks active portfolio management to enhance total returns within the guidelines of this policy. Investment decisions should not incur unreasonable investment risk in order to obtain investment income. The City will not make investments for the purpose of trading or speculation.

Each investment transaction must be based on competitive quotations from at least three securities dealers authorized to engage investment transactions with the City. Authorized investment officers shall access real-time electronic financial information to monitor the market price of acquired investments. The pricing information will be used to verify the accuracy of quoted prices for a potential purchase or sale to ensure that a fair market price is attained.

In managing its investment portfolio, the City will avoid any purchase of investments, or any investment practice or procedure which is not specifically authorized under this policy.

(K) It is the policy of the City to avoid concentration of assets in a specific maturity, a specific issuer or a specific class of securities. The allocation of assets in the portfolios should be flexible depending upon the outlook for the economy and the securities markets. In establishing specific diversification strategies, the following general policies and constraints shall apply.

- (1) Portfolio maturities shall be staggered in a way that avoids undue concentration of assets in a specific maturity sector. Maturities shall be selected which provide for stability of income and reasonable liquidity.

- (2) To attain sufficient liquidity, the City shall schedule the maturity of its investments to coincide with known disbursements.
- (3) Risks of market price volatility shall be controlled through maturity diversification.
- (4) The placement of investment transactions and the gathering of market information shall be diversified among all authorized brokers.

(L) A qualified financial institution shall be selected to serve as the City's primary depository through a bank services procurement process, which shall include a formal request for application issued at least every five years. In selecting a depository, the City shall consider various criteria as specified prior to the issuance of the request for application. Financial institutions located outside of Garland city boundaries may be considered to participate in the request for application process provided the City has adopted a policy permitting it.

Upon selection, the financial institution shall comply with the requirements and agreements identified in the request for application. The financial institution is required to comply with Chapter 2257 of the Texas Government Code.

Eligible securities as defined in Chapter 2257, Texas Government Code, and identified below shall be deposited with a third party custodian prior to the deposit of City funds. The City shall reserve the right to accept or reject any form of collateral, at its discretion. The pledged collateral must be maintained at all times during the term of the depository contract at required levels. In order to perfect the City's security interest in the pledged collateral under the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA), it is required that a collateral agreement between the City and the depository be signed by both parties prior to the deposit of City funds. The collateral agreement must be approved by the depository's board of directors or its loan committee, which approval shall be reflected in the minutes of the board or committee. The signed collateral agreement, board resolution, and minutes certifying the approval of the collateral agreement must be presented to the City prior to the deposit of City funds.

The following securities are approved as collateral for City funds:

- (1) United States Treasury notes, bills or bonds or obligations fully and unconditionally guaranteed as to principal and interest by the full faith and credit of the United States;
- (2) Obligations of the Agencies and Instrumentalities of the United States, including, but not limited to: Federal Home Loan Bank, Federal Home Loan Mortgage Corporation and Federal National Mortgage Association;

- (3) Mortgage-Backed Securities issued by the United States and its agencies and instrumentalities, including but not limited to Government National Mortgage Association.

The use of a Federal Home Loan Bank issued letter of credit to meet the required collateral requirements may be proposed by the financial institution for consideration by the City.

(M) Government security broker/dealers authorized to engage in investment transactions with the City will be selected on the basis of their financial stability, expertise in cash management for local government and their ability to service the City's account. The qualifications of prospective broker/dealers will be determined from a completed broker/dealer questionnaire, personal interview and reference checks.

Before engaging in investment transactions with the City, a prospective securities broker/dealer must provide a written instrument certifying that the securities broker/dealer has received and has thoroughly reviewed this Statement of Investment Policy and has implemented reasonable procedures and controls in an effort to preclude conducting investment transactions that are not authorized by this Statement of Investment Policy, except to the extent that this authorization is dependent upon the portfolio over which the broker/dealer has no control or knowledge. A prospective securities broker/dealer must provide evidence of FINRA registration and State of Texas Securities Commission certification. Qualified broker/dealers authorized to engage in investment transactions with the City are required to regularly submit their most recent audited financial statements to the City.

The City Council will adopt and annually review the list of dealers authorized to engage in investment transactions with the City.

(N) The investment officer shall prepare and submit to the City Council and management on a quarterly basis an investment report for each fund and fund group which describes in detail the current investment position, states the beginning market value, the additions and changes to market value, and ending market value for each pooled fund, states the book value and market value of each separately invested asset at the beginning and end of the reporting period, states the maturity date of each separately invested asset, states the fund for which each individual investment was acquired and states compliance of each fund group with this Statement of Investment Strategy, the Public Funds Investment Act, and with generally accepted accounting principles. The report shall also summarize and present, on a combined portfolio basis, total market valuation, total realized gains and losses, total unrealized gains and losses, distribution by maturity sector, and distribution by security type. The monthly report will also indicate, by portfolio, total investments held and total interest income earned on a full accrual basis.

The report may comment on current investment approaches and other items significant to the investment program. The report shall be signed by the Director of Financial Services and the investment officer.

The investment report presented at the end of the fiscal year may also include a review of the investment activities and earnings for the entire fiscal year for each fund or fund group, discuss investment techniques, and suggest improvements which will enhance the investment program and present an investment plan for the ensuing fiscal year. The report may discuss other significant issues related to the investment program.

(O) Investment officers of the City shall refrain from personal and business activities involving any of the City's custodians, depositories, broker/dealers or investment advisors which may influence the officers' ability to conduct the officer's duties in an unbiased manner. Investment officers will not utilize investment advice concerning specific securities or classes of securities obtained in the transaction of the City's business for personal investment decisions, will in all respects subordinate their personal investment transactions to those of the City (particularly with regard to the timing of purchase and sales), and will keep all investment advice obtained on behalf of the City and all transactions contemplated and completed by the City confidential, except when disclosure is required by law.

(P) This Statement of Investment Policy and the Statement of Investment Strategy will be reviewed annually by the City Council. Upon completion of the review, the City Council will acknowledge by resolution or minute action that it has reviewed the investment policy and investment strategy. Periodic revisions to the investment policy and the investment strategy will be approved by the City Council.

**[LEGAL-03] Section \_\_\_\_.** **Detecting, investigating, and preventing fraud, waste, and abuse.**

(A) For purposes of this section:

"Fraud" includes, without limitation:

- ! Forgery, alteration, or unauthorized negotiation or presentment of a check, warrant, bank draft, or any other financial document of the City or its affiliates including electronic transfer of funds;
- ! Theft of City property, including money or other thing of value;
- ! Misappropriation of City funds, securities, supplies, or other assets;
- ! Impropriety in the handling or reporting of money or financial transaction;
- ! Profiteering as a result of insider knowledge of City operations;
- ! Disclosing to another for improper gain and without authorization any confidential or proprietary information of the City;
- ! The receipt of kick-backs, bribes or improper gifts; or
- ! Sabotage or other acts of intentional damage to City resources, including improper access or damage to a City database.

“Waste” means the loss or misuse of City resources that results from deficient practices, system controls or decisions. A non-exclusive example of waste includes a violation of the City’s non-idle policy, that is, waste of fuel by needlessly allowing a vehicle to idle.

“Abuse” means the intentional, wrongful or improper use of resources or misuse of rank, position or authority that causes the loss or misuse of City property or resources such as tools, vehicles, computers, fuel, or employee time. Non-exclusive examples of abuse include using City equipment or supplies to conduct personal business and using non-confidential information to get new customers for an employee’s outside business.

(B) The City Manager shall be primarily responsible for preventing and detecting fraud, waste, and abuse involving City employees. The City Manager shall require his managerial employees to be responsible for initiating preventive measures where appropriate, to be familiar with the types of improprieties that might occur within the managerial employee’s area of responsibility, and to be alert for any indication of fraud, waste or abuse. The City Manager shall establish by directive rules for City employees regarding fraud, waste, and abuse consistent with the provisions of this policy. The directives shall apply to all employees of the City Manager and without regard to a suspected employee’s length of service or position. The directives shall require that any employee who detects or suspects an incident of fraud, waste or abuse shall immediately report the same to the next higher level of supervision in the employee’s chain of command. If the person in the next higher level of supervision is also suspected of fraud, waste or abuse, the employee shall report the fraud, waste or abuse to the Managing Director responsible for the department to which the employee is assigned. The directives shall allow an employee to by-pass the chain of command by reporting suspected fraud, waste or abuse to the hotline described below.

(C) The provisions of this policy apply to persons doing business with the City.

(D) The Internal Auditor shall establish and operate, with the cooperation of the City Manager, a “hotline” phone number or on-line intake system to which a person may anonymously report fraud, waste or abuse. A fraud, waste, and abuse hotline poster shall be developed by the City Manager and the Internal Auditor and shall be displayed at prominent locations throughout City buildings. The poster shall include information as to how an allegation may be reported through the hotline system.

(E) As a general rule, the Internal Auditor has primary responsibility to investigate allegations of fraud and the City Manager has primary responsibility to investigate allegations of waste and abuse. No definitive rule is established by this policy, however, due to the unique circumstances of any given case. Some allegations of fraud - the theft of minor office supplies, for example - while serious, are matters to be addressed through the City Manager for appropriate action. An allegation of abuse or waste, on the other hand, may involve a criminal offense or have such substantial consequences to the interests of the City that the Internal Auditor should have the primary responsibility for investigation. An allegation that relates to an employment dispute

(disagreement with management decisions or style, workers compensation issues, claims of discrimination or workplace grievances and such) shall be referred to the Managing Director of Human Resources to be handled in accordance with controlling law and City policies. The City Manager, the Internal Auditor, and the City Attorney are directed to cooperate in determining the best means of protecting the City's interests.

(F) When the Internal Auditor receives an allegation of fraud, waste or abuse, the Internal Auditor shall:

- (1) Determine whether the Internal Auditor or the City Manager has primary responsibility over the allegation as provided in this policy and proceed accordingly;
- (2) If the Internal Auditor has primary responsibility, perform an initial investigation to determine whether the complaint alleges reasonable cause to continue with an investigation;
- (3) If the complaint alleges a serious instance of fraud, waste or abuse under this policy, refer the complaint to the Fraud, Waste, and Abuse Committee (as described below) for further discussion and direction.

(G) The Fraud, Waste, and Abuse Committee consists of the Chair of the Council Audit Committee, the Internal Auditor, the City Manager, the City Attorney, and the Senior Managing Director of Human Resources. The Chief of Police may be made a member of the committee if an allegation includes conduct that may constitute a crime or the standing committee may refer a matter to the Chief of Police for criminal investigation.

(H) The Internal Auditor, in coordination with the Fraud, Waste, and Abuse Committee, shall report serious incidents to the City Council either directly or through a report to the Audit Committee, which shall then report the matter to the City Council. The report generally should not include the names of persons involved in the incident. Minor or non-serious incidents are generally internal management issues and reports of such to the City Council are not appropriate. The director of the department in which the incident arose shall, however, provide a written report to the City Manager regarding what actions were taken in response and what corrective actions will be taken to prevent recurrences.

**[OPNS-04] Section \_\_\_\_.** **Qualifications for doing business with the City.**

(A) For purposes of this policy, "person" includes: (1) an individual; (2) a majority owner or principal of a corporation, partnership, association, or limited liability company; (3) shareholders in a business entity with five or fewer shareholders; and (4) majority owned affiliates of the foregoing.

(B) It is the policy of the City Council that the City not engage in business with a person who has been convicted of any state or federal felony offense. The City shall not, except as provided in this policy, enter into or renew a contract to purchase, sell, or lease goods or services to or from any person who has been: (1) convicted of a state or federal felony; or (2) convicted or fined in excess of \$50,000 on certain state or federal discrimination offenses. A conviction includes a probated sentence, a deferred adjudication, or similar disposition. Discrimination charges include only those brought for discrimination based on race, gender or religion.

(C) This policy does not apply when: (1) at least three years have elapsed between the conviction and the approval of the contract; (2) the contract does not require City Council approval; (3) anything of value is paid or given to a person as an informant or participant in a crime stopper program; or (4) the City Council determines that application of this policy to a proposed contract would cause financial hardship to the City by its application (in which event the City Council may waive the application of this policy by the affirmative vote of not less than six members of the City Council).

(D) For bid applications that may result in a contract award by the City Council, the bidder shall include a certification in the offer that the bidder is not disqualified by the application of this policy.

#### **IV. STANDARD OPERATING PROCEDURES AND HOUSEKEEPING RULES**

*[OPNS-21]* **Section \_\_\_\_.** **National Night Out.** National Night Out is an event recognized throughout the United States and Canada and held annually on the first Tuesday in August (October in Texas). It is designed to heighten crime and drug prevention awareness, generate support for and participation in local anti-crime programs, strengthen neighborhood spirit and police-community partnerships, and send a message to criminals letting them know that neighborhoods are organized and fighting back. Because the scheduled National Night Out often conflicts with the regularly scheduled first regular council meeting in October, a rescheduling of that meeting is necessary. Therefore, the first regular meeting of each October, normally held on the first Tuesday of the month, shall be rescheduled either to the first Monday of the month or to the second Tuesday of the month, when there are five Tuesdays in the month. The City Manager shall advise the City Council of scheduling options in order that the City Council may take action to reschedule the meeting not later than the second regular meeting in September.

(B) In April of every year, the City will, through the Garland City Press or similar distributions, include information for the public that explains the purpose and function of every board and commission appointed by the City Council. The information will solicit applications from interested citizens. Applications for appointment must be delivered to the City Secretary and shall be submitted on a form provided by the City Secretary for that purpose. Upon receipt of an application, the City Secretary shall check the applicant's qualifications against the requirements for appointment to the office for which appointment is sought. The deadline for submitting an application is July 1. Following the filing deadline, the City Secretary shall forward



applications, including those submitted by incumbents who wish to be reappointed to a position, to the City Council for consideration. The City Council shall also be provided with an attendance report detailing the number of absences of each current board member for the preceding reporting period and a report on current vacancies.

(C) Councilmembers should review applications submitted for the position to be filled and select for nomination the person determined by the councilmember to be most qualified for the position. Appointments will be made on nomination at the second regular meeting of the City Council in August.

**[OPNS-29] Section \_\_\_\_.** **Assistance to non-profit organizations for special events.** (A) A non-profit organization that intends to sponsor a special event within the City may request in-kind (non-monetary) assistance from the City by submitting a written request to the City Manager. A request for assistance must be made for each event - standing or continuing requests are not allowed. A request for assistance must specify what benefits will accrue to the City as a result of the event and must specify with reasonable particularity what City services are being requested. A request for assistance must include a completed Special Events Assistance Program Application (see attached form). The request and application must be filed not less than 45 days prior to the date of the event. A request for assistance does not constitute an application for a special events permit under Chapter 30 of the Code of Ordinances unless so determined by the Building Official.

(B) In order to be approved, a request for assistance must meet the following criteria:

- (1) The sponsoring organization must provide evidence that the organization is an established civic, cultural, educational, religious or service group that is nationally- or state- chartered and that its membership is open to all citizens of Garland;
- (2) The organization must provide proof of non-profit status under Section 501(c) of the Internal Revenue Code;
- (3) The event must be of economic benefit to the community or contribute to the quality of life in Garland;
- (4) An expense and revenue report for any previous year's event(s) must be included with the application;
- (5) If the applicant has not previously obtain City assistance for the event, a projected expense and revenue report must be included with the application; and
- (6) The event must be open for participation by the public.

(C) The City Manager may approve a request that meets the criteria established in this policy up

to a maximum of \$5000.00 per event, within available budgeted funds. Requests shall generally be considered on a first-come, first approved basis.

(D) The amount, if any, to be made available for assistance under this policy will be determined by the City Council on an annual basis as part of the annual operating budget.

(E) The City Manager shall timely notify the City Council of any upcoming special events for which assistance under this policy has been approved.

**[OPNS-33] Section \_\_\_\_.** **City equipment provided to members of the City Council.** (A) The following items will be provided to members of the City Council:

- (1) A laptop computer or tablet with wi-fi or other remote access capabilities;
- (2) A building access/ID card;
- (3) Business cards; and
- (4) A cell phone or a cell phone stipend, payable monthly.

(B) The City Council shall annually budget sufficient funds to provide the items and expenses described in subsection (A). Ordering and deliver of equipment must be coordinated with the Office of the City Manager in order to insure consistency of equipment capabilities and cost control. Equipment problems shall be referred to the Office of the City Manager. Each member of the City Council is responsible for promptly returning all City-provided equipment, access/ID cards, and keys (if any) to City facilities upon completion of the member's term of office. A councilmember may, on completion of the member's term of office, purchase the laptop computer or tablet provided to that member for not less than fair market value if the device is considered obsolete and will be replaced by an upgraded device. Fair market value for the device will be determined by the City's IT department.

(B) The City Manager shall cause the Director of Human Resources to provide the City Council with:

- (1) The current compensation paid and salary ranges applicable to officials with similar duties and comparable responsibilities employed by comparable municipalities in Texas; and
- (2) Information regarding applicable municipal populations, departmental or functional staff support personnel, years of experience of each official in that official's present position, and benefits or perquisites provided;

(C) A copy of the information gathered by the Managing Director of Human Resources shall be

forwarded to the respective appointee. The appointee may submit to the City Council comments regarding the information considered relevant for review.

(D) The City Council shall, in executive session:

- (1) Meet to review the applicable performance-related goals and objectives, if any, established for each individual appointee for the preceding review period and define those goals and objectives to be considered for the next review period.
- (2) Meet with each appointee individually to discuss the appointee's performance and achievements.
- (3) Discuss and evaluate the appointee's performance during the preceding review period and, if applicable, the goals and objectives to be established for the next review period; and
- (4) Determine the compensation, benefits, and perquisites to be afforded to the appointee.

(E) The Mayor shall notify each appointee of the compensation and benefits determinations made by the City Council and discuss with the appointee any additional comments or suggestions made by the City Council regarding such appointee. Follow-up sessions to clarify the evaluation or review progress with the City Council may be scheduled if necessary. The City Attorney shall be directed to prepare an appropriate employment agreement for each appointee who is employed under contract and that is reflective of the directions given by the City Council for that appointee. The employment agreements shall be placed on an agenda for formal approval by the City Council. Municipal judges are appointed for two year terms without contract, but compensation may be adjusted annually by the City Council. Note: Part-time associate judges are hired under informal contract by the presiding chief judge of the Municipal Court and are compensated in accordance with funds allocated for such purposes in the annual budget as approved by the City Council.

(F) After final approval by the City Council, the City Manager shall inform the Director of Human Resources of the compensation adjustments that need to be implemented, as applicable, and shall cause the Director of Human Resources to promptly prepare and process all the documentation necessary to implement the compensation determinations of the City Council as directed.

**[LEGAL-01] Section \_\_\_\_.** **Periodic Charter review.** The City Attorney shall periodically advise the City Council whether, due to changes in the law, a necessity exists for a change in the Charter. If the City Council determines that a change in the Charter should be considered, it shall timely appoint a Charter Review Committee in accordance with the Charter.

*[OPNS-39]* **Section \_\_\_\_.** **Election day political sign moratorium.** (A) Traditionally, persons who support (or oppose) a candidate or a measure in an election often urge voters arriving at a polling place on election day to vote in the manner endorsed by those supporters through various means of electioneering, including personal contacts and by displaying signs near the polling place. Under the City's general sign regulations, the placement of political signs on City property and streets is prohibited. This policy is intended to provide for a one-day moratorium on the placement of political signs at a polling place on the official date of an election.

(B) The City Manager is directed to hold in abeyance the enforcement those provisions of the Code of Ordinances and the Garland Development Code for the premises of a polling place and the immediately adjoining, contiguous public street front of the polling place for a period commencing at 7:00 p.m. the day before the official date of an election and ending at 7:00 a.m., the day following the election. The abeyance provided hereby, shall apply only to signs containing a political message and only applies if the sign: (a) is no larger than six square feet in area and weighs no more than one pound; (b) is mounted to the ground by means of a stake or stakes, a pedestal, or other temporary, ground mounted, self-supporting means; and (c) does not encroach on the distance barrier prescribed by Sec. 63.100, TEXAS ELECTION CODE.

(C) Nothing contained in this policy shall be construed as allowing the placement or attachment of any sign on any tree, pole, building or other sign or damaging in any manner any City property. This policy is not intended to limit in any manner the authority of the State or election officials regarding electioneering and the placement of signs, and this policy does not require the owner of a polling place not owned by the City to allow the placement of signs on that property. No sign may be placed so as to encroach upon or obstruct any street, driveway, parking space, fire lane, sidewalk or pathway.

(D) If the sign contains a political message, this policy applies, and the City Manager does not have discretion to determine whether the viewpoint expressed on the sign falls within or without the moratorium authorized by this policy. No member of the City Council shall demand that a sign be removed or that any provision of the City's sign regulations otherwise be enforced with respect to any political sign covered by this policy.

## **V. CEREMONIAL AND HONORARY PROCEDURES**

*[BLDG-02]* **Section \_\_\_\_.** **Building dedication plaques.** Dedication plaques may be placed on new City buildings, City buildings that have undergone major rehabilitation, and on other major capital improvement projects. The dedication plaques, if commemorating members of the City Council, shall include only the names of the mayor and the members of the city council who initially approved the project. The names of members of the City Council who approved preliminary matters (such as the capital improvements plan) or subsequent matters (such as change orders) need not be included.

*[OPNS-27; OPNS-34]* **Section \_\_\_\_.** **Outgoing appreciation commemoratives.** (A) The City

shall recognize the service of outgoing members of the City Council by presenting the member with a City flag and a commemorative memento that displays the City of Garland seal and the name and years of service of the councilmember. An example is attached. The design and form of the memento shall be coordinated through the Office of the City Manager in order to provide consistency and cost control. The City Council shall budget funds necessary and appropriate for such purposes.

(B) In recognition of the services provided by the citizens who serve as appointees to boards and commissions, the City Council shall budget for an annual appreciation function to be held in the Fall for all members of boards and commissions who have served during the preceding year. At that time, members who are retiring will be presented with a commemorative recognition of appreciation for service to the City in a form provided by the City Manager.

*[OPNS-38]* **Section \_\_\_\_.** **Ceremonial documents.** Certain ceremonial documents may be issued by the Mayor including proclamations, special recognitions, resolutions of honor, honorary citizenships, and official greetings. A member of the City Council may request the preparation of certificates of appreciation for presentation to citizens who the councilmember wishes to recognize for outstanding service to Garland. All requests for ceremonial documents shall be made in writing to the Office of the Mayor. The request shall describe the occasion or person to be commemorated, the value of that person or occasion to Garland, and how the proposed commemoration relates to the citizens of Garland. The Mayor shall determine whether to approve the request and, if approved, what form of commemoration will be given and whether the commemoration will be presented at a meeting of the City Council.

*[OPNS-22]* **Section \_\_\_\_.** **Meritorious service awards.** On occasion, a citizen or employee of the City may perform an act of heroism or provide service to the citizens of Garland beyond the call of duty. The City Council may recognize such acts and service by issuing a City Council “Medal of Honor” to deserving recipients. A nomination for the award of a meritorious service award may be submitted to the City Council by any member or, if the nomination is made by a citizen, by forwarding the nomination to the Mayor.

## **VI. COUNCIL DIRECTIVES TO MANAGEMENT**

*[BLDG-01]* **Section \_\_\_\_.** **Public use of City Hall.** The City Manager shall develop a program to allow for the use of the Council Chambers and the 1<sup>st</sup> Floor meeting rooms in City Hall by non-profit groups. The program shall be consistent with current security protocols and shall recognize the public use of City Hall for public business as paramount.

*[OPNS-07]* **Section \_\_\_\_.** **Compensation of City employees.** It is the policy of the City Council that, within the City’s financial and budgetary limits, all City employees will be compensated at a level that is competitive with the compensation paid to employees within the City’s employment market area. The City Manager is directed to have annual compensation surveys conducted within the City’s employment market area to determine whether employment

compensation for City employees is competitive for such purposes, and to perform occasional job evaluations to determine what compensation adjustments should be made for persons already employed by the City.

*[OPNS-09]* **Section \_\_\_\_.** **Homeowner's association by-law review.** Some homeowners' associations within the City must submit the by-laws (or amendments to the bylaws) of the association to the City for review and approval. The City Manager shall designate a department for such purposes and shall cause the review to be limited to a determination whether the proposed bylaws, including any proposed amendment, adequately provides a source of funds and a means of obtaining those funds (such as through mandatory homeowners' association assessments) to pay for the upkeep, repair, and maintenance of any improvements owned by the association including public improvements such as screening walls, subdivision entry features, and the like.

*[OPNS-11]* **Section \_\_\_\_.** **Right of way acquisition and waiver of special assessments.** The City Manager is hereby authorized to offer, in exchange for a dedication of right of way necessary for the completion of a street improvement project, the waiver of special assessments that will or may be assessed against the owners of real property that abuts the project.

*[OPNS-17]* **Section \_\_\_\_.** **Restrictions on the representation of third-parties by former City employees ("revolving door policy").** A former employee of the City who was employed as a departmental director, managing director, senior managing director, or as the City Manager may not make any communication to or appearance before the City Council before the second anniversary of the date the former employee ceased to be employed by the City if the communication or appearance is made: (1) with the intent to influence the City Council; (2) is made or done on behalf of any person other than the former employee in an individual capacity, and; (3) is made or done in connection with any matter on which the former employee seeks official action.

*[OPNS-18]* **Section \_\_\_\_.** **"Over-hiring" of civil-service positions for police and fire.** The City Council recognizes that, when a vacancy occurs in an entry-level civil service position, the process of recruiting and training a replacement may take more than a year. Due to the time lag, the rigors of training, and other factors beyond the City's control, a class of potential recruits may decrease in size by half or more during the recruitment and training process. The City Council also recognizes that the expected vacancy rate for the Police and Fire departments can be reasonably calculated. It is the desire of the City Council that staffing of civil service positions remain as close as possible to 100% of authorized strength. Accordingly, the City Manager is authorized to estimate the potential vacancies within the Police and Fire departments that are reasonably likely to occur within the future and, based on that estimate, hire a sufficient number of recruits for those positions so that, accounting for anticipated and historical attrition rates, the staffing level of civil service positions will likely be as close as possible to 100% of authorized strength.

**[OPNS-28] Section \_\_\_\_.** **Doing business with delinquent account holders.** It is the policy of the City Council that the City not do business with a person (including a business entity of any sort) who is delinquent on an account to the City. Examples of delinquent accounts include taxes, impact fees, special assessments, utility bills, and EMS fees. The City Manager shall cause the affected departments within the City (including Purchasing, Engineering, Planning, and GP&L) to be provided with sufficient information to enforce the provisions of this policy.

**[OPNS-31] Sec. \_\_\_\_.** **Payroll deductions under Sec. 141.008, TEX. LOCAL GOV'T CODE.** Membership dues payable to a bona fide employee's association named by a requesting employee may be deducted from the requesting employee's salary or wages provided that: (1) the requesting employee is an active, full-time employee; (2) participation by the requesting employee in the payroll deduction program is voluntary; (3) the requesting employee submits to the City a written request stating the amount to be deducted each month from the employee's salary or wages; and (4) the written request specifies the employees' association to which the deducted funds will be transferred. The City is under no obligation to incur any expense in the administration of an employee payroll deduction program.

#### **ATTACHMENTS:**

Council committee interest form

Special events assistance program application

**DELETED POLICIES:**

DEV-04 Right of way assessment policy

DEV-05 Sidewalk standards

DEV-07 Sale and disposition of City-owned properties (covered by State law)

FIN-01 Boiler fuel (previously abrogated by resolution)

FIN-03 Firewheel Golf Park fees (set by ordinance)

LEGAL-02 Conflict of interests and code of ethics (covered by State law and the ethics provisions of the Code of Ordinances)

OPNS-01 Policy on policies

OPNS-02 Council meeting rules of order (previously abrogated by the adoption of the Council Rules of Order and Procedure)

OPNS-06 Residency requirements for certain employees

OPNS-08 School speed zones

OPNS-10 Intersection right of way control (stop and yield signs)

OPNS-15 Public works contract incentives/disincentives

OPNS-20 Area plan implementation committees (previously abrogated)

OPNS-24 City Council meetings: public safety/disorderly conduct (already covered in City Council Rules of Order and Procedure and standard operating procedures)

OPNS-25 Council time management of meetings (previously abolished)

OPNS-35 Council swearing-in policy (covered by State law)

OPNS-36 Audit committee (already combined with general committee policy 10-17-14 with vote on amendments to former OPNS-23)

OPNS-37 Downtown square street closings (generally a Star Spangled Fourth policy - no longer used and covered by special event permit application process in Code of Ordinances)





# City Council Item Summary Sheet

☒ **Work Session**

**Date:** July 6, 2015

☐ **Agenda Item**

## **National League of Cities Salt Lake City, UT Meeting Update**

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

At the request of Councilmembers Stephen W. Stanley and B.J. Williams, Councilmember Stephen W. Stanley will provide an overview on his attendance at the Salt Lake City National League of Cities seminar.

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

Council discussion.

**Submitted By:**

**Approved By:**

**Bryan L. Bradford  
City Manager**



# City Council Item Summary Sheet

☒ **Work Session**

**Date:** July 6, 2015

☐ **Agenda Item**

## **Council Approval of Travel Expenses, Airfare to Salt Lake City**

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

At the request of Mayor Douglas Athas, Council will discuss approval of travel expenses, airfare to Salt Lake City.

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

Council discussion.

**Submitted By:**

**Approved By:**

**Bryan L. Bradford  
City Manager**

### Round Trip Airline Ticket to Salt Lake City, Utah

Colwick Travel, the City of Garland's travel agent, was not able to determine the actual cost of a round trip ticket for June 10-13, 2015 if it had been purchased either two weeks in advance or purchased one month in advance.

Colwick Travel was able to provide the following ticket cost for an American Airlines round trip ticket if purchased for July 2015 (with the same days of the week) Wednesday through Saturday:

Purchased two weeks in advance:	\$609 (\$584 plus \$25 Colwick service fee)
Purchased one month in advance:	\$536 (\$511 plus \$25 Colwick service fee)