



AGENDA

**REGULAR MEETING OF THE CITY COUNCIL
City of Garland
Duckworth Building, Goldie Locke Room
217 North Fifth Street
Garland, Texas
February 17, 2015
7:00 p.m.**

The City Council extends to each visitor a sincere welcome. We value your interest in your community and your participation in the meetings of this governing body. Regular meetings of the City Council are held the 1st and 3rd Tuesdays of each month, beginning at 7:00 p.m.; the City Council meets regularly in work sessions at 6:00 p.m. the Monday preceding each regular meeting.

The Duckworth Building is wheelchair accessible. Special parking is available on the north side of the building on Austin Street and may be accessed by a sloped ramp from the street to the door facing Fifth Street. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services must contact the City Secretary's Office at (972) 205-2404 at least two working days prior to the meeting so that appropriate arrangements can be made. **BRILLE IS NOT AVAILABLE.**

CITY COUNCIL GOALS 2020

(Adopted by Resolution No. 9402 on December 20, 2005)

- **Sustainable quality development and redevelopment**
- **Financially stable government with tax base that supports community needs**
- **Defends rightful powers of municipalities**
- **Fully informed and engaged citizenry**
- **Consistent delivery of reliable City services**
- **Safe, family-friendly neighborhoods**
- **Embrace diversity**

MAYORAL PROCLAMATIONS, RECOGNITIONS, AND ANNOUNCEMENTS

The Mayor may present proclamations and recognize attendees or award winners, and may make announcements regarding upcoming City events and matters of interest to citizens. There will be no Council deliberations or votes on these matters.

CONSENT AGENDA

All items under this section are recommended for approval by a single motion of Council, without discussion. Council has been briefed on these items at a previous work session and approval of the consent agenda authorizes the City Manager to implement each item. The Mayor will announce the agenda and provide an opportunity for members of the audience and the City Council to request that an item be removed and considered separately.

1. Consider approval of the minutes of the February 3, 2015 Regular Meeting.

2. Consider approval of the following bids:

a. Overhead Transmission Line Maintenance Bid No. 4954-15

T & D Solutions \$750,000.00

This request is for Overhead Transmission Line Maintenance for the installation, removal, and transferring of overhead 15 kV facilities.

b. Pleasant Valley Road Duct Line Improvements Bid No. 4963-15

The Fishel Company	\$239,600.25
Optional Contingency	<u>10,000.00</u>
TOTAL	<u>\$249,600.25</u>

This request is for electrical distribution improvements including conduit and duct line installation along Pleasant Valley Road as part of the Pleasant Valley Bridge Relocation project. Due to the complex nature of the project, an optional contingency is included for any unforeseen additional work that may be required.

c. Vegetation Restoration for Street Projects	Bid No. 5005-15
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A&W Turf, LLC

\$330,700.00

This request is for vegetation restoration by topsoil backfilling and grass sod installation on street and alley construction projects.

d. Rowlett Pump Station Sluice Gate Replacement Bid No. 5037-15

Ark Contracting Services, LLC

\$364,000.00

This request is for replacement of two 54" sluice gates at the Rowlett Creek Wastewater Treatment Plant. This will require bypass pumping of wastewater flow at the Influent Pump Station and replacement of two rectangular effluent weir plates at both ends of the chlorine contact basins.

3. Consider approval by minute action authorizing the Mayor, City Manager and City Secretary to enter into a Joint Election Contract and Election Services Agreement with Dallas County Elections and other participating Dallas County Entities.

It is necessary to contract with Dallas County Elections to secure election services for all Garland registered voters for the May 9, 2015 General Election.

4. Consider an ordinance authorizing the City of Garland, Texas General Obligation Commercial Paper Program, Series 2015.

At the December 1, 2014 Work Session, Council considered the termination of the General Obligation Commercial Paper Program, Series 2012 and establishing a new General Obligation Commercial Paper Program.

5. Consider a resolution supporting the issuance of a municipal setting designation certificate for property located at 10503 Forest Lane, Dallas, Texas.

At the February 2, 2015 Work Session, Council considered authorizing a resolution to support the City of Dallas Municipal Setting Designation Application.

- 6. Consider a resolution in support of a proposed housing tax credit multi-family development.**

At the February 2, 2015 Work Session, Council received a presentation regarding a multi-family development being proposed by Green Extreme Home. The proposed development would be located at 704 Avenue B, Garland, Texas.

- 7. Consider a resolution acknowledging the required annual review of the investment policy of the City of Garland.**

The Public Funds Investment Act, Council Policy FIN-05 and Council Policy FIN-06 require an annual review of the City's written Investment Policy and Investment Strategy. No changes to FIN-05 and FIN-06 have been made.

- 8. Consider a resolution providing for the redemption of certain outstanding City of Garland, Texas Tax Notes, Series 2014; and resolving other matters incident and related to the redemption of such obligations.**

At the February 2, 2015 Work Session, Council considered approving a resolution to redeem the Tax Notes, Series 2014.

ITEMS FOR INDIVIDUAL CONSIDERATION

Speaker Regulations:

Anyone wishing to speak for, against, or on agenda items must fill out a speaker card and give it to the City Secretary before speaking (cards located at the entrance to the Council Chambers). The Mayor will recognize speakers; he may impose a time limit and may provide for rebuttal. All comments and testimony are to be presented from the podium.

- 9. Presentation of the 2015 Proposed Capital Improvement Program**

The City Manager will formally present the 2015 Proposed Capital Improvement Program for Council's review and deliberation.

- 10. Consider the request by Cynthia Spencer to waive the Water and Roadway Impact Fees for development of property located at 1102 Main Street, Garland, Texas.**

The applicant is constructing a 5000 square foot office building at this location. The roadway impact fee for this development is \$15,645. The water impact fee for this development is \$62.50.

- 11. Hold a public hearing on the following zoning case:**

Consider the application of Sargent Design, requesting approval of 1) an amendment to Planned Development (PD) District 14-17 for Limited Multifamily Uses and 2) a Detail Plan for Independent Senior Living Facility. The property is located at 2101 West Walnut Street, Garland, Texas.

The proposal is to allow an amendment to Planned Development (PD) District 14-17 for Limited Multifamily Uses and a Detail Plan for Independent Senior Living Facility.

- 12. Citizen comments.**

Persons wishing to address issues not on the agenda may have three minutes to address Council at this time. Council is prohibited from discussing any item not posted according to the Texas Open Meetings Act.

- 13. Adjourn.**

All Regular Council meetings are broadcast live on CGTV, Time Warner Cable Channel 16, and Verizon FIOS TV 44. Meetings are rebroadcast at 9:00 a.m. and 7:00 p.m. on Wednesday-Sunday and at 7:30 p.m. on Thursday. Live streaming and on-demand videos of the meetings are also available online at www.garlandtx.gov. Copies of the meetings can be purchased through the City Secretary's Office – audio CD's are \$1 each and DVD's are \$3 each.

The City Council of the City of Garland convened in regular session at 7:00 p.m. on Tuesday, February 3, 2015, in the Goldie Locke Room at The Duckworth Building, 217 North Fifth Street, Garland, Texas, with the following members present:

COUNCIL PRESENT:

Mayor	Douglas Athas
Mayor Pro Tem	Jim Cahill
Deputy Mayor Pro Tem	Marvin 'Tim' Campbell
Council Member	Anita Goebel
Council Member	Stephen Stanley
Council Member	B. J. Williams
Council Member	Billy Mack Williams
Council Member	Lori Barnett Dodson
Council Member	Scott LeMay

STAFF PRESENT:

City Manager	William E. Dollar
City Attorney	Brad Neighbor
City Secretary	Eloyce René Dowl

CALL TO ORDER:

The meeting was called to order by Mayor Douglas Athas. Council Member Stanley led the invocation and Pledge of Allegiance.

The Mayor recognized members of Boy Scout Troop 360.

CONSENT AGENDA:

All items marked with asterisks (**) on the consent agenda were voted on at the beginning of the meeting. Motion was made by Council Member Stanley and seconded by Mayor Pro Tem Cahill to approve items 1, 2a, 2b, 2c, 3, 4, 5, 6, 7, and 8. Motion to approve carried with 9 Ayes and 0 Nays.

1. APPROVED**

Minutes of the January 20, 2015 Regular Meeting.

2a. APPROVED**

Bid No. 4879-15 to Total Highway Maintenance, LLC in the amount of \$317,850.00 to install and maintain raised pavement markers for various types of lane markings throughout the City. This will be a term contract with four (4) optional renewals.

2b. APPROVED**

Bid No. 5083-15 to Altec Industries, Inc. in the amount of \$433,616.00 for the purchase of a hydraulic telescopic crane truck to be used by GP&L in daily Operations.

- 2c. APPROVED** Bid No. 5016-15 to FSG Signs in the amount of \$423,598.00 to provide and install wayfinding signs that will provide directions and guide the public to Downtown Garland destinations
3. APPROVED** Authorize by minute action the City Manager to approve the Information Technology Strategic Plan for the City of Garland Nicholson Memorial Library System, August 2013, to permit Garland's library system to continue to be accredited by the Texas State Library and Archives Commission and receive the services granted to accredited libraries.
4. APPROVED** Authorize by minute action the City Manager to execute Change Order #2 with Hill & Wilkinson General Contractors in the amount of \$194,349 to relocate the Lyles House from temporary storage to the southwest quadrant of Heritage Crossing.
5. APPROVED** Approval by minute action an employment agreement with William E. Dollar to continue his employment in the position of City Manager.
6. APPROVED** Approval by minute action an employment agreement with Brad Neighbor to continue his employment in the position of City Attorney.
7. APPROVED** Approval by minute action an employment agreement with Jedson Johnson to continue his employment in the position of City Auditor.
8. APPROVED** Ordinance No. 6756 approved ordering and providing notice of a General Election for The City of Garland, Texas to be held on the 9th day of May, 2015 and providing an effective date for the purpose of electing a Mayor and Council members for District 3, 6, 7, and 8.
9. APPROVED** Ordinance No. 6757 amending Ordinance No. 6747 of the City of Garland, ordaining the City's participation in the Texas Enterprise Zone Program pursuant to the Texas Government Code, providing tax incentives, designating a liaison for communication with interested parties, nominating Kraft Foods Group, Inc. to the Office of the Governor,

Economic Development and Tourism through the Economic Development Bank as an enterprise project.

Ayako Schuster, Vice President of Economic Development for the Garland Chamber of Commerce briefed the Council on this item.

Motion was made by Council Member Stanley and seconded by Deputy Mayor Pro Tem Campbell. Motion to approve carried with 9 Ayes and 0 Nays.

10. Citizen Comments: Michael Bell
Michael Rogers

There being no further business to come before the City Council, Mayor Athas adjourned the meeting at 7:17 p.m.

CITY OF GARLAND

Signed:

Mayor Douglas Athas

Attest:

City Secretary



GARLAND
PURCHASING

Bid No.: 4954-15
Agenda Item: 2a
Meeting: Council
Date: 02/17/15

Purchasing Report

OVERHEAD TRANSMISSION LINE MAINTENANCE TERM CONTRACT

PURCHASE JUSTIFICATION:

The purpose of this contract is to provide Overhead Transmission Line Maintenance for the installation, removal, and transferring of overhead 15 kV facilities. This is a Term Contract with four (4) optional renewals. Pricing will remain firm for the first term. Any subsequent price adjustments must be justified and mutually agreed upon.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
T & D Solutions	All	\$750,000.00

TOTAL: \$750,000.00

BASIS FOR AWARD:

Best Value

Submitted by:

Gary L. Holcomb, CPPO, C.P.M.
Director of Procurement

Reviewed by:

William E. Dollar
City Manager

Date: 02/06/15

Date: 02/09/15

FINANCIAL SUMMARY:

Total Project/Account: \$ N/A

Expended/Encumbered to Date: N/A

Balance: \$ N/A

This Item: 750,000

Proposed Balance: \$ N/A

Trent Schulze 02/09/15

Budget Analyst Date

Ron Young 02/09/15

Budget Director Date

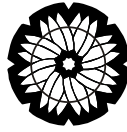
Operating Budget: ☒ CIP: ☐ Year: FY 2014-15

Document Location: Page 212

Account #: 451-6999
(Various Electric Operating Accounts)

Fund/Agency/Project – Description:
Term Contract – Overhead Transmission Line
Maintenance

Comments:
Term Contract sets price but does not commit
funds. Expenses will be charged to GP&L
Operating Budget as incurred.



GARLAND

PURCHASING

Executive Summary **Bid 4954-15** **Overhead Line Maintenance Contract**

Recommended Vendor:

T&D Solutions

Total Recommended Award:

\$750,000.00

Basis for Award:

Best Value

Purpose:

The purpose of this contract is to provide Overhead Transmission Line Maintenance as needed for the installation, removal and transferring of overhead 15kV facilities. This is a term contract with four (4) optional renewals.

Evaluation:

Requests for bids were issued in accordance with Purchasing procedures. Two (2) bids were received and evaluated by the published criteria of: price; experience; work to be completed by primary contractor; past relationship with Garland; established safety programs. T&D Solutions offered the lowest overall price and received the highest evaluated score, offering the best value to the City.

Recommendation:

Staff recommends awarding the contract to T&D Solutions.

Funding Information:

Blanket Account Code 451-6999

Department Director:

Ross Owen, Director of Transmission & Distribution Services, 972-205-3532



GARLAND
PURCHASING

Bid No.: 4963-15
Agenda Item: 2b
Meeting: Council
Date: 02/17/15

Purchasing Report

PLEASANT VALLEY ROAD DUCT LINE IMPROVEMENTS OPEN MARKET

PURCHASE JUSTIFICATION:

The purpose of this contract is to provide electrical distribution improvements including conduit and duct line installation along Pleasant Valley Road as part of the Pleasant Valley Bridge Relocation project. Due to the complex nature of the project, an Optional Contingency is included for any unforeseen additional work that may be required. This is an approved Capital Improvement project, and expenses will not exceed appropriated funds.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
The Fishel Company	All	\$239,600.25
Optional Contingency		10,000.00
TOTAL:		\$249,600.25

BASIS FOR AWARD:

Straight Low Bid

Submitted by:

Gary L. Holcomb, CPPO, C.P.M.
Director of Procurement

Reviewed by:

William E. Dollar
City Manager

Date: 02/06/15

Date: 02/09/15

FINANCIAL SUMMARY:

Total Project/Account: \$ 1,099,137

Expended/Encumbered to Date: 536,912

Balance: \$ 562,225

This Item: 249,600

Proposed Balance: \$ 312,625

Trent Schulze 02/09/15
Budget Analyst Date

Ron Young 02/09/15
Budget Director Date

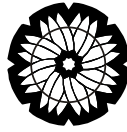
Operating Budget: ☐ CIP: ☒ Year: 2014

Document Location: Page E07

Account #: 215-3293-3149101-7111

Fund/Agency/Project – Description:
Electric CIP – Relocation of Facilities
(Relocation of Pleasant Valley Road Bridge)

Comments:



GARLAND

PURCHASING

Executive Summary **Bid 4963-15** **Pleasant Valley Road Duct Line Improvements**

Recommended Vendor:

The Fishel Company

Total Recommended Award:

\$249,600.25

Basis for Award:

Lowest Responsible Bid

Purpose:

The purpose of this contract is to provide electrical distribution improvements including conduit and duct line installation along Pleasant Valley Road as part of the Pleasant Valley Bridge Relocation project.

Evaluation:

Requests for bids were issued in accordance with City Purchasing procedures. Two (2) bids were received and evaluated. The Fishel Company offered the lowest total bid and met all requirements of the specifications.

Recommendation:

Staff recommends awarding the contract to the Fishel Company.

Funding Information:

GP&L Utility Relocations CIP 215-3293-3149101-7111 (EC-D5491-013-1-7111)

Department Director:

Ross Owen, Transmission & Distribution Director, 972-205-3532



GARLAND
PURCHASING

Bid No.: 5005-15
Agenda Item: 2c
Meeting: Council
Date: 02/17/15

Purchasing Report

VEGETATION RESTORATION FOR STREET PROJECTS TERM CONTRACT

PURCHASE JUSTIFICATION:

The purpose of this contract is to provide vegetation restoration by topsoil backfilling and grass sod installation on street and alley construction projects. This contract also includes purchase and delivery of sod for installation by Street Department personnel. This is a Term Contract with four (4) optional renewals. Pricing will remain firm for the first term. Any subsequent pricing adjustments must be justified and mutually agreed upon.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
A&W Turf, LLC	All	\$330,700.00
TOTAL:		<u>\$330,700.00</u>

BASIS FOR AWARD:

Best Value

Submitted by:

Reviewed by:

Gary L. Holcomb, CPPO, C.P.M.
Director of Procurement

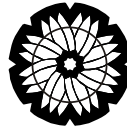
William E. Dollar
City Manager

Date: 02/06/15

Date: 02/09/15

FINANCIAL SUMMARY:

<u>FINANCIAL SUMMARY:</u>			
Total Project/Account:	\$ N/A	Operating Budget:	<input checked="" type="checkbox"/> CIP: <input type="checkbox"/> Year: 2014-15
Expended/Encumbered to Date:	N/A	Document Location:	Pages 96-97
Balance:	\$ N/A	Account #:	451-6999 (Street Operating Budget)
This Item:	330,700	Fund/Agency/Project – Description:	Term Contract – Provide Vegetation Restoration on Street and Alley Construction Projects
Proposed Balance:	\$ N/A	Comments:	Term Contract sets price but does not commit funds. Expenses will be charged to accounts as incurred.
Matt Monedero	02/09/15		
Budget Analyst	Date		
Ron Young	02/09/15		
Budget Director	Date		



GARLAND

PURCHASING

Executive Summary **Bid 5005-15** **Vegetation Restoration for Street Projects**

Recommended Vendor:

A&W Turf, LLC

Total Recommended Award:

\$330,700.00

Basis for Award:

Best Value

Purpose:

This purpose of this contract is to provide vegetation restoration by topsoil backfilling and grass sod installation on street and alley construction projects. This contract also includes purchase and delivery of sod for installation by Street Department personnel. This is a term contract with four (4) optional renewals.

Evaluation:

Requests for bids were issued in accordance with Purchasing procedures. One (1) bid was received and evaluated on the published criteria of: price; experience; references; equipment. A&W Turf, LLC's bid was within budget and met all requirements of the specifications. The Street Department has previously done business with A&W Turf, LLC and they have consistently provided high quality materials.

Recommendation:

Staff recommends awarding the contract to A & W Turf, LLC.

Funding Information:

FY 2014/15 Operating Budget

Department Director:

Steven L. Oliver, P.E., Director of Streets, 972-205-3555



GARLAND
PURCHASING

Bid No.: 5037-15
Agenda Item: 2d
Meeting: Council
Date: 02/17/15

Purchasing Report

ROWLETT PUMP STATION SLUICE GATE REPLACEMENT OPEN MARKET

PURCHASE JUSTIFICATION:

The purpose of this contract is to replace two (2) 54" sluice gates at the Rowlett Creek Wastewater Treatment Plant. This will require bypass pumping of wastewater flow at the Influent Pump Station and replacement of two (2) rectangular effluent weir plates at both ends of the chlorine contact basins. Funding was approved in the 2014 Capital Improvement Program.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Ark Contracting Services, LLC.	All	\$364,000.00
TOTAL:		\$364,000.00

BASIS FOR AWARD:

Lowest Responsible Bid

Submitted by:

Reviewed by:

Gary L. Holcomb, CPPO, C.P.M.
Director of Procurement

William E. Dollar
City Manager

Date: 02/06/15

Date: 02/09/15

FINANCIAL SUMMARY:

Total Project/Account: \$	2,013,357
Expended/Encumbered to Date:	1,577,083
Balance: \$	436,274
This Item:	364,000
Proposed Balance: \$	72,274

Matt Watson	02/09/15
Budget Analyst	Date

Ron Young	02/09/15
Budget Director	Date

Operating Budget: ☐ CIP: ☒ Year: 2014

Document Location: Page WW15

Account #: 237-4229-3302800-9002

Fund/Agency/Project – Description:
Wastewater CIP / Rowlett Creek Treatment Plant / Rowlett Creek WWTP Processes Improvements

Comments:



GARLAND

PURCHASING

Executive Summary **Bid 5037-15** **Rowlett Pump Station Sluice Gate Replacement**

Recommended Vendor:

Ark Contracting Services, LLC

Total Recommended Award:

\$364,000.00

Basis for Award:

Lowest Responsible Bid

Purpose:

The purpose of this contract is to replace two (2) 54" sluice gates at the Rowlett Creek Wastewater Treatment Plant. This will require bypass pumping of wastewater flow at the Influent Pump Station and replacement of two (2) rectangular effluent weir plates at both ends of the chlorine contact basins.

Evaluation:

Request for bids were issued in accordance with Purchasing procedures. Four (4) bids were received and evaluated. Ark Contracting Services, LLC had the lowest total bid and met all requirements of the specifications.

Recommendation:

Staff recommends awarding the contract to Ark Contracting Services, LLC.

Funding Information:

Water Treatment CIP 237-4229-3302800-9002

Department Director:

Wes Kucera, Director of Wastewater, 972-205-2874



City Council Item Summary Sheet

☐ Work Session

Date: February 17, 2014

☒ Agenda Item

Joint Election Services Agreement with Dallas Co. Elections

Summary of Request/Problem

It is necessary to contract with Dallas County Elections to secure election services for all Garland registered voters for the May 9, 2015 General Election.

Dallas County will provide the estimated cost for the election after February 13, 2015.

A draft contract is attached.

Recommendation/Action Requested and Justification

Approve by minute action authorizing the Mayor, City Manager and City Secretary to enter into a Joint Election Contract and Election Services Agreement with Dallas County Elections and other participating Dallas County Entities.

Submitted By:

Eloyce René Dowl
City Secretary

Approved By:

William E. Dollar
City Manager

ELECTION SERVICES CONTRACT (“Election Services Contract”)

**JOINT ELECTION SERVICES AGREEMENT
BETWEEN
THE DALLAS COUNTY ELECTIONS ADMINISTRATOR
AND**

**Town Of Addison (TOA)
City Of Carrollton (COC)
City Of Cockrell Hill (COCKH)
City Of Dallas (COD)
City Of Duncanville (CODu)
City Of Garland (COG)
City Of Hutchins (COH)
City Of Lancaster (COL)
City Of Mesquite (COM)
City Of Rowlett (CORw)
City Of Seagoville (COSe)**

**City Of Balch Springs (COBS)
City Of Cedar Hill (COCdH)
City Of Coppell (COCp)
City Of Desoto (CODE)
City Of Farmers Branch (COFB)
City Of Grand Prairie (COGP)
City Of Irving (COI)
City Of Lewisville (COLew)
City Of Richardson (COR)
City Of Sachse (COSa)
City Of Sunnyvale (TOS)**

City Of Wilmer (COW)

Carrollton-Farmers Branch Independent School District (CFBISD)

Cedar Hill Independent School District (CHISD)

Coppell Independent School District (CPISD)

Dallas Independent School District (DISD)

Dallas County School Board (DCSB)

Desoto Independent School District (DeISD)

Duncanville Independent School District (DuISD)

Garland Independent School District (GISD)

Grand Prairie Independent School District (GPISD)

Highland Park Independent School District (HPISD)

Irving Independent School District (IISD)

Lancaster Independent School District (LISD)

Mesquite Independent School District (MISD)

Richardson Independent School District (RISD)

Sunnyvale Independent School District (SuISD)

Northwest Dallas Flood Control (NWDCFC)

FOR THE CONDUCT OF A JOINT ELECTION

TO BE HELD SATURDAY, May 9th, 2015

TO BE ADMINISTERED BY THE DALLAS COUNTY ELECTIONS DEPARTMENT

1) STATUTORY AUTHORITY FOR AND PARTIES TO THIS ELECTION SERVICES CONTRACT

- a) Antoinette “Toni” Pippins-Poole (“Toni Pippins-Poole”) is the duly appointed County Elections Administrator (“Elections Administrator”) of Dallas County, Texas (“County”) and the Department Head of the Dallas County Elections Department (“DCED”). As such, Toni Pippins-Poole is the County’s Voter Registrar and the Election Officer of Dallas County, Texas and is authorized by Subchapter D of Chapter 31 of Title 3 of the Texas Election Code to enter into this Election Services Contract with the contracting authorities of the Participating Political Subdivisions listed in “Attachment F” of this Election Services Contract. DCED acts at the direction of the Elections Administrator.
- b) The contracting authorities of the Participating Political Subdivisions that are participating in this Election Services Contract are listed in “Attachment F” of this Election Services Contract and are hereby participating with each other in this Joint Election to be held in Dallas County, Texas on Saturday, May 9, 2015 under Chapter 271 of Title 16 of the Texas Election Code (“Joint Election”); and are hereby contracting with the Elections Administrator of Dallas County, Texas to perform the election services set forth in this Election Services Contract under Subchapter D of Chapter 31 of Title 3 of the Texas Election Code. The Participating Political Subdivisions acknowledge that they are participating in this Joint Election with each other and with Dallas County, Texas and the State of Texas, to the extent that Dallas County, Texas and the State of Texas have candidates on the ballot in this Joint Election.
- c) The Elections Administrator will coordinate, supervise, and handle all aspects of administering this Joint Election in accordance with the provisions of the Texas Election Code and as outlined in this Election Services Contract. Each contracting authority of each Participating Political Subdivision will pay its share of the Election Costs of the Elections Administrator for the equipment, supplies, services, and administrative costs outlined in this Election Services Contract. The Elections Administrator will administer the election; however, each Participating Political Subdivision will be responsible for the duties directly administered by the Participating Political Subdivision.

2) ATTACHMENTS The following attachments are hereby incorporated into this Election Services Contract as if set forth herein in their entirety. The Participating Political Subdivisions acknowledge that the following attachments are subject to reasonable changes by the Dallas County Elections Administrator before, during, and after Election Day and any runoff election(s), if any runoff election(s) are required by law to be held.

- a) “Attachment A” is an itemized list of the estimated election expenses for this Joint Election and the amounts that each Participating Political Subdivision must deposit with the Dallas County Treasurer. The Elections Administrator will amend “Attachment A” to reflect the changing estimates of election expenses that are caused by changing circumstances and by the withdrawal of Participating Political Subdivision(s), if any, from this Election Services Contract.
- b) “Attachment B” is a list of the early voting polling places for this Joint Election.

- c) **“Attachment C”** is a list of the Election Day polling places for this Joint Election.
- d) **“Attachment D”** is a list of the people that the Dallas County Elections Administrator will appoint as deputy early voting clerks for this Joint Election.
- e) **“Attachment E”** is a list of the presiding election judges and alternate election judges for Election Day for this Joint Election.
- f) **“Attachment F”** is a list of the Participating Political Subdivisions that will be holding elections in Dallas County election precincts or partial election precincts and the number of registered voters in each of those election precincts or partial election precincts. **“Attachment F”** will also contain, for each Participating Political Subdivision, the full name of the person serving as a point of contact, the physical address, the mailing address, a facsimile number, and an email address. **“Attachment F”** will be amended if any of the Participating Political Subdivisions withdraw from this Election Services Contract. **“Attachment F”** will be amended to reflect the number of registered voters in each election precinct and partial election precinct as of the statutory deadline (**Thursday, April 9, 2015**) for voters to submit applications to register to vote or changes of address in this Joint Election. In this Election Services Contract, the phrase **“election precinct”** is synonymous with the phrase **“voting precinct.”**
- g) Within five (5) business days after any of the foregoing attachments are amended by the Elections Administrator, the Elections Administrator will send each Participating Political Subdivision an amended version of the amended attachment by email to the email address provided by each Participating Political Subdivision in **“Attachment F.”**

3) LEGAL DOCUMENTS

- a) Each Participating Political Subdivision will prepare, adopt, and publish all legally required election orders, resolutions, notices, and other documents that are required by, or of, their governing bodies. Each Participating Political Subdivision must send the Elections Administrator a copy of any election order, resolution, or notice related to this Joint Election within three (3) business days of publishing, adopting, or ordering it. Such documents can be sent to the attention of: Robert Heard, Assistant Elections Administrator, 2377 North Stemmons Freeway, Suite 820, Dallas, Texas 75207; or, emailed to Robert.Heard@DallasCounty.org. Alternatively, send to Jana Onyon at email Jana.Onyon@DallasCounty.Org.
- b) Each Participating Political Subdivision is responsible for having its own election orders, resolutions, notices, or official ballot wording translated into the Spanish language.

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4) VOTING SYSTEMS

- a) Each Participating Political Subdivision agrees that, during this Joint Election, voters will cast their ballots on three different kinds of voting systems, each of which has been approved by the Texas Secretary of State in accordance with the Texas Election Code and the Texas Administrative Code: Direct Recording Electronic voting machines (“DRE”); an optical scanner voting system (“optical scan”); and a voting system accessible to voters with physical disabilities (“ADA Terminals”). On April 21, 2015 at 10:00 A.M., at the County Elections Department at 2377 N. Stemmons Frwy, Suite 820, Dallas, Texas, the Elections Administrator will test the DRE voting system and the automatic tabulating equipment used for counting ballots at the central counting station. On March 30, 2015 at 10:00 A.M. at the County Election Equipment Warehouse at 1506 East Langdon Road, Hutchins, Texas, the Elections Administrator will test the optical scan voting system. At least 48 hours before the date and hour of each test, the Elections Administrator will publish a newspaper notice with the date, hour, and place of the testing. The Elections Administrator will establish regional collection sites within the county and a central counting station to receive and tabulate the regular ballots that are cast in this Joint Election and receive the provisional ballots.
- b) The Elections Administrator will provide DREs, precinct ballot counters, and voting booths for this Joint Election. Each polling place will have at least one voting terminal that complies with the Americans with Disabilities Act (“ADA”). During the early voting period, each early voting polling place will have master Personal Electronic Ballot (“PEB”) devices and iVotronic DRE machines. For Election Day, the Elections Administrator will allocate voting booths to all of the polling places in amounts reasonably anticipated to be sufficient for the anticipated turnout of voters. Each Election Day polling place will have at least one precinct ballot counter and one (1) ADA Ivotronic machine.
- c) The itemized list of the estimated election expenses for this Joint Election are in “Attachment A,” which includes, but may not be limited to the number of voting booths, precinct ballot counters, precinct tabulators, iVotronics voting machines, Americans with Disability Act (“ADA”) Voting Terminals, Gemini voting booths, Personal Electronic Ballots, and Master Personal Electronic Ballots. All of the Participating Political Subdivisions agree that ADA Terminals will be used during this Joint Election under the Help America Vote Act of 2002 (“HAVA”) and that the ADA Terminals will be part of this Election Services Contract.

5) POLLING PLACES

- a) The Elections Administrator will select and arrange for the use of and payment for all of the early voting polling places listed in “Attachment B” and the Election Day polling places listed in “Attachment C” subject to the approval of each Participating Political Subdivision. Once a polling location has been chosen, it cannot be changed by a Participating Political Subdivision.

- b) Whenever possible, previously used polling places that voters are accustomed to using will be used for the election precincts and partial election precincts in this Joint Election; however, the Participating Political Subdivisions acknowledge that sometimes previously used polling places are not available or appropriate for every election. Accessibility under the Americans with Disabilities Act is an important consideration for all polling places in this Joint Election.
 - c) For polling places that have changed since the most recent election ordered by a Participating Political Subdivision, the Elections Administrator will mail registered voters affected by the changes notice of their new polling place location.
- 6) PRESIDING ELECTION JUDGES, ALTERNATE PRESIDING ELECTION JUDGES, ELECTION CLERKS, AND OTHER ELECTION DAY PERSONNEL**
- a) The Elections Administrator will be responsible for the appointment of the presiding election judges and alternate election judges listed in “Attachment E” for each polling place listed in “Attachment C” subject to the approval of each Participating Political Subdivision.
 - b) **This sub-paragraph applies only to an election with no partisan candidate on any ballot.** If a Participating Political Subdivision requests that a person not listed in “Attachment E” be appointed to serve in a specific polling place, but another Participating Political Subdivision requests that a different person be appointed to serve that same polling place, then the Elections Administrator will conduct a drawing by lot from the recommendations, no later than March 5, 2015 to resolve the conflict and notify each Participating Political Subdivision affected of the resolution. After the Elections Administrator notifies a person so selected by lot of the polling place where the person will serve, the Elections Administrator is not required to act on further such requests from the Participating Political Subdivisions for that specific polling place.
 - c) If a person appointed as a presiding election judge or alternate election judge becomes ineligible to serve as such in this Joint Election, then the Election Administrator will appoint a replacement presiding election judge or alternate election judge, amend “Attachment E” accordingly, and send each Participating Political Subdivision the amended “Attachment E” by email within five (5) business days.
 - d) If a person is unable or unwilling to serve as a presiding election judge or an alternate election judge, then the Elections Administrator will name a replacement presiding election judge or send each Participating Political Subdivision the amended “Attachment E” by email within five (5) business days.
 - e) The Elections Administrator will provide public county training programs, in keeping with Section 32.114 of the Texas Election Code, for all of the presiding election judges, alternate election judges, and election clerks for this Joint Election. The presiding election judges are responsible for notifying the alternate presiding judge and the election clerks for the presiding election judge’s polling place of the time and place of each training session.

- f) To serve in this Joint Election, each presiding election judge and alternate election judge must have attended an election judge training session, a mandatory Voter ID law training session, and optical scan training session taught by the Elections Administrator for this Joint Election within the last 12 months. New judges and election clerks that have not attended a mandatory Voter ID Law training session taught by the Elections Administrator for this Joint Election may not serve in this Joint Election.
- g) The Elections Administrator will notify the Participating Political Entities by email and post on the DCED's website the dates, times, and locations of training classes and labs for both Early Voting and Election Day Workers.
- h) To comply with the Federal Voting Rights Act of 1965, as amended, precincts containing more than 5% Hispanic population, according to the 2010 census statistics, are required to have interpreter assistance. If a presiding election judge of such a precinct is not bilingual and is unable to hire a bilingual election clerk, the Elections Administrator may recommend an individual to provide interpreter assistance. If the Elections Administrator is unable to recommend an individual to provide interpreter assistance for such a precinct, the Elections Administrator will notify the participating political subdivision and request assistance in identifying an interpreter. In the event that a bilingual election clerk is hired by the Elections Administrator for a precinct required to have interpreter assistance, the bilingual clerk will be paid according to a rate set by the Elections Administrator. The Elections Administrator will charge that expense to the funds deposited with the Dallas County Treasurer for the conduct of the elections listed in this Election Services Contract. A Participating Political Subdivision may pay more money to a bilingual clerk than the rate set by the Elections Administrator, however that expense will be borne by that Participating Political Subdivision individually and that extra expense will not be charged to the funds deposited with the Dallas County Treasurer for the conduct of the elections listed in this Election Services Contract.
- i) The Elections Administrator will notify all of the presiding election judges and alternate election judges about the eligibility requirements of Subchapter C of Chapter 32 of Title 3 of the Texas Election Code and Section 271.005 of the Texas Election Code. The Elections Administrator will take the necessary steps to insure that all of the presiding election judges and alternate election judges appointed to serve during this Joint Election are eligible to serve and qualified to serve in this Joint Election. Under Section 32.031 of the Texas Election Code, the presiding election judge for each election precinct shall appoint the election clerks to assist the presiding election judge in the conduct of the election at the polling place served by the presiding election judge on Election Day.

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- j) The presiding election judges are responsible for picking up election supplies at the time and place determined by the Elections Administrator, which will be set forth in the letter to the presiding election judges requesting service for this election. Payments for the presiding election judge will be specified in "Attachment A."
- k) Any Participating Political Subdivision electing to pay their election workers for attending a training class or lab must bear that expense separately from the funds deposited into this Joint Election account.
- l) The Elections Administrator will employ other personnel necessary for the proper administration of the election, including such part-time help as is necessary to prepare for the election, to ensure the timely delivery of supplies and equipment assistance during the period of Early Voting and on Election Day, and for the efficient tabulation of ballots at the central counting station and regional sites. Part-time personnel will be paid an amount specified in "Attachment A."

7) SUPPLIES AND PRINTING

- a) The Elections Administrator will obtain and distribute all of the election supplies and election printing necessary for this Joint Election, including, but not limited to, all forms, signs, and other materials used by the presiding election judges and clerks at the polling places.
- b) The Elections Administrator will provide maps, if necessary, instructions, and other information that the presiding election judges need to conduct this Joint Election.
- c) Each Participating Political Subdivision must deliver a list to the Elections Administrator of candidates and propositions for their elections. The list must be in English and Spanish. The list must include the ballot positions for the candidates and the propositions. The list must include the correct spelling of each candidate's name and the precise wording of all of the propositions. The Elections Administrator will email each Participating Political Subdivision a Microsoft Word format form for their use to create the required list. As soon as possible after each Participating Political Subdivision has determined its ballot positions for the candidates and propositions in its election, the Participating Political Subdivision must email the completed Microsoft Word format form to the Elections Administrator. The Elections Administrator will use these electronic forms received from the Participating Political Subdivisions to create the ballot styles for this Joint Election. The Elections Administrator will deliver the proposed ballots to the Participating Political Subdivisions for approval. Each Participating Political Subdivision will be responsible for proofreading the proposed ballots and notifying the Elections Administrator of any corrections that are required for their particular ballots. The Elections Administrator is responsible for implementing the corrections made by the Participating Political Subdivisions to their ballots and then producing the ballots for this Joint Election.

8) OPTICAL SCAN CARD BALLOTS

- a) The Elections Administrator will allocate ballots for this Joint Election by determining

the approximate voter turnout for comparable elections in each election precinct or partial election precinct and then adding 25% to that number for each election precinct or partial election precinct. However, the minimum ballot allocation for each election precinct or partial election precinct will range from 25-40% of the registered voters in each election precinct or partial election precinct depending on election type and authorized by the political subdivision (25-50% is recommended for local liquor elections).

- b) Additional ballots will be available for Early Voting by Mail and for use on Election Day to respond to any polling place that requests additional ballots and printed on an a needed basis. Cost per ballot will be forty-five cents (.45¢).

9) RETURNS OF ELECTIONS

- a) The Elections Administrator will establish and operate a central counting station to receive and tabulate ballots cast in this Joint Election under Chapter 127 of Title 8 of the Texas Election Code.
- b) The Participating Political Subdivisions hereby, in accordance with Sections 127.002, 127.003 and 127.005 of the Texas Election Code, appoint the following central counting station officials:

Central Count Station Manager: **Toni Pippins-Poole, Dallas County Elections Administrator**

Tabulation Supervisor: **Jana Onyon, Central Count Station Manager**

Assistant Tabulation Supervisor: **Mandy Bush, Central Count Station Lead Clerk**

Presiding Judge: **Dallas County School Board Representative**

Alternate Presiding Judge: **City of Dallas Representative**

- c) The Central Count Station Manager or her representative will deliver timely, cumulative reports of the election results as election precincts are tabulated. The Central Count Station Manager will be responsible for releasing cumulative totals and election precinct returns from the election to the Participating Political Subdivisions, candidates, press, and the general public by the distribution of hard copies or electronic transmittals (where accessible). The Elections Administrator will operate an election result center to release election results in the Health and Human Services Building, 2377 N. Stemmons Frwy., Suite 820, Dallas, Texas.
- d) The Elections Administrator will link any Participating Political Subdivision's website to DCED's website. Participating Political Subdivisions that want such website linkage should deliver their website address to the Tabulation Supervisor at DCED.
- e) The Elections Administrator will prepare the unofficial canvass report after all precincts

have been counted, and will email a copy of the unofficial canvass to each Participating Political Subdivision as soon as possible after all returns, provisional ballots, and late overseas ballots have been tabulated, but in no event no later than May 16, 2015. All Participating Political Subdivisions will be responsible for the official canvass of their respective elections.

- f) The Elections Administrator will be responsible for conducting the post-election manual recount, unless the Texas Secretary of State grants a waiver under Section 127.201 of the Texas Election Code. If no such waiver is given, the Elections Administrator will provide notice and copies of the recount to each Participating Political Subdivision and the Secretary of State's Office. Each Participating Political Subdivision must notify the Elections Administrator if such a waiver has been granted or denied as soon as possible, but no later than five (5) calendar days before Election Day.

10) ELECTION EXPENSES

- a) The Participating Political Subdivisions agree to share the costs of administering this Joint Election as specified in "Attachment A." The Election Administrator will charge a general supervisory fee not to exceed ten (10%) percent of the total cost of this Joint Election as authorized by Section 31.100 of the Texas Election Code. In no event will the ten (10%) percent general supervisory fee be refunded to any Participating Political Subdivision.
- b) Allocation of costs among the Participating Political Subdivision will be according to a formula based on the average cost per polling place and the allocation of election day tabulators (hereinafter "M100's") in that polling place ("Unit Cost"). The Unit Cost will be determined by dividing the total of the itemized list of estimated election expenses by the total number of polling places. A "Polling Place" will be identified by and defined based on the presence and number of M100's and/or Election Supply Carts ("ESC"). Any Participating Political Subdivision that requests a different combination of precincts in polling places that exceeds the Unit Cost will be billed directly for any excess expenditures (e.g. supplies, equipment, personnel, etc.). **The cost of any special request from a Participating Political Subdivision, which is not agreed upon by all Participating Political Subdivisions, will be borne by the Participating Political Subdivision making the special request.** Each Participating Political Subdivision agrees that no Participating Political Subdivision will be billed less than the minimum of one full unit cost as specified in "Attachment A."
- c) The expenses for early voting by mail and personal appearance will be paid by each Participating Political Subdivision as set forth in "Attachment A."
- d) The Elections Administrator will determine the final election expenses within one hundred and eighty (180) business days after the final canvass of this Joint Election or the runoff election, if any. The Elections Administrator will provide each Participating Political Subdivision with a final, written accounting of all money that was deposited into, and payments that were made from, the Joint Election account(s) maintained by the Dallas County Treasurer for this Joint Election and the runoff election, if any.

- e) If the Elections Administrator requires additional money to perform its obligations under this Election Services Contract, then the Elections Administrator will bill each Participating Political Subdivision using the same method used to determine each Participating Political Subdivision's required deposit in "Attachment A" of this Election Services Contract ("Final Bill"). The Participating Political Subdivision shall pay the Final Bill within thirty (30) days of receipt except for any amount the Participating Political Subdivision files a timely good faith dispute under Section 17 of this Election Services Contract. After all of the expenses of this Joint Election are paid and disputes, if any, resolved, any monies that remain in the account maintained by the Dallas County Treasurer for this Election Services Contract will be refunded to the Participating Political Subdivisions (the "Refund").

11) DEPOSIT OF FUNDS

- a) Each Participating Political Subdivision hereby agrees to deposit with the Dallas County Treasurer's Office the full balance of money listed in "Attachment A" of this Election Services Contract by April 3, 2015. The Dallas County Treasurer's Office will place the money deposited by the Participating Political Subdivisions in a Joint Election account.
- b) The deposit of funds by each Participating Political Subdivision is an express condition precedent to the participation of each Participating Political Subdivision in this Election Services Contract. A Participating Political Subdivision may seek an extension from the Elections Administrator as to the due date for the deposit of funds. Such an extension must be sought in writing and prior to due date for such deposit by the Participating Political Subdivision. Any decision(s) made by the Elections Administrator will be provided in writing to the Participating Political Subdivision. The Elections Administrator, however, shall not be required to grant an extension for the deposit of funds by a Participating Political Subdivision. For any Participating Political Subdivision that fails to deposit the total amounts specified in "Attachment A" by the dates specified in this Election Services Contract or any extension granted by the Elections Administrator, the Elections Administrator will be relieved from the responsibility to perform under this Election Services Contract for such Participating Political Subdivision.
- c) The Elections Administrator will only draw money from this Joint Election account to pay for election expenses that are included in "Attachment A" to this Election Services Contract and for other expenses that the Participating Political Subdivisions agree to in writing.
- d) If a Participating Political Subdivision withdraws completely from this Joint Election by Friday, March 6, 2015, then the Elections Administrator will refund that Participating Political Subdivision's deposit, less any money already expended before the withdrawal and less the general supervisory fee authorized by Section 31.100 of the Texas Election Code. In the event of a partial withdrawal from this Joint Election, deposits will not be refunded to the Participating Political Subdivisions.
- e) The Elections Administrator will not make partial refunds to a Participating Political Subdivision if any candidate(s) or propositions will not appear on the ballot for that

Participating Political Subdivision.

- f) Deposits should be made out to Dallas County Elections Department and delivered within the mandatory time frame to:

**Pauline Medrano
Dallas County Treasurer
303 Records Building
509 Main Street
Dallas, Texas 75202**

In the “memo” section of check place Election Escrow Account: _____

12) RECORDS OF THE ELECTION

- a) The Elections Administrator is hereby appointed the general custodian of the voted ballots and all election records of this Joint Election to the extent authorized by Sections 31.094, 31.095, 31.096, and 31.097 of the Texas Election Code.
- b) Access to the election records will be available to each Participating Political Subdivision as well as to the public in accordance with the Texas Public Information Act, Chapter 552, Government Code, at the Elections Department, 2377 N. Stemmons Frwy, Suite 820, Dallas, Texas, at any time during normal business hours. The Elections Administrator will ensure that the records are maintained in an orderly manner, so that records are clearly identifiable and retrievable per records storage container. However, access to election records that contain confidential information that must be redacted pursuant to federal or state law may be provided at the offices of the Civil Division of the Criminal District Attorney’s Office of Dallas County, Texas at 411 Elm Street, 5th Floor, Dallas, Texas.
- c) Pursuant to Section 66.058 of the Texas Election Code, the Elections Administrator will retain the election records at the Elections Administrator’s main offices for sixty (60) days after the date of this Joint Election. Sixty (60) days after the date of this Joint Election, the Elections Administrator will arrange for transport of this Joint Election records to Dallas County Record Storage. This Joint Election’s records will then become the responsibility of Dallas County Record Storage for the remainder of the six (6) month preservation period. Dallas County Record Storage will be responsible for the destruction of this Joint Election records after the preservation period. The Elections Administrator will provide each Participating Political Subdivision a letter of destruction.
- d) The Participating Political Subdivisions must notify the Elections Administrator in writing within three (3) business days after any official or employee of any Participating Political Subdivision becomes aware of any election contest in connection with this Joint Election. The election records must be preserved until any election contest is completed and a judgment, if any, becomes final. See Section 1.013 of the Texas Election Code.

13) EARLY VOTING

- a) Under Sections 31.094 and 271.006 of the Texas Election Code, the Participating Political Subdivisions hereby appoint the Elections Administrator to be the early voting clerk for

all of the political subdivisions participating in this Joint Election. The deputy early voting clerks that will be appointed by the Elections Administrator are listed in “Attachment D.”

- b) **This sub-paragraph applies only to a joint election with no partisan candidate on any ballot.** Participating Political Subdivisions may recommend people to the Elections Administrator to serve as a deputy early voting judge/clerk. If a Participating Political Subdivision recommends a person not listed in “Attachment D” and that recommendation conflicts with the recommendation from any of the other Participating Political Subdivisions involved in the election in that polling place, the Elections Administrator will conduct a drawing by lot from the recommendations to determine the deputy early voting judge/clerk. Once a person has been notified of his or her selection as deputy early voting judge or deputy early voting clerk, no changes may be made by any of the Participating Political Subdivisions.
- c) Any qualified voter for this Joint Election may vote early by personal appearance at the main early voting polling place or at one of the early voting branch polling places listed in Attachment B. Early voting will be conducted on Monday, April 27, 2015 through Friday, May 1, 2015, from 8:00 A.M. to 5:00 P.M.; on Saturday, May 2, 2015 between 8:00 A.M. and 5:00 P.M.; on Sunday, May 3, 2015, between 1:00 P.M. and 6:00 P.M.; and on Monday, May 4, 2015 through Tuesday, May 5, 2015 between 7:00 A.M. and 7:00 P.M.
- d) All requests for early voting ballots by mail that are received by a Participating Political Subdivision must be transported by runner on the day of receipt to the Dallas County Elections Department, 8th Floor, Health and Human Service Building, 2377 N. Stemmons Frwy., Dallas, Texas 75207 for processing. Persons voting by mail must send their voted ballots to the Dallas County Elections Department.
- e) 13.4 All early voting ballots will be prepared for counting by an Early Voting Ballot Board appointed under Subchapter A of Chapter 87 of the Texas Election Code. Each Participating Political Subdivision will appoint one member to the Early Voting Ballot Board and will prepare a list notifying DCED of the appointee’s name, telephone number, mailing address, and email address, if any, no later than Friday, March 27, 2015. The Participating Political Subdivisions agree to appoint TBD as the presiding judge of the early voting ballot board. A list of Early Voting Ballot Board members will be furnished to each Participating Political Subdivision no later than Tuesday, March 31, 2015.
- f) A signature verification committee will be appointed in accordance with Section 87.027 of the Texas Election Code. A list of the members of the signature verification committee will be furnished to each Participating Political Subdivision.

14) CRIMINAL BACKGROUND CHECKS

The Elections Administrator, her agent or assignee will conduct a criminal background check (in accordance with statutory requirements) of any person who is expected to or scheduled to serve or work in this Joint Election. Any person that does not satisfactorily

pass the criminal background check will be ineligible to serve or work in this Joint Election. Failure to obtain a criminal background check does not release the participating entity's obligation to pay for service rendered in good faith.

15) ELECTION REPORTS

During the early voting period for this Joint Election, the Elections Administrator will deliver daily reports to each Participating Political Subdivision of the Early Voting Location Turnout Totals and Early Voting Roster. The day after the early voting period ends, the Elections Administrator will deliver to each Participating Political Subdivision, a Daily Early Voting Roster by precinct report that includes the entire Early Voting period. Pursuant to the Texas Election Code §87.121, the Elections Administrator will deliver these election reports by website posting, e-mail, or facsimile.

16) WITHDRAWAL FROM CONTRACT

- a) No deposits will be refunded after the deadline to withdraw from this Election Services Contract has passed.
- b) In order to withdraw from this Election Services Contract, a Participating Political Subdivision must deliver to the Elections Administrator any certifications and declarations that are required under Subchapter C or Subchapter D of Chapter 2 of Title 1 of the Texas Election Code.
- c) The Elections Administrator will bill any Participating Political Subdivision that withdraws from this Election Services Contract for any expenses incurred prior to the Elections Administrator receiving copies of the certifications and declarations that are required under Subchapter C or Subchapter D of Chapter 2 of Title 1 of the Texas Election Code.
- d) If there are any withdrawals from this Joint Election, within ten (10) business days after the deadline for Participating Political Subdivisions to make declarations under Subchapter C or Subchapter D of Chapter 2 of Title 1 of the Texas Election Code, said deadline being March 4, 2015, the Elections Administrator will amend the attachments to this Election Services Contract as appropriate and provide updated copies of the amended attachments to all of the remaining Participating Political Subdivisions.
- e) The general supervisory fee authorized by Section 31.100 of the Texas Election Code will not be refunded.

17) AUDITING AND PROHIBITION ON WITHHOLDING OF DEPOSITS

- a) The Dallas County Auditor will conduct a review of the deposits and expenditures related to this Election Services Contract before the Final Bill or Refund is submitted to the Participating Political Subdivisions.
- b) The Participating Political Subdivisions may request a financial audit of the Final Bill or Refund or dispute the Final Bill or Refund under this Section, if: 1) the Final Bill exceeds ten percent (10%) of the amount of the Participating Political Subdivision's initial deposit as required in "Attachment A" to this Election Services Contract; or 2) the

accounting accompanying the Refund is ten percent (10%) less than the amount the Participating Political Subdivision determines, should be refunded, after its good faith review. The request for a financial audit or dispute must be done in accordance with Section 17 (d) below.

- c) Should the events in Section 17 (b) occur, in lieu of an audit or dispute, the Participating Political Subdivision may make a request that the Elections Administrator ask the Dallas County Auditor to review the cost allocation methodology for the Participating Political Subdivision's Final Bill or Refund ("Review Request"). The Participating Political Subdivision's must submit its Review Request to the Elections Administrator within five (5) business days of receipt of the Final Bill or the Refund, whichever is later. The Review Request must set forth, in detail, the basis for any challenge to the Final Bill or Refund. Corrections to the Participating Political Subdivision's Final Bill or the Refund, based on a Review Request, will be determined at the sole discretion of the Elections Administrator. A Review Request does not extend the timeframe in Section 17(d).
- d) Should the circumstances giving rise to an audit or dispute in Section 17 (b) occur, the Participating Political Subdivision may send a formal written notice of dispute of the Final Bill or Refund ("Dispute Notice") to the Elections Administrator. This Dispute Notice must be received by the Elections Administrator no later than thirty (30) calendar days from the date the Participating Political Subdivision receives the Final Bill or Refund. This Dispute Notice must provide: 1) an itemization of the disputed charge(s) by the Participating Political Subdivision; 2) the basis for the dispute; 3) the methodology showing how the Participating Political Subdivision arrived at the amount disputed; and 4) documentation in support thereof. The Participating Political Subdivision will have no right to withhold any undisputed amounts set forth in this Election Services Contract or reflected in the Final Bill. Payment of undisputed amounts in the Final Bill must be made by the Participating Political Subdivision as set forth in Section 10 (e) of this Election Services Contract.
- e) Failure of the Participating Political Subdivision to submit a timely Dispute Notice, as set forth in Section 17(d), shall waive any and all disputes, claims, or challenges to the Final Bill or Refund by the Participating Political Subdivision. The entire amount of the Participating Political Subdivision's Final Bill shall be due immediately; or, any estimated refund amounts will become final.
- f) If the Participating Political Subdivision files a timely Dispute Notice in compliance with Section 17(d), the Participating Political Subdivision will have the right to conduct a good faith financial audit ("Financial Audit") for the deposits and expenditures related to this Elections Services Contract. In conducting the Financial Audit, the Participating Political Subdivision will have no greater right to demand access to or copies of the County's governmental or election records than those rights specified in the Texas Election Code and the Texas Public Information Act. The cost of any Financial Audit conducted by the Participating Political Subdivision shall be borne by the requesting Participating Political Subdivision and may not be paid for with funds deposited with the Dallas County Treasurer under this Election Services Contract. Further, the Participating Political

Subdivision conducting the Financial Audit shall pay the Elections Administrator the reasonable costs for time expended and copies provided in order to perform the Financial Audit. If the Financial Audit identifies overcharges by the Elections Administrator of more than ten percent (10%) of the initial deposit amount required by "Attachment A", the Elections Administrator will review and assess the findings of the Financial Audit and will negotiate, in good faith, to resolve any disputes for overcharges with the Participating Political Subdivision. The Elections Administrator shall not be bound by the findings or recommendations of the Participating Political Subdivision's Financial Audit. The financial records will be retained at the County Election Administrator's office until the conclusion of the Financial Audit and resolution of all outstanding audit disputes.

- g) In the event the representatives of the Participating Political Subdivision and the Elections Administrator cannot agree on the amount of the disputed Final Bill as set forth in this Section, then the Parties may agree to submit to non-binding mediation. If mediation is acceptable to both parties to resolve a dispute concerning the disputed Final Bill, the parties will agree to use a mutually agreed-upon mediator. Unless the parties come to a written agreement at mediation, the mediation will not constitute a final and binding resolution of the dispute.
- h) The Participating Political Subdivision acknowledges that the practical effect of the Participating Political Subdivision withholding undisputed funds that are required under this Election Services Contract would result in breach of this Elections Services Contract and the other Participating Political Subdivisions' taxpayers subsidizing the withholding Participating Political Subdivision's election expenses.

18) NOTICE

Any addendum to, change/modification of, clarification of, and/or withdrawal from this contract requires written notice provided on Dallas County Form, "Elections Services Contract Change Forms". Initial contract changes are due by Wednesday, February 11, 2015. Whenever this Election Services Contract requires any consent, approval notice, request or demand, it must be in writing to be effective and must be delivered to the party intended to receive it as shown below:

Address for notice to the Elections Administrator:

Toni Pippins-Poole

Dallas County Elections Administrator

Elections Department – 8th Floor

Health and Human Service Building – 2377 N. Stemmons Frwy, Suite 820

Dallas, Texas 75207

(214) 819-6300 telephone

(214) 819-6301 facsimile

and, to the physical addresses and facsimile numbers for notice to the Participating Political Subdivisions are in "Attachment F" to this Election Services Contract.

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19) LIABILITY FOR NEGLIGENCE

ALL PARTIES TO THIS ELECTION SERVICES CONTRACT AGREE TO BE RESPONSIBLE, IN ACCORDANCE WITH APPLICABLE STATE OR FEDERAL LAW, EACH FOR THEIR OWN NEGLIGENT ACTS OR OMISSIONS, OR OTHER TORTIOUS CONDUCT IN THE COURSE OF PERFORMANCE OF THIS CONTRACT WITHOUT WAIVING ANY SOVEREIGN IMMUNITY, GOVERNMENTAL IMMUNITY, STATUTORY IMMUNITY, OR OTHER DEFENSES AVAILABLE TO THE PARTIES UNDER FEDERAL OR STATE LAW. NOTHING IN THIS PARAGRAPH SHALL BE CONSTRUED TO CREATE OR GRANT ANY RIGHTS, CONTRACTUAL OR OTHERWISE, IN OR TO ANY THIRD PERSONS OR ENTITIES. ALL PARTIES AGREE THAT ANY SUCH LIABILITY OR DAMAGES OCCURRING DURING THE PERFORMANCE OF THIS ELECTION SERVICES CONTRACT CAUSED BY THE JOINT OR COMPARATIVE NEGLIGENCE OF THE PARTIES, OR THEIR EMPLOYEES, AGENTS OR OFFICERS WILL BE DETERMINED IN ACCORDANCE WITH COMPARATIVE RESPONSIBILITY LAWS OF TEXAS, BUT ONLY TO THE EXTENT SUCH LAWS ARE APPLICABLE TO THE PARTY.

TO THE EXTENT PERMITTED BY LAW, IF LEGAL ACTION IS FILED AGAINST EITHER PARTY TO THIS ELECTION SERVICES CONTRACT, EACH PARTY SHALL BE SOLELY RESPONSIBLE FOR THEIR OWN RESPECTIVE COSTS AND DEFENSE OF THAT SUIT.

20) CHOICE OF LAW

This Election Services Contract will be governed and interpreted by the laws of the State of Texas.

21) VENUE AND JURISDICTION

- The courts of the State of Texas and the United States of America that are physically located in Dallas, Dallas County, Texas are the exclusive jurisdiction and venue for any lawsuit, cause of action, temporary restraining order, temporary injunction, injunction, petition for extraordinary relief, mandamus, or any other legal proceeding or claim arising out of the performance of this Election Services Contract.

22) SEVERABILITY

If any term of this Election Services Contract is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the terms of this Election Services Contract will remain in full force and effect and will in no way be affected, impaired, or invalidated.

23) ENTIRE CONTRACT

This Election Services Contract, including any exhibits or attachments, contains the entire agreement between the Elections Administrator and the Participating Political Subdivisions concerning the duties required by this Election Services Contract. The Elections Administrator of Dallas County, Texas and each Participating Political Subdivision hereby expressly warrant and represent that they are not relying on any promises or agreements that are not contained in this Election Services Contract concerning any of the terms in this Election Services Contract. Except otherwise

specified in this Election Services Contract, no modification, amendment, novation, renewal, or other alteration of this Election Services Contract shall be effective unless mutually agreed upon in writing and executed by the parties hereto.

24) GENDER AND HEADINGS

In this Election Services Contract, words in the singular number include the plural, and those in the plural include the singular. Words of any gender also refer to any other gender. Headings in this Election Services Contract are terms of inclusion, not exclusion.

25) CONTRA PROFERENTEM

The legal doctrine of contra proferentem will not apply to this Election Services Contract. Consequently, any ambiguity that may exist in this Election Services Contract will not be construed against the Party who drafted this Election Services Contract.

26) ORDER OF PRECEDENCE

Any inconsistencies in this Election Services Contract will be resolved by reviewing and considering this Election Services Contract and Attachments A through F to this Election Services Contract together in context with each other.

27) SIGNATORY WARRANTY

The Elections Administrator of Dallas County, Texas and all of the contracting authorities of all of the Participating Political Subdivisions listed in "Attachment F" of this Election Services Contract represent that each has the full right, power and authority to enter into and perform this Election Services Contract in accordance with all of its terms and conditions, and that the execution and delivery of this Election Services Contract has been made by authorized representatives of the Participating Political Subdivisions to validly and legally bind the Participating Political Subdivisions to all terms, performances, and provisions set forth in this Election Services Contract.

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City Council Item Summary Sheet

☐ Work Session

Date: February 17, 2015

☒ Agenda Item

General Obligation Commercial Paper Program, Series 2015

Summary of Request/Problem

At the December 1, 2014 Work Session, Council considered the termination of the General Obligation Commercial Paper Program, Series 2012 and establishing a new General Obligation Commercial Paper Program.

Recommendation/Action Requested and Justification

It is recommended that Council approve an Ordinance authorizing the CITY OF GARLAND, TEXAS, GENERAL OBLIGATION COMMERCIAL PAPER PROGRAM, SERIES 2015.

Submitted By:

David Schuler
Chief Financial Officer

Approved By:

William E. Dollar
City Manager



City Council Item Summary Sheet

☐ Work Session

Date: February 17, 2015

☒ Agenda Item

RESOLUTION TO SUPPORT CITY OF DALLAS MUNICIPAL SETTING DESIGNATION (MSD) APPLICATION

Summary of Request/Problem

The Dallas City Council approved a Municipal Setting Designation (MSD) ordinance for a facility located at 10503 Forest Lane on December 10, 2014. Because the City of Garland is located within one-half mile of the MSD site, the owner of the site must have a resolution of support from the Garland City Council to proceed with their application.

The primary purpose of the MSD statute within the Texas Health & Safety Code (Section 361.8065) is to absolutely prohibit the installation and use of water wells within a designated polluted ground water zone. An ordinance of this type allows the beneficial development of land within the MSD, while protecting public health by removing the pathway for ingestion of polluted ground water.

Although groundwater under the City of Garland has not been affected by the MSD site, the Texas Health and Safety Code requires the support of every municipality located within one-half mile of an MSD property prior to final approval of the MSD by the Texas Commission on Environmental Quality (TCEQ). For this property, receipt of the MSD will allow the site to complete the ongoing closure activities occurring in the TCEQ's Voluntary Cleanup Program.

The MSD site is a light industrial/warehouse building located at 10503 Forest Lane in Dallas (Map 1). It is located approximately 1000 feet to the west of the City of Garland. The portions of Garland within the one-half mile MSD buffer zone are the addresses west of Purdue and south of Princeton (Map 2).

The impacted groundwater is currently present under the MSD site between 5 and 12 feet below grade above the Austin Chalk. The City of Dallas Ordinance has restricted groundwater use under the MSD Site to a depth of 200 feet below grade. It is extremely unlikely that the ground water will migrate to the City of Garland, due to the direction of ground water flow and the physical distance of the MSD site from the City.

Recommendation/Action Requested and Justification

Staff recommends approving the resolution in support of the Dallas MSD application.

Submitted By:

Richard Briley
Managing Director of Health &
Code Compliance

Approved By:

William E. Dollar
City Manager

RESOLUTION NO.

A RESOLUTION SUPPORTING THE ISSUANCE OF A MUNICIPAL SETTING DESIGNATION CERTIFICATE FOR PROPERTY LOCATED AT 10503 FOREST LANE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 361, Subchapter W, of the Texas Solid Waste Disposal Act authorizes the Texas Commission on Environmental Quality (TCEQ) to certify Municipal Setting Designations for properties that have been the subject of contamination but that, due to the availability of other sources of potable water and because of restrictions on the use of ground water at and near the affected property, do not pose a threat to the public health, safety and welfare; and

WHEREAS, as part of the application to TCEQ for a Municipal Setting Designation for a site, the applicant is required to provide documentation that the application is supported by: (1) the city council of the city in which the site is located, (2) the city council of each municipality with a boundary located not more than one-half mile from the site, (3) the city council of each municipality that owns or operates a groundwater supply well located not more than five miles from the site, and (4) the governing body of each municipal or retail public entity, as defined by Section 13.002, Texas Water Code, that owns or operates a groundwater supply well located not more than five miles from the site; and

WHEREAS, the applicant intends to file an application with the TCEQ for the issuance of a Municipal Setting Designation for the property located at 10503 Forest Lane, Dallas, Texas, (the MSD Site); and

WHEREAS, following the issuance of a MSD ordinance by the City of Dallas and each additional municipality and retail public utility for which approval is required, the applicant will submit to TCEQ an application for certification of the MSD Site pursuant to Texas Health and Safety Code, Chapter 361, Subchapter W;

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

Section 1

That the City of Garland supports the application of the applicant to the TCEQ for certification of a Municipal Setting Designation for the MSD Site.

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 _____, 2015.

THE CITY OF GARLAND, TEXAS

By:

Mayor

ATTEST:


City Secretary



<p>2009 AERIAL PHOTOGRAPH</p> <p>North Central Texas Council of Governments (NCTCOG)</p>		<p>Northgate III 10503 Forest Lane Dallas, Dallas County, Texas VCP No. 2333</p>
<p>PROJECT NO. 94107155C</p>	<p>↑ N</p>	<p>FIGURE 4B-2: AERIAL PHOTO</p>

1/2 MILE MUNICIPAL SETTING DESIGNATION (MSD) SITE MAP



 Target Property (TP)

Northgate III
10503 Forest Lane
Dallas, Texas
75243



0' 600' 1200' 1800'
SCALE: 1" = 1200'

GeoSearch

www.geo-search.net - phone: 888-396-0042 - fax: 512-472-9967



City Council Item Summary Sheet

☐ Work Session

Date: February 17, 2015

☒ Agenda Item

Resolution of Support – City Square Lofts Development

Summary of Request/Problem

At the February 2, 2015 Work Session, Council received a presentation regarding a multi-family development being proposed by Green Extreme Home. The proposed development would be located at 704 Avenue B which is more commonly known as the Bank of America Tower.

Staff was directed to bring forward for consideration a resolution supporting this application for a 9% housing tax credit.

Recommendation/Action Requested and Justification

Adopt the attached resolution.

Submitted By:

**Mona Woodard
Neighborhood Services Manager**

Approved By:

**William E. Dollar
City Manager**

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF GARLAND, TEXAS IN SUPPORT OF A
PROPOSED HOUSING TAX CREDIT MULTI-FAMILY DEVELOPMENT;
PROVIDING FINANCING AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Green Extreme Homes, 501c3 CHDO or their affiliates (the “Applicant”) propose an approximate 120-unit multi-family mixed income adaptive reuse apartment development (“The City Square Artist Lofts”) on property located at 704 Avenue B, Garland; and,

WHEREAS, Green Extreme Homes, CDC. has submitted a pre-application (TDHCA No.15-247) and proposes to submit a final application for financing for Affordable Housing, including Low Income Housing Tax Credits (“Tax Credits”) from the Texas Department of Housing and Community Affairs; and

WHEREAS, pursuant to §11.9(d)(1) Local Government Support in the 2015 Texas Department of Housing and Community Affairs Qualified Allocation Plan, Green Extreme Homes, CDC. has made a request for a “Resolution of Support” for the City Square Artist Lofts development; and,

WHEREAS, the City Council of Garland Texas has found that it wishes to support the City Square Artist Lofts development; and

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

SECTION ONE: The City Council hereby confirms its support for the development and construction of the City Square Artist Lofts described above and that this formal action has been taken to put on record the opinion expressed by the City on this date.

SECTION TWO: The City Council hereby supports the Applicant’s application for Tax Credits from the Texas Department of Housing and Community Affairs and supports an award of Tax Credits pursuant to the Qualified Allocation Plan of the Texas Department of Housing and Community Affairs.

SECTION THREE: The City Council confirms its selection of the City Square Artist Lofts Development as the 2015 9% competitive housing tax credit application as the application contributing the most significantly to the concerted revitalization efforts of the City in accordance with §11.9(d)(6)(A)(ii)(III) of the Texas Department of Housing and Community Affairs Qualified Allocation Plan.

SECTION FOUR: In accordance with 10 Texas Administrative Code §11.9(d)(2), the City hereby commits to the financing of the development in the amount of

\$350,000 and shall be in the form of one or more of the following: an in-kind contribution such as building permit fee waiver, tap and meter fee waivers or impact fee waivers for a term of 15 years, with an amortization of 40 years, and an interest rate of 0% per annum secured by a subordinate lien on the property or any other form of permanent financial participation by the City acceptable to the Texas Department of Housing and Community Affairs to achieve the maximum level of points.

SECTION FIVE: The City of Garland confirms to the Texas Department of Housing and Community Affairs the City has not and shall not first receive the funds from the Applicant or any related party.

SECTION SIX: For and on behalf of City Council of the City of Garland, Doug Athas, Mayor, is hereby authorized, empowered, and directed to certify these resolutions to the Texas Department of Housing and Community Affairs.

SECTION SEVEN: This Resolution shall become effective immediately upon its passage.

PASSED AND APPROVED this the 17th day of February 2015.

THE CITY OF GARLAND, TEXAS

BY: _____
Mayor

ATTEST:

City Secretary



City Council Item Summary Sheet

☐ Work Session

Date: February 17, 2015

☒ Agenda Item

Annual Review of Investment Policy and Investment Strategy

Summary of Request/Problem

The Public Funds Investment Act, Council Policy FIN-05 and Council Policy FIN-06 require an annual review of the City's written Investment Policy and Investment Strategy. No changes to FIN-05 and FIN-06 have been made.

Recommendation/Action Requested and Justification

It is recommended that Council approve a resolution indicating their review of Council Policy FIN-05 and Council Policy FIN-06.

Submitted By:

David Schuler
Chief Financial Officer

Approved By:

William E. Dollar
City Manager

RESOLUTION NO.

A RESOLUTION ACKNOWLEDGING THE REQUIRED ANNUAL REVIEW OF THE INVESTMENT POLICY OF THE CITY OF GARLAND; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the Public Funds Investment Act (Chapter 2256, TEX. GOVT. CODE), requires the City to adopt a written investment policy and, as part of the investment policy, to adopt a separate investment strategy for each of the funds or groups of funds under its control; and

WHEREAS, the City has previously adopted Council Policy FIN-06 (investment policy) and Council Policy FIN-05 (investment strategy); and

WHEREAS, the Public Funds Investment Act requires the City Council to annually review its investment policy and investment strategies; and

WHEREAS, the City Council has reviewed the investment policy and by this resolution acknowledges that it has done so;

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

Section 1

That the Garland City Council hereby confirms its investment policy and investments strategies as set forth in Council Policy FIN-05 and Council Policy FIN-06, in the form and substance as attached hereto and incorporated herein by reference.

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 _____, 2015.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

<p style="text-align: center;">CITY COUNCIL POLICY</p>		POLICY NO.:	FIN-06
		Date of Adoption:	11/17/87
		Date of Revision:	11/19/2013
Title:	Statement of Investment Policy		Page 1 of 10

I. Purpose and Need for Policy

Chapter 2256 of Title 10 of the Local Government Code ("Public Funds Investment Act") requires each city to adopt rules governing its investment practices and to define the authority of the investment officer. The following Investment Policy addresses the methods, procedures and practices which must be exercised to ensure effective and judicious fiscal management of City of Garland funds.

II. Policy

The Investment Policy applies to the investment and management of all funds under direct authority of the City of Garland. 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.

III. Procedure To Accomplish Policy

The Statement of Investment Policy will be accomplished through the following guidelines:

A. Objectives

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

1. 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.

2. 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.

3. 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

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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.

B. Investment Authority

Management responsibility for the investment program has been assigned to the Director of Financial Services by the City Council. Other individuals authorized as investment officials by the City Council are the Cash Manager and the Accounting Manager. Investment authority of all investment officers will be limited by conformance with all Federal regulations, State of Texas statutes and other legal requirements including the City Charter and City Ordinances, the Statement of Investment Policy and the Statement of Investment Strategy. The Director shall establish written procedures for the operation of the investment program, consistent with the Statement of Investment Policy. No person may engage in an investment transaction or the management of funds except as provided under the terms of the Statement of Investment Policy, the Statement of Investment Strategy and the procedures established by the Director of Financial Services.

Each investment officer shall attend a training session not less than once in a two year period and receive not less than 10 hours of instruction relating to investment responsibilities. Training must be provided by an independent source approved by the City Council.

C. Internal Controls

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 would 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.

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In conjunction with their annual independent audit, the 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.

D. Standard of Care

The standard of care to be used by investment officers shall be the “prudent person” rule which states, “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 consist with the Statement of Investment Policy.

All participants in the investment program will seek to 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 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.

E. Instruments

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.

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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 will be entered into 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.

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:

1. Guaranteed or insured by the Federal Deposit Insurance Corporation or the National Credit Union Share Insurance Fund or their successors; or
2. Secured by obligations described in Section E, 1 and 2 above, and the collateral will be held by the City's third party custodian.

(b) Or 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 (Public Funds Investment Act) as amended.

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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 (Public Funds Investment Act) as amended

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 paragraphs 1, 2, 3, and 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 paragraphs 1, 2, 3 and 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.

10. 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 the 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.

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F. Investment Strategies

As an integral part of the Statement of Investment Policy, the City shall adopt a separate written Statement of Investment Strategy (See FIN-05) 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

G. Safekeeping and Custody

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 of Garland 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.

H. Other Investment Guidelines

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.

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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.

The City will comply with all federal, state and City of Garland regulations governing the investment of funds.

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.

I. Diversification

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.

J. Selection of Depository

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

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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 the 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 Government Code 2257, Collateral for Public Funds.

Eligible securities as defined in Chapter 2257 and identified below shall be deposited with a third party custodian prior to the deposit of City funds. The City reserves 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 Board of Directors or its Loan Committee, which approval shall be reflected in the minutes of said 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.

K. Selection of Security Broker/Dealer

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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 the City's Statement of Investment Policy and has implemented reasonable procedures and controls in an effort to preclude conducting investment transactions that are not authorized by the City's 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.

L. Management Reports

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 the Statement of Investment Strategy, the Public Funds Investment Act and 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.

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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.

M. Ethics and Conflicts of Interest

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 his 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.

N. Responsibility and Authority

The 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 adopt a resolution stating that it has reviewed the Investment Policy and Investment Strategy. Periodic revisions to the Investment Policy and the Investment Strategy will be approved by resolution of the City Council.

Prepared by: David Schuler Managing
Director - Finance

Reviewed by: William E. Dollar, City
Manager



CITY COUNCIL POLICY

POLICY NO.: FIN-05

Date of Adoption: 2/17/98

Date Of Revision: 9/17/02

Title: **Statement of Investment Strategy**

Page 1 of 4

I. Purpose and Need for Policy

Chapter 2256 of Title 10 of the Local Government Code (Public Funds Investment Act) 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 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.

II. Policy

The 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 fund's unique requirements. The City's funds are invested according to the following fund types:

1. Operating Funds,
2. Debt Service Funds,
3. Reserve Funds.

III. Procedure to Accomplish Policy

The Investment Strategy will be accomplished for each fund or fund group as follows:

A. Operating Funds

Investments for operating funds shall be scheduled to match anticipated cash flow projections with their stated final maturities.

<p align="center">City Council Policy</p>	<p>TITLE: Statement of Investment Strategy</p>	<p>Page: 2 of 4</p>
	<p>SUBJECT: Finance</p>	<p>NO. FIN-05</p>

have 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.

B. Debt Service Funds

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.

**City Council
Policy**

TITLE:

Statement of Investment
Strategy

Page: 3 of 4

SUBJECT:

Finance

NO.

FIN-05

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.

C. Reserve Funds

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.

City Council Policy	TITLE: Statement of Investment Strategy	Page: 4 of 4
	SUBJECT: Finance	NO. FIN-05

The City Council shall review the Statement of Investment Strategy not less than annually. Changes to the Statement of Investment Strategy shall be approved by City Council resolution.

Written/ David Schuler,
Revised by: Managing Director-
Finance

Reviewed by: William E. Dollar,
City Manager

APPROVED BY CITY COUNCIL RESOLUTION _____:

Mayor

Date: 12/13/2011 (only change was
update of Managing Director and City
Manager. The Policy remains
unchanged from 9-17-2002)



City Council Item Summary Sheet

☐ Work Session

Date: February 17, 2015

☒ Agenda Item

Optional Redemption of Tax Notes

Summary of Request/Problem

When Council approved the issuance of \$5,500,000 Tax Notes, Series 2014 on September 16, 2014, it was contemplated that the City would exercise the call provision to redeem the notes on March 1, 2015 prior to their scheduled maturity date of November 1, 2015.

Staff requests Council consider approving a Resolution to redeem the Tax Notes, Series 2014 as contemplated. A Written Briefing on this item was presented to Council at the February 2, 2015 Work Session.

Recommendation/Action Requested and Justification

Approve a Resolution to call \$5,500,000 of Tax Notes, Series 2014.

Submitted By:

David Schuler
Chief Financial Officer

Approved By:

William E. Dollar
City Manager

RESOLUTION NO. _____

A RESOLUTION providing for the redemption of certain outstanding City of Garland, Texas, Tax Notes, Series 2014; and resolving other matters incident and related to the redemption of such obligations.

WHEREAS, pursuant to Ordinance No. 6734 (the "Ordinance") passed and adopted by the City Council (the "Council") of the City of Garland, Texas (the "City"), the following described obligations were duly authorized to be issued and are currently outstanding, to wit: City of Garland, Texas, Tax Notes, Series 2014, dated September 1, 2014, maturing on November 15, 2015, and aggregating in principal amount \$5,500,000; and

WHEREAS, the above identified obligations were authorized, issued, sold and delivered subject to the right and authority of the City to redeem the same prior to maturity, as provided in the Ordinance and in said obligations; and

WHEREAS, the Council hereby finds and determines that obligations of such series should be redeemed prior to their maturity on the date and in the manner hereinafter provided and in accordance with the requirements prescribed therefor and notice of redemption of such obligations should be approved and authorized to be given at this time by the Council; now, therefore,

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

SECTION 1: The tax notes of the series known as "City of Garland, Texas, Tax Notes, Series 2014," dated September 1, 2014, maturing on November 15, 2015, and aggregating in principal amount \$5,500,000, shall be redeemed and the same are hereby called for redemption on March 2, 2015, at the price of par plus accrued interest to the date of redemption. The Mayor and the City Secretary or any Interim City Secretary are hereby authorized and directed to file a copy of this resolution, together with a suggested form of notice of redemption to be sent to noteholders, with Regions Bank, the current paying agent/registrar for such obligations, in accordance with the redemption provisions applicable to such obligations; such suggested form of notice of redemption being attached hereto as **Exhibit A** and incorporated herein by reference as a part of this resolution for all purposes.

SECTION 2: The Mayor and the City Secretary or any Interim City Secretary of the City are hereby authorized and directed to make all arrangements necessary to notify the holders of such obligations of the City's decision to redeem such obligations on the date and in the manner herein provided and in accordance with the Ordinance.

SECTION 3: It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Texas Government Code, Chapter 551, as amended.

SECTION 4: This Resolution shall be in force and effect from and after its passage on the date shown below.

PASSED AND ADOPTED, this February 17, 2015.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

(City Seal)

EXHIBIT A

NOTICE OF REDEMPTION

CITY OF GARLAND, TEXAS

TAX NOTES, SERIES 2014

Dated September 1, 2014

NOTICE IS HEREBY GIVEN that all notes of the above series maturing on November 15, 2015, and aggregating in principal amount \$5,500,000, have been called for redemption on March 2, 2015 at the redemption price of par and accrued interest to the date of redemption.

ALL SUCH NOTES shall become due and payable on March 2, 2015, and interest thereon shall cease to accrue from and after said redemption date and payment of the redemption price of said obligations shall be paid to the registered owners of the obligations only upon presentation and surrender of such obligations to the principal office of Regions Bank, Birmingham, Alabama.

THIS NOTICE is issued and given pursuant to the terms and conditions prescribed for the redemption of said obligations and pursuant to a resolution by the City Council of the City of Garland, Texas.

REGIONS BANK

1900 5th Avenue North, Suite 2400

Birmingham, AL 35203



City Council Item Summary Sheet

☐ Work Session

Date: February 17, 2015

☒ Agenda Item

Presentation of 2015 Proposed CIP

Summary of Request/Problem

The City Manager will formally present the 2015 Proposed Capital Improvement Program (CIP) for the City Council's review and deliberation.

Recommendation/Action Requested and Justification

Receive the 2015 Proposed CIP and call for a Public Hearing to be held on Saturday, February 21st, 2015, at 1:00 P.M., and Tuesday, March 3rd, 2015, at 7:00 P.M., in the Duckworth Building, Goldie Locke Room, 217 North Fifth Street, Garland, Texas.

Submitted By:

**Ron Young
Director of Budget and Research**

Approved By:

**William E. Dollar
City Manager**



Meeting: Regular Meeting

Date: February 17, 2015

Policy Report

IMPACT FEE WAIVER FOR CYNTHIA SPENCER

ISSUE

Cynthia Spencer is requesting a waiver of the water and roadway impact fees for development of property located at 1102 Main Street.

OPTIONS

1. Provide a full or partial waiver of the water and/or roadway impact fees.
2. Do not waive the water or roadway impact fees for the proposed development.

RECOMMENDATION

City Council direction is requested.

COUNCIL GOAL

Sustainable Quality Development and Redevelopment

BACKGROUND

Cynthia Spencer is proposing to construct a 5000 square foot office building on the subject property which is zoned in the Central Area 2 (CA-2) district. The new building will house the Spencer Law Firm as well as an additional tenant. Based on the proposed size, location and use of the building, roadway impact fees in the amount of \$15,645 would be due. Based on the size and number of water meters, water impact fees totaling \$62.50 would be due. The applicant is requesting a waiver of both fees, as described in the attached letter.

CONSIDERATIONS

1. Section 31.165 of the City of Garland's Impact Fee Ordinance, Ordinance No. 5852, provides for a waiver of impact fees "If the City Council determines that a waiver of impact fees for the new development will result in significant economic benefits for the City that substantially exceed the likely amount of impact fees

that would otherwise be payable by providing an incentive for capital investment in the city and the creation or retention of jobs”.

2. The applicant has described the economic benefit of the proposed development to the City of Garland in the attached document.

ATTACHMENT(S)

Letter from Cynthia Spencer

Submitted By:

Anita Russelmann
Director of Planning

Date: February 6, 2015

Approved By:

William E. Dollar
City Manager

Date: February 10, 2015

CYNTHIA A. SPENCER

Attorney at law
email: cyndy@irby-spencer.com

(972) 272-0138
FAX: (972) 272-0341

Office:
Bank of America Building
705 West Avenue B, Suite 110
Garland, Texas 75040

Mailing:
P.O. Box 462206
Garland, Texas 75046-2206

February 3, 2015

via email: Arusselm@garlandtx.gov

Anita Russelman
Director of Planning, City of Garland, Texas
PO Box 469002
Garland, Texas 75046-9002

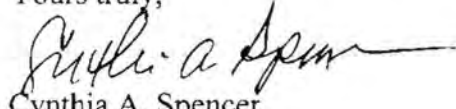
Re: Request for Waiver of Roadway Impact Fees/
Spencer Office Bldg. 1102 Main Street, Garland, Texas

Dear Ms. Russelman:

My husband, John Spencer, and I are planning to build an approximate 5,000 square foot office building on the vacant lot located at Main Street and 11th Street, Garland, Texas. We are requesting a waiver of the water (meter and irrigation system) and roadway impact fees, with the reasons and justifications for the waivers set forth in the enclosed attachment.

Please let me know if you need anything further from me.

Yours truly,

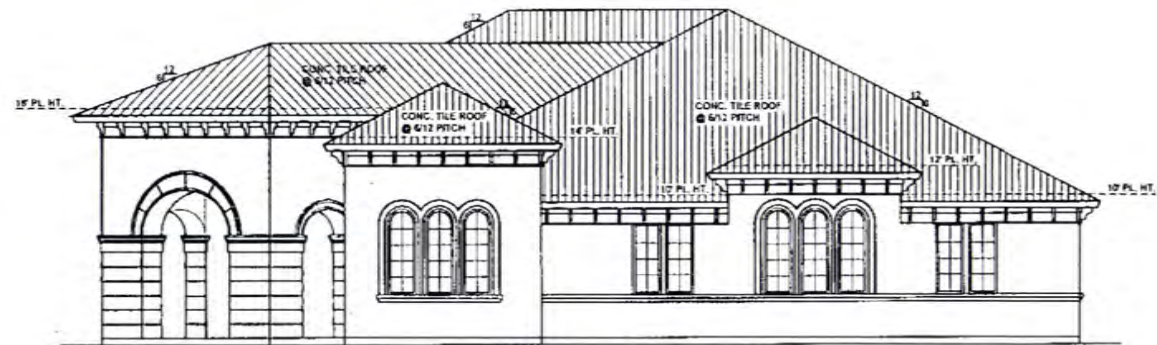


Cynthia A. Spencer
enclosure

Request: The Water (meter and irrigation system) and Roadway Impact Fees required for development of 1102 N. Main Street be waived. The plan is to construct an approximate 5000 sq.ft. office building.

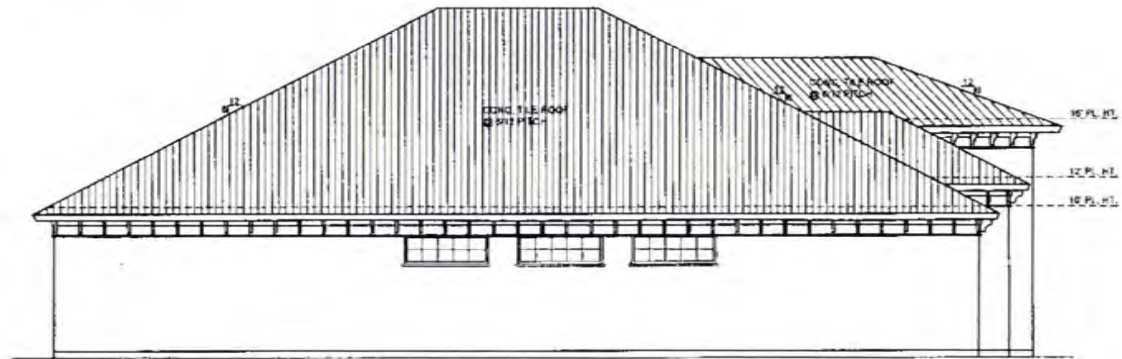
Requirement- Article XI. Impact Fees *Fee needed to fund or recoup costs of capital improvements for water/roadway facilities.*

- Fee is reasonable for **new or expanded development** that will require greater water/roadway usage.
 - In the case of 1102 N. Main St., all water and roadways are already established and do not need to be expanded to cover the needs of the proposed building.
- Under Section 31.165. Exceptions and Exemptions of Article XI. No impact fees shall be payable in any of following circumstances:
 - (2) *...Fees for the development will result in significant economic benefit for the City that substantially exceed the likely amount of impact fee that would otherwise provide an incentive for capital investment in the City and the creation or retention of jobs.*
 - Combined City/County/School property taxes for 2014 were roughly \$1741. This property has been vacant for at least the last 30 years. Anticipated **2015 taxes** with the proposed building and lot will run approximately **\$20,000 per year**. This will result in a significant economic benefit for the City/County/School for years to come and will dwarf the amount of any one time impact fee.
 - Construction of a beautiful building will add prestige to the downtown area and encourage more development and renovation of existing buildings.
 - The **Spencer Law firm** could have relocated to North Garland/Murphy/Sachse/Rowlet, as was advised and considered. However, being a long time resident of the City of Garland, chose to remain in the downtown area and be a part of the revitalization of downtown Garland.
 - The additional 1700 sq. ft. will provide class A rental space for the creation and retention of potential new business into the downtown area.
 - The anticipated low traffic flow to and from the facility represent a minimal impact to the existing roadways. There are only 13 parking spaces. The type of business(es) occupying the building will not any significant increase in traffic.
 - The anticipated water and irrigation usage will also have minimal impact to the existing water facility. The building will have a most three restrooms, two kitchen sinks and two dishwashers, which will likely be used infrequently.



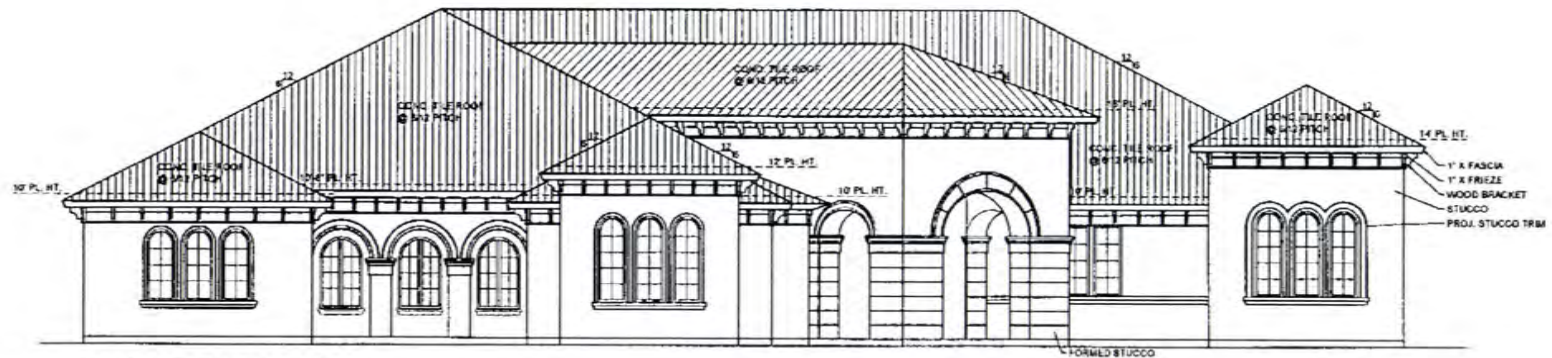
RIGHT SIDE ELEVATION

1/4" = 1'-0"



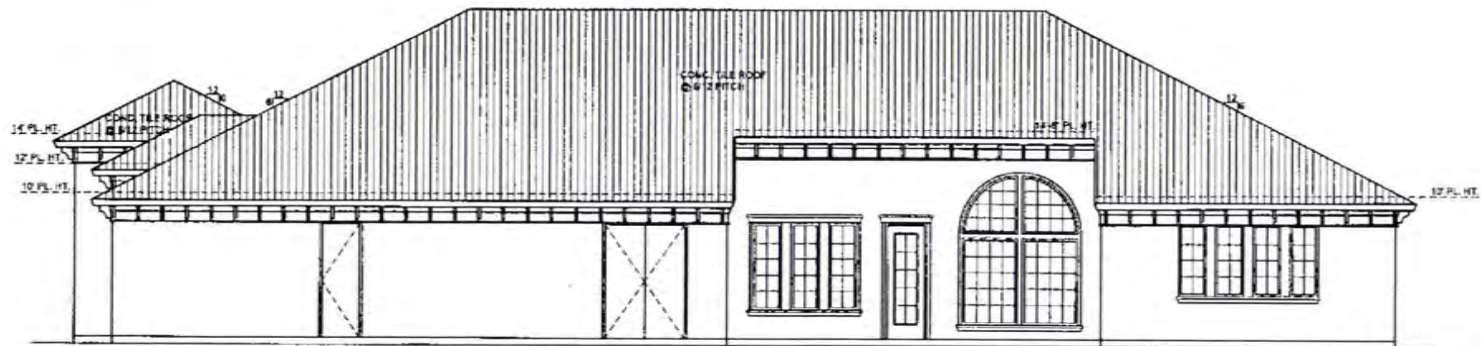
LEFT SIDE ELEVATION

1/4" = 1'-0"



FRONT ELEVATION

1/4" = 1'-0"



REAR ELEVATION

1/4" = 1'-0"



Planning Report

**Sargent Design
2101 West Walnut Street**

REQUEST

Approval of 1) an amendment to Planned Development (PD) District 14-17 for Limited Multifamily Uses and 2) a Detail Plan for Independent Senior Living Facility.

OWNER

Las Brisas Properties, Inc.

PLAN COMMISSION RECOMMENDATION

On January 26, 2015 the Plan Commission, by a vote of five (5) to zero (0), recommended approval of an amendment to Planned Development (PD) District 14-17 for Limited Multifamily Uses and a Detail Plan for Independent Senior Living Facility.

Additionally, Plan Commission approved variances to Sections 34.51(D)(4)(b), 34.51(D)(5), 34.51(E)(1)(c), and 34.52(B) of the Development Standards for Senior Living and Related Facilities regarding building placement, parking, and screening and landscaping.

STAFF RECOMMENDATION

Approval of an amendment to Planned Development (PD) District 14-17 for Limited Multifamily Uses and a Detail Plan for Independent Senior Living Facility.

BACKGROUND

The site was developed with the existing building in approximately 1963 as a nursing home and was reopened under the current use in 1993. The original Detail Plan included 26 rooms within a one-story building. The applicant proposes to demolish the existing independent/assisted living facility and construct a new facility. In August of 2014, City Council approved a Detail Plan for the new senior living facility under Planned Development (PD) District 14-17. The applicant is now proposing a new Detail Plan for a facility with a larger number of dwelling units and a different building design from the one previously approved. The new Detail Plan requires approval through a public hearing process.

SITE DATA

The subject property contains approximately 1.030-acres with access from West Walnut Street.

USE OF PROPERTY UNDER CURRENT ZONING

Planned Development (PD) District 14-17 limits the allowable uses to Independent Senior Living Facilities; therefore, the use reflected on the proposed Detail Plan is permitted by right. The Detail Plan is the only consideration.

CONSIDERATIONS

1. The applicant is requesting approval of the amendment to the Planned Development and Detail Plan to redevelop the site with a new independent senior living facility. The new Detail Plan brought forward by the applicant reflects a building design that is more harmonious with the architectural character established by the surrounding developments. The following table further lists the major differences between the approved Detail Plan and proposed Detail Plan.

Approved Detail Plan	Proposed Detail Plan
Two, three story circular buildings	One, three story irregular shaped polygonal building with 90 degree angles
23,810 square feet (total floor area)	31,078 square feet (total floor area)
30 feet in height at the apex of the roof	32 feet in height at the apex of the roof
26 dwelling units	35 dwelling units
Exterior elevations consist of brick, stone and EIFS	Exterior elevations consist of brick, stone and EIFS

2. The existing facility will be demolished and the current residents relocated to another facility operated by the current owner. The current development was constructed prior to the Senior Living Facilities Ordinance which now governs this type of use.
3. Independent senior living facility is defined as a facility containing dwelling units, accessory uses and support services specifically designed for occupancy by persons 60 years of age or older. Such facilities may include accommodations for persons who are fully ambulatory or who require no medical or personal assistance or supervision, as well as accommodations for persons who require only limited or intermittent medical or personal assistance.
4. The proposed redevelopment for an independent senior living facility, with its scale and overall appearance and function, should be a compatible addition to the surrounding area with little to no impact. The properties immediately adjacent to the subject property to the west, north and east are zoned and developed with multi-family. The density of the development would be approximately 34 dwelling units per acre but all of the units would be housed within one single building.

5. Unit Size and Mix: The Senior Living Standards establish an average minimum dwelling unit size of 600 square feet. One bedroom units shall have a minimum dwelling unit size of 475 square feet. Two bedroom units shall have a minimum dwelling unit size of 725 square feet. No dwelling unit shall contain more than two bedrooms and no efficiency units shall be permitted.

The floor plan reflects an average minimum dwelling unit size of 609 square feet. The one bedroom dwelling units are either 475 square feet or 627 square feet in area. The two bedroom units are 725 square feet.

6. Common Area: Section 34.51 of the Senior Living Standards stipulates that 100 square feet of common area must be provided for each dwelling unit. Common area includes areas for living/sitting, dining, library, gaming, exercising, dancing or other recreational activities. Since 35 units will be provided, there must be a minimum of 3,500 square feet of common area. The floor plan reflects approximately 4,743 square feet of common areas within the building. There is a communal dining room and kitchen on the first floor and each floor includes a common area.
7. Storage Space: Except for nursing home/convalescent centers, an enclosed storage space shall be provided for each dwelling unit within a senior living facility with direct access provided from the dwelling unit. Each storage space shall be a minimum of 25 square feet in area. The floor plan reflects storage spaces within each unit with a total of at least 42 square feet.
8. Per Section 34.51(B)(3)(b), in addition to individual storage spaces, a senior living facility other than nursing home/convalescent centers shall provide a common storage area with a minimum of 50 square feet per dwelling unit. A total of 1,750 square feet of common storage area is required for this development. The current plan reflects 1,808 square feet of common storage area.
9. Signage: Section 34.54 of the Senior Living Standards reflects that freestanding signage shall be limited to one monument sign on any site. The monument sign shall not exceed 35 square feet in sign face area and 7 feet in height, and shall be setback 15 feet from the property line. The applicant is proposing to replace the existing sign with a new sign that complies with the Standards.
10. Building Elevations: Section 34.51(4) of the Senior Living Standards stipulates that each exterior wall of all buildings must provide a minimum of 75% brick or stone, excluding doors and windows. The elevations reflected on the Detail Plan conform to the Standards. Per Plan Commission's request, the applicant has enhanced the vertical and horizontal articulation by applying stone veneer at ground level to create a distinct base and soldier course banding to demarcate the second level from the third level. Additionally, the applicant has incorporated vertical elements defined by EIFS material along the northeast elevation to provide material variation and break up the expansive wall area facing the residential development to the east.

The Senior Living Standards also requires that 30% of the front façade shall be offset a minimum of 4 feet for buildings that are in excess of 80 feet in length. The front façade has been off-set to meet this requirement as reflected on the Detail Plan.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Comprehensive Plan recommends Business Center for the subject property. Business centers provide a cluster of business offices and/or low impact industry, including campus-type developments, that cumulatively employs large numbers of people. The land use recommendation within Envision Garland reflects a long term redevelopment effort that would include the subject property and adjacent properties transitioning from residential to non-residential.

The redevelopment of the site for independent senior living is consistent with the existing development pattern of the surrounding properties and meets the goals within Envision Garland by the improved aesthetics of the site and overall reinvestment into an existing residential area.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The subject property is located within an area that is zoned Multi-Family to the north, east and west and Single Family to the south, across West Walnut Street. The property has operated as a senior living facility since 1963 when it was developed as a nursing home. The facility converted into an independent/assisted living facility in 1993 and has continued to operate throughout that time. Senior living facilities are viewed as residential uses and as such are compatible amongst other residential uses.

The nature of the surrounding area is primarily residential in character with multi-family being the dominant development type immediately adjacent to the subject property. The redevelopment of the site allows for the continued use of the property for the existing purpose in compliance with the current requirements of the Senior Living Standards.

Prepared By:

Josue De La Vega
Development Planner

Date: February 5, 2015

Reviewed By:

Anita Russelmann
Director of Planning

Date: February 9, 2015

Reviewed By:

William E. Dollar
City Manager

Date: February 10, 2015



0 100 200 Feet

ZONING Z 15-01

 INDICATES AREA OF REQUEST

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE 15-01

2101 West Walnut Street

- I. **Statement of Purpose:** The purpose of this Planned Development District is to permit the construction of an independent senior living facility subject to conditions.
- II. **Statement of Effect:** This Planned Development District shall not affect any regulation found in the Comprehensive Zoning Ordinance, Ordinance No. 4647, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. **General Regulations:** All development shall comply with Ordinance No. 5410, Senior Living and Related Facilities. All regulations of the Multi-Family District set forth in Section 19, and 32 of the Comprehensive Zoning Ordinance, Ordinance No. 4647 are included by reference and shall apply, except as otherwise specified in this ordinance.
- IV. **Development Plans:**
 - A. Detail Plan: Development shall be in general conformance with the approved Detail Plan set forth in Exhibit C; however, in the event of conflict between the Detail Plan and the conditions, the conditions shall prevail.
- V. **Specific Regulations:**
 - A. Permitted Uses: No uses shall be permitted except for an Independent Senior Living Facility.
 - B. Density: The maximum density shall be approximately 34 dwelling units per acre.
 - C. Setbacks: The building shall be setback approximately 30 feet from the residential property to the northeast, 55 feet from the residential property to the north and 45 feet from the residential property to the west. The dumpster enclosure shall be permitted within the required setbacks along the northeast, north and west property lines. The site shall comply with all other setbacks as reflected on the Detail Plan (Exhibit C).
 - D. Architectural Standards and Building Façade: A minimum of 75% brick and/or stone shall be provided for each building. Exterior elevations shall be in conformance with the approved elevations (Exhibit E).
 - E. Landscaping: No perimeter fencing or screening shall be provided along the western property line and a portion of the southern property line adjacent to West Walnut Street. A six (6) foot tall wrought iron fence with brick columns and six (6) foot tall continuous row of

EXHIBIT B

evergreen shrubs shall be provided along the northern and northeastern property line and portion of the southern property line. Landscaping shall be in general conformance with the approved Landscape Plan (Exhibit D).

- F. Parking: The subject property shall provide at least 34 parking spaces.
- G. Signage: One monument sign shall be permitted on the subject property with the size and setback in compliance with the Senior Living Standards.



GENERAL NOTES:
ADDITIONAL 3"X3" TUBE COLUMNS AS REQUIRED DUE
TO LENGTH



GENERAL NOTES:
ALL EXISTING TREES REMOVED DURING CONSTRUCTION WILL BE
REPLACED WITH NEW TREES.

EXISTING TREES TO REMAIN INCLUDE THE FOLLOWING:

- 4 - 10" DIAMETER LIVE OAKS
1 - 12" DIAMETER LIVE OAK
1 - 12" DIAMETER LIVE OAK
1 - 12" PECAN
1 - 34" CUSTER

EXISTING TREES TO BE REMOVED INCLUDE THE FOLLOWING
1 - 6" LIVE OAK
1 - 34" LIVE OAK

- TREE MITIGATION PLAN
 THE TREES THAT ARE REMOVED TO BE REPLACED
 WITH THE FOLLOWING:
 2" - 3" DIAMETER LIVE OAK

THE TREES THAT ARE REMOVED TO BE REPLACED
WITH THE FOLLOWING:
21 - 3" DIAMETER LIVE OAK

SITE ACREAGE - 105 ACRES
SITE SQUARE FOOTAGE - 44,816 SQ. FT.
LOS REQUIRED LANDSCAPING/OPEN SPACE - 17,747 SQ. FT.
LANDSCAPING/OPEN SPACE AS SHOWN - 21,018 SQ. FT.

S A R G E N T

INDEPENDENT SENIOR
LIVING FACILITY

Project: LAS BRISAS
PROPERTIES, INC.
2101 W. WALNUT
GARLAND, TEXAS

FILE # 131015-2; Z 14-17

Sheet Title:
**PRELIMINARY
LANDSCAPING**

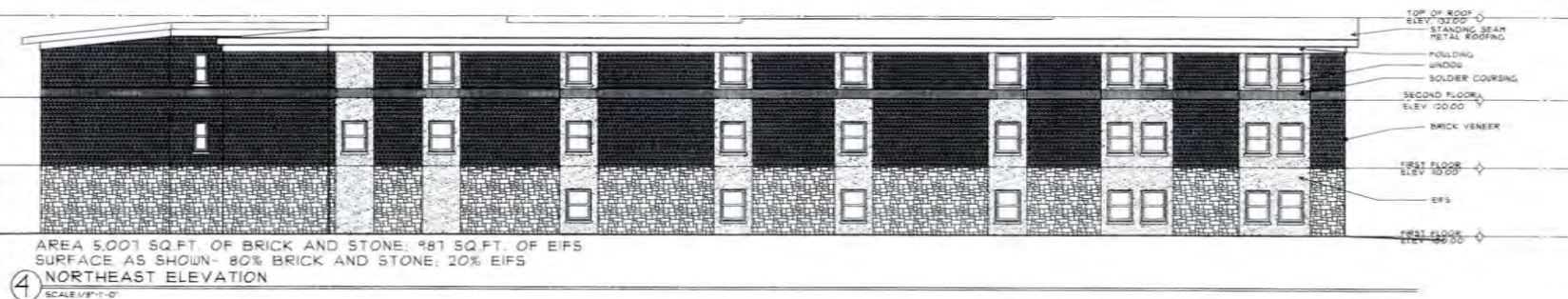
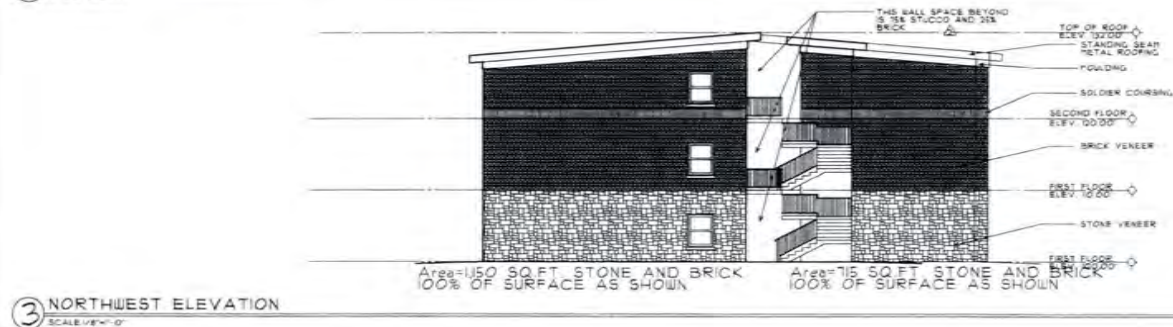
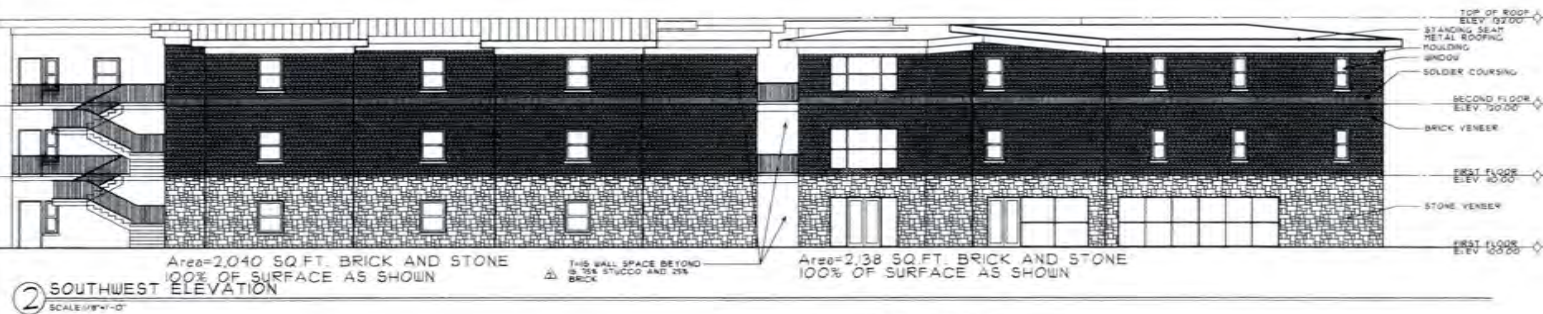
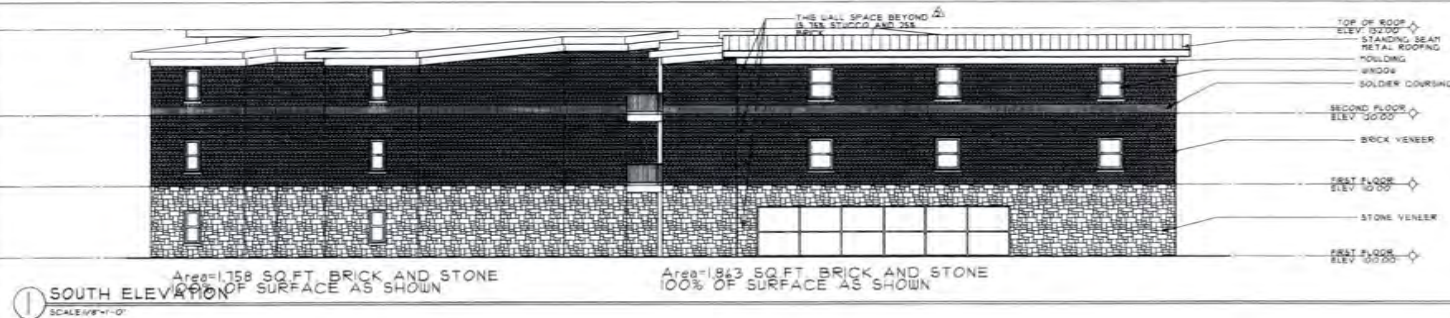
Revisions: _____
 REVISIONS ONLY

PROJECT NUMBER:	15100
DATE:	12.15.14
DRAWN BY:	J.C.B.
CHECKED BY:	J.C.B.
APPROVED BY:	J.C.B.

LSI.11

SHEET NUMBER
10 of 10

EXHIBIT D



SARGENT
DESIGN GROUP

815 WINDY DRIVE
GARLAND, TEXAS 75042
415-568-1310
js@sgdsgroup.com

**INDEPENDENT SENIOR
LIVING FACILITY**

Project:
**LAS BRISAS
PROPERTIES, INC.
201 W. WALNUT
GARLAND, TEXAS**

FILE # 13105-2, 7 14-17

Sheet Title:
ELEVATIONS

Revisions:
A REVISIONS CLOSER

PROJECT NUMBER: 13105
DATE: 12/14/14
DRAWN BY: J.C.S.
CHECKED BY: J.C.S.
APPROVED BY: J.C.S.

A3.11

SHEET NUMBER
Sheet of

EXHIBIT E



EXHIBIT E



EXHIBIT E

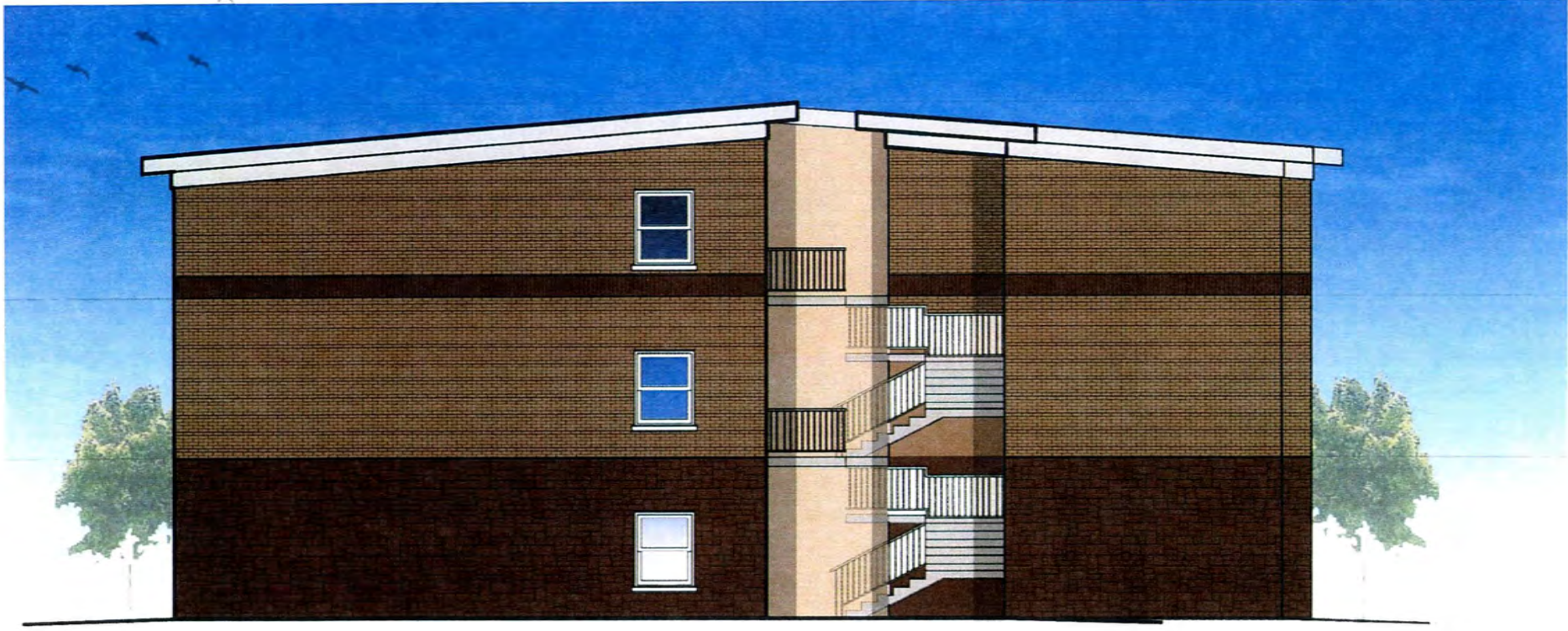


EXHIBIT E



EXHIBIT E

REPORT & MINUTES

P.C. Meeting, January 26, 2014 (5 Members Present)

Consideration of the application of Sargent Design Group, requesting approval of 1) an amendment to Planned Development (PD) District 14-17 for Limited Multifamily Uses, 2) a Detail Plan for Independent Senior Living Facility, and 3) variances to Sections 34.51(D)(4)(b), 34.51(D)(5), 34.51(E)(1)(c), and 34.52(B) of the Development Standards for Senior Living and Related Facilities regarding building placement, parking, and screening and landscaping. This property is located at 2101 West Walnut Street. (District 8) (File Z 15-01) (This request was postponed from the January 12, 2015 Plan Commission meeting)

The applicant, John Sargent, 818 Wendy Drive, Grand Prairie, TX, was available for questions.

Commissioners Ott and Fisher thanked the applicant on the improved elevations and the additional effort on the parking information.

Cenalda Luna, 1001 Curtis Drive, Garland, TX 75040, had questions regarding parking requirements and proposed facility location in relation to the adjoining neighborhood.

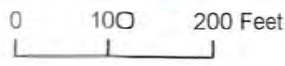
Speaking in support of the request Eric Ko, 4218 Brooktree Lane, Dallas, TX 75287, expressed appreciation of the applicant and approved of the changes provided for the proposed facility.

The applicant provided further explanation of the proposed parking and confirmed transportation would be provided for the residents.


Motion was made by Commissioner Ott, seconded by Commissioner Fisher to close the Public Hearing and approve the request as presented.
Motion carried: 5 Ayes, 0 Nays.



O = IN FAVOR
X = AGAINST



ZONING Z 15-01

 INDICATES AREA OF REQUEST



GARLAND

December 31, 2014

CITY OF GARLAND
PLANNING DEPARTMENT
P.O. BOX 469002
GARLAND, TX 75046-9002

HEARING DATE/TIME: Plan Commission: January 12, 2015 – 7:00 PM

APPLICANT: Sargent Design Group

File 15-01

Dear Property Owner:

A public hearing will be held by the Plan Commission of the City of Garland, Texas, at 7:00 P.M. Monday, January 12, 2015, in the Goldie Locke Room of the Duckworth Utility Services Building, 217 North Fifth Street, to consider the application of **Sargent Design Group**, requesting approval of 1) an amendment to Planned Development (PD) District 14-17 for Limited Multifamily Uses, 2) a Detail Plan for Independent Senior Living Facility, and 3) variances to Sections 34.51(D)(4)(b), 34.51(D)(5), 34.51(E)(1)(c), 34.51(E)(2), 34.52(A), and 34.52(B) of the Development Standards for Senior Living and Related Facilities regarding building placement, parking, and screening and landscaping. The property is shown on the enclosed sketch and is described as follows:

BEING a 1.030 acre tract of land, situated in the J.W. Keen Survey, Abstract No. 738, City of Garland, Dallas County, Texas, said tract being the same tract conveyed in Special Warranty Deed to Las Brisas Properties, Inc., recorded in Volume 93080, Page 3700 of the Deed Records of Dallas County, Texas. This property is located at 2101 West Walnut Street. (District 8)

Note: The applicant requests the amendment to the Planned Development, a Detail Plan and associated variances to demolish the existing building and redevelop the property with a 35 unit Independent Senior Living Facility consisting of one, three-story building.

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return to **City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002 or by fax to 972-205-2474**. Should you have any questions, please contact Josue De La Vega at 972-205-2445.

(Please Check One Below)

☒ I am in favor of the request.

☐ I am opposed to the request.

Please include any comments you wish to provide supporting your position in the space provided below.

Lynne Nevill
Your Property Address

(Please complete the following information)

1625 Lakeside Dr

Printed Name

Address

City, State

Garland TX 75042
Zip

The above statements reflect my (our) opinion regarding the proposed request(s).

Signature

Date:

Lynne Nevill
Jan. 12, 2015

home owner
Title



GARLAND

December 31, 2014

CITY OF GARLAND
PLANNING DEPARTMENT
P.O. BOX 469002
GARLAND, TX 75046-9002

HEARING DATE/TIME: Plan Commission: January 12, 2015 – 7:00 PM

APPLICANT: Sargent Design Group

File 15-01

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(Please Check One Below)

☒ I am in favor of the request.

☐ I am opposed to the request.

Please include any comments you wish to provide supporting your position in the space provided below.

The whole area need to be regularly checked, many activities going on in this area.

(Please complete the following information)

Your Property Address

Mobley Kuyers

Printed Name

2039 W. Walnut St Garland TX

Address

City, State

75042
Zip

The above statements reflect my (our) opinion regarding the proposed request(s).

[Signature]
Signature
Date: *1/05/2015*

Owner
Title



GARLAND

CITY OF GARLAND
PLANNING DEPARTMENT
P.O. BOX 469002
GARLAND, TX 75046-9002

December 31, 2014

HEARING DATE/TIME: Plan Commission: January 12, 2015 – 7:00 PM

APPLICANT: Sargent Design Group

File 15-01

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(Please Check One Below)

☒ I am in favor of the request.

☐ I am opposed to the request.

Please include any comments you wish to provide supporting your position in the space provided below.

(Please complete the following information)

Your Property Address

KIM ALICE
Printed Name

2035 W WALNUT ST., GARLAND, TX, 75042
Address City, State Zip

The above statements reflect my (our) opinion regarding the proposed request(s).

[Signature]
Signature
Date: 01/05/2015

MANAGER
Title



GARLAND

December 31, 2014

CITY OF GARLAND
PLANNING DEPARTMENT
P.O. BOX 469002
GARLAND, TX 75046-9002

HEARING DATE/TIME: Plan Commission; January 12, 2015 – 7:00 PM

APPLICANT: Sargent Design Group

File 15-01

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(Please Check One Below)

☐ I am in favor of the request.

☒ I am opposed to the request.

Please include any comments you wish to provide supporting your position in the space provided below.

see attached separate sheet

(Please complete the following information)

Your Property Address

Eric Ko
Printed Name
1813 W. Walnut St, Garland, TX 75042
Address City, State Zip

The above statements reflect my (our) opinion regarding the proposed request(s).

Eric C. Ko *managing partner*
Signature Title
Date: *Jan. 12, 2015*

Outside the notification area

Regent's Point Townhomes
1813 W. Walnut St.
Garland, TX. 75042

January 12, 2015

City of Garland
Planning Department
P. O. Box 469002
Garland, Tx. 75046-9002

Reference: File 15-01

Dear Planning Commission,

My name is Eric Ko. I am the managing partner of Regent's Point Townhome located at 1813 W. Walnut St. Garland, Tx. 75042. My property neighbors the planned new senior housing development.

I oppose the development as it is proposed.

My property is along Duck Creek. My ground level is about 5ft 4in lower than my neighbors. Looking at the new three story buildings, if it is allowed to proceed) It will be like looking at a very tall jail wall.

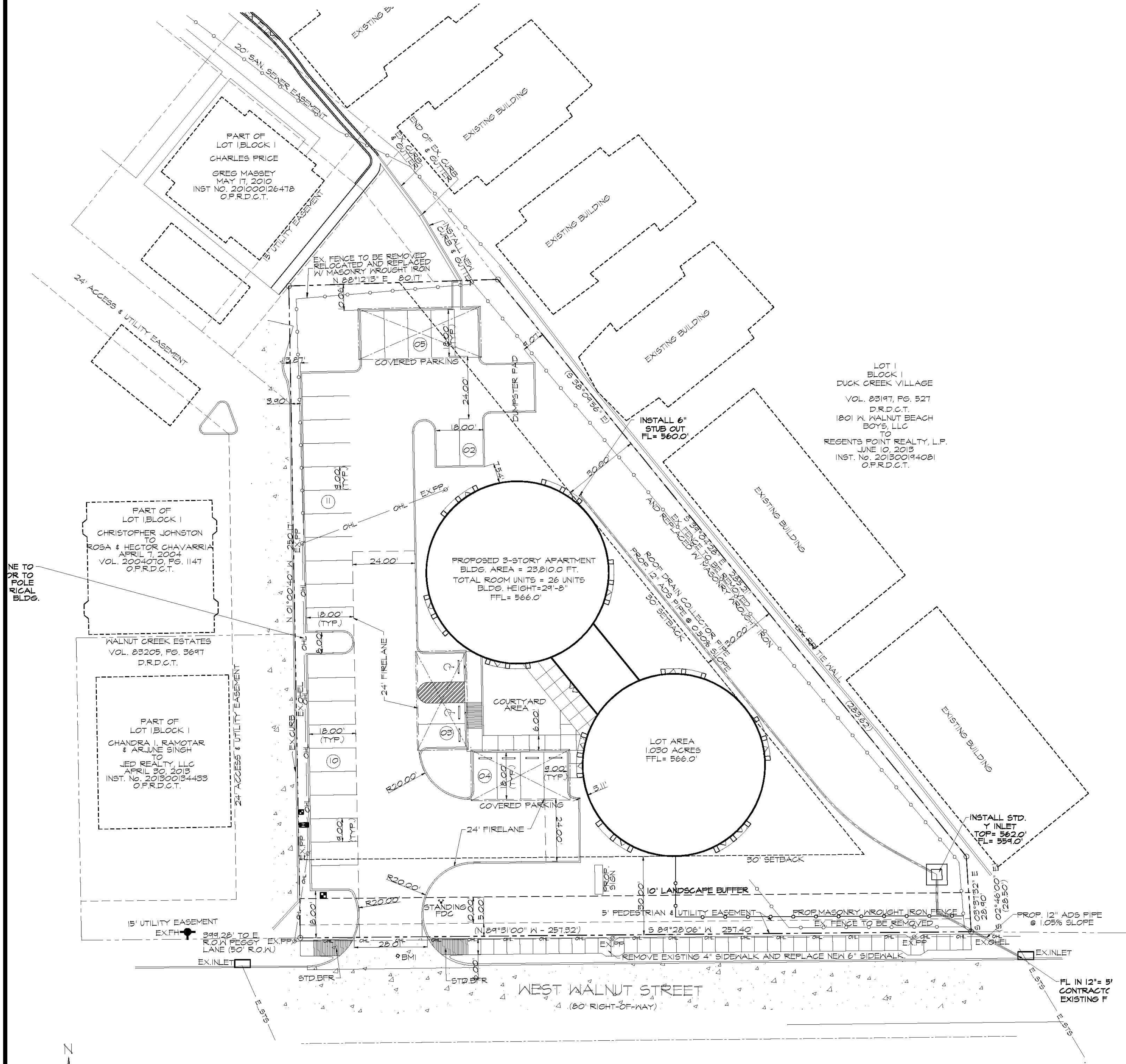
The existing senior housing is a one and two story development.

I will support the development if it is all two story, or two and three story development with two story neighboring my property, and three story farther from my property.

Thank you for considering my opinion in this matter.

Very Truly Yours,
Eric Ko

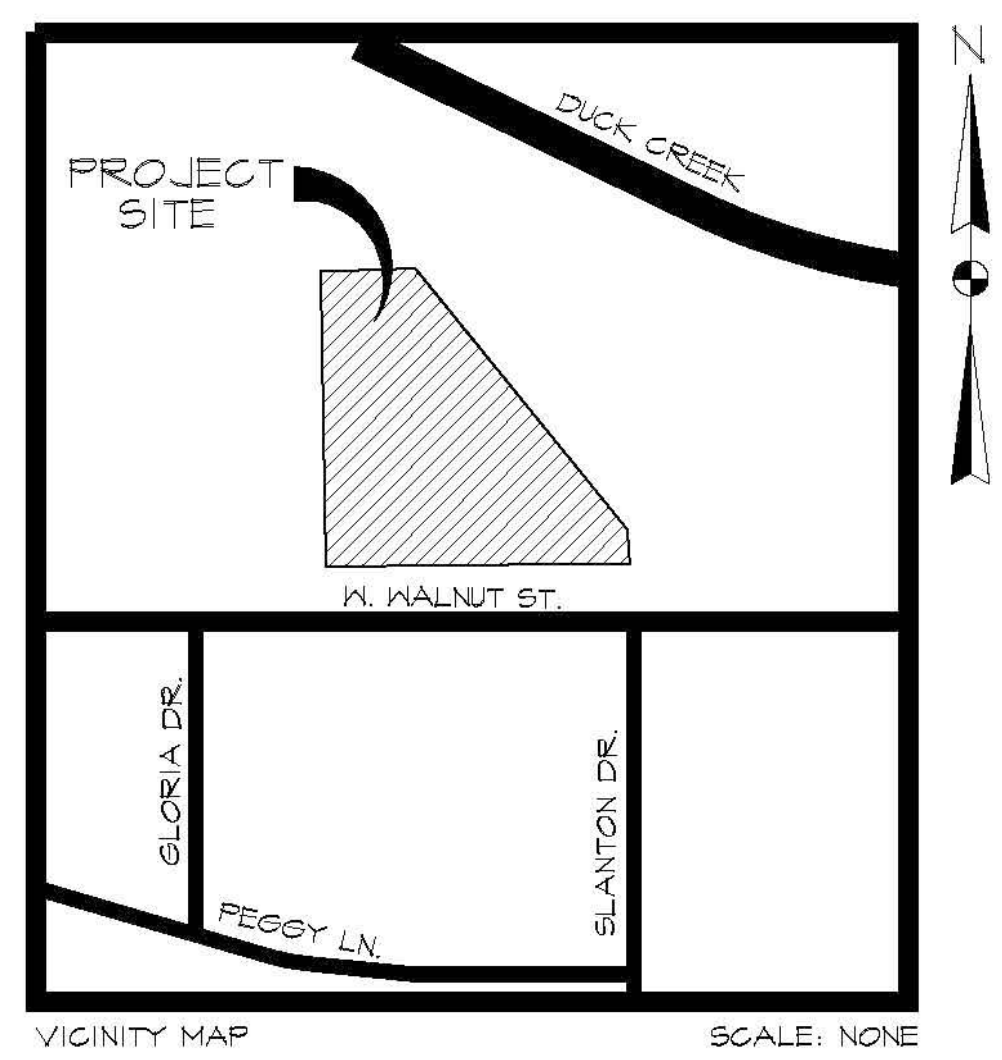
A handwritten signature in black ink, appearing to read "Eric Ko", written over the typed name.



- GENERAL NOTES:**
1. COMMENCEMENT OF WORK BY ANY CONTRACTOR OR SUBCONTRACTOR SHALL BE CONSIDERED EVIDENCE THAT HE HAS INSPECTED AND ACCEPTED ALL CONDITIONS INVOLVED IN HIS WORK AND FINDS THEM SATISFACTORY.
 2. PRIOR TO THE COMMENCEMENT OF ANY WORK THE CONTRACTOR SHALL ANALYZE THE JOBSITE CONDITIONS, ALL DIMENSIONS, SETBACKS, PROPERTY LIMITS, UTILITY CONDITIONS. IF THE CONTRACTOR OBSERVES ANY ERRORS OR OMISSIONS IN THE CONSTRUCTION DOCUMENTS HE SHALL PROMPTLY NOTIFY THE PROJECT SUPERINTENDENT FOR CLARIFICATION. IF SUCH WORK PROCEEDS WITHOUT CLARIFICATION IT IS AT THE RISK OF THE CONTRACTOR. ANY CHANGES MADE BY CONTRACTOR PRIOR TO ARCHITECT'S CLARIFICATION SHALL BE AT THE CONTRACTOR'S RISK. THE SETTLEMENT OF ANY COMPLICATIONS OR DISPUTES ARISING FROM THIS SHALL BE AT THE EXPENSE OF THE CONTRACTOR.
 3. ALL DISCIPLINES ARE TO REFER BACK TO ARCHITECTURAL DRAWINGS FOR DIMENSIONS. NO MEASUREMENTS ARE TO BE SCALED FROM THE DRAWINGS.
 4. ALL CONSTRUCTION SHALL CONFORM TO THE REQUIREMENTS OF THE STANDARD SPECIFICATIONS OF THE CITY OF GARLAND, TEXAS.
 5. CONTRACTOR SHALL PROVIDE "AS BUILT" PLANS TO THE ENGINEER SO THAT THE REPRODUCIBLES OF THE ENGINEERING PLANS MAY BE CORRECTED TO REFLECT "AS BUILT" CONDITIONS.
 6. THE CONTRACTOR SHALL BE REQUIRED TO PROVIDE AND MAINTAIN ALL NECESSARY WARNING AND SAFETY DEVICES (FLASHING LIGHTS, BARRICADES, SIGNS, ETC.) TO PROTECT THE PUBLIC SAFETY AND HEALTH UNTIL THE WORK HAS BEEN COMPLETED AND ACCEPTED BY THE CITY.
 7. THE LOCATIONS OF EXISTING UTILITIES SHOWN ON THESE PLANS ARE APPROXIMATE. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO LOCATE AND VERIFY IN THE FIELD ANY UTILITIES THAT MAY CONFLICT WITH THIS CONSTRUCTION. AT LEAST 24 HOURS PRIOR TO BEGINNING CONSTRUCTION IN THE VICINITY OF UNDERGROUND UTILITIES, NOTIFY THE FOLLOWING APPLICABLE:

BUILDING INSPECTION	-	972-205-2323
CODE COMPLIANCE	-	972-485-6400
ENGINEERING DEPARTMENT	-	972-205-2170
FIRE DEPARTMENT	-	972-781-7100
PLANNING & COMMUNITY DEVELOPMENT	-	972-205-2445
STREET DEPARTMENT	-	972-205-2555
UTILITY SERVICES	-	972-205-2671

LEGEND	
SANITARY SEWER MANHOLE	SS
STORM SEWER MANHOLE	MH
CLEAN OUT	CO
FIRE HYDRANT	FH
POWER POLE	PP
TELEPHONE BOX	TB
WATER METER	WM
GATE VALVE	GV
LIGHT POLE	LP
IRRIGATION SPRINKLER HEAD LOCATION	IS
VAN ACCESSIBLE HANDICAP PARKING SIGN LOCATION	HA
RIGHT OF WAY	ROW
EXIST. LIGHTPOLE	EXIST.
DRAINAGE & UTILITY EASEMENT	DE/UE
DRAINAGE FLOW ARROW	→
PROPOSED SANITARY SEWER PIPE	SS
EXISTING SANITARY SEWER PIPE	SS
PROPOSED WATER LINE	W
EXISTING WATER LINE	W
PROPOSED POWER LINE	P
EXISTING POWER LINE	P
PROPOSED TELEPHONE LINE	T
EXISTING TELEPHONE LINE	T
PROPOSED GAS LINE	G
EXISTING GAS LINE	G
PROPOSED STORM SEWER PIPE	SS
EXISTING STORM SEWER PIPE	SS
PROPOSED GUY WIRE	GW
EXISTING GUY WIRE	GW
OVERHEAD ELECTRICAL LINE	OEL
EXISTING FIBER OPTICS CABLE	FOC
PROPOSED PARKING COVER	PC



	PROPOSED 3-STORY APARTMENT
LOT AREA	1.030 ACRES
PARKING REQUIRED	1 SPACE/20 UNITS = 26 SPACES 1 SPACE/20 UNITS = 2 SPACES FOR GUEST PARKING 1 FOR EVERY STAFF = 3 SPACES 31 SPACES
PARKING FURNISHED	31 SPACES
HC PARKING REQUIRED	2 SPACES (1 VAN)
HC PARKING PROVIDED	2 SPACES (1 VAN)

PROJECT STATUS:
PRELIMINARY

PROJECT MANAGER:
DAYNE RAM

DESIGN MANAGER:
RCM

PROJECT DATE:
02/27/14

REVISION DATE:
08/11/14

LAS BRISAS PROPERTIES

2101 W. WALNUT STREET
CITY OF GARLAND
TEXAS

ADR-DESIGNS-LLC
TOTAL DESIGN MANAGERS

601 SADDLE HILL DRIVE, GRAND PRAIRIE, TX 75060
PH: 972-262-1333 FAX: 214-272-2987
E-Mail: adrdesigns@adrdesigns.com
FOR: JOHN C. SARGENT

GARLAND SENIOR CENTER

2101 W. WALNUT STREET
CITY OF GARLAND
DALLAS COUNTY, TEXAS

State of Texas
Professional Engineer
MOHAMMED S. KAMAL
88537
LICENSED PROFESSIONAL ENGINEER

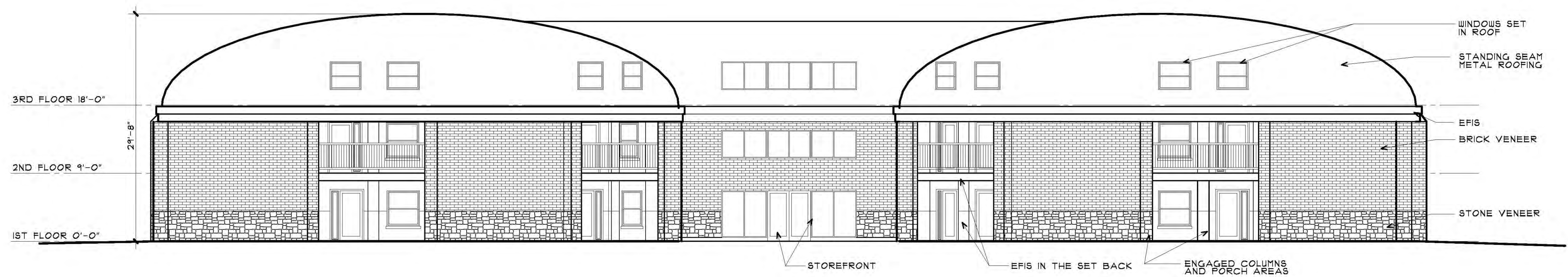
Engineering
New Construction • Engineering • Environmental Services

7953 PINKERTON COURT
PLANO, TEXAS 75025
PH: (469) 544-8160 FAX: (972) 767-3003
E-Mail: kamal@engr.com
FIRM # P- 9526

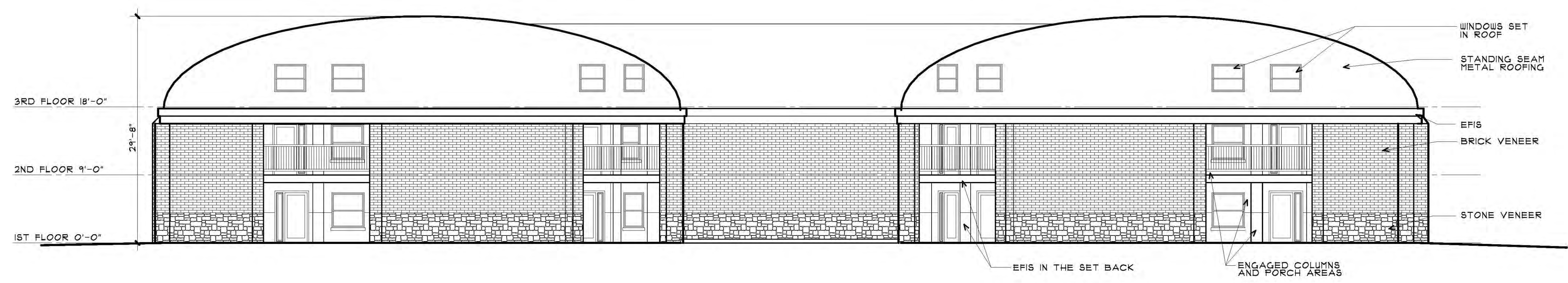
JOB NUMBER:

SHEET NUMBER
C1
ENGINEERING SITE PLAN
AND DIMENSION CONTROL

ENGINEERING SITE PLAN AND DIMENSION CONTROL
SCALE: 1" = 20'-0"
GRAPHIC SCALE
0 20 40
10

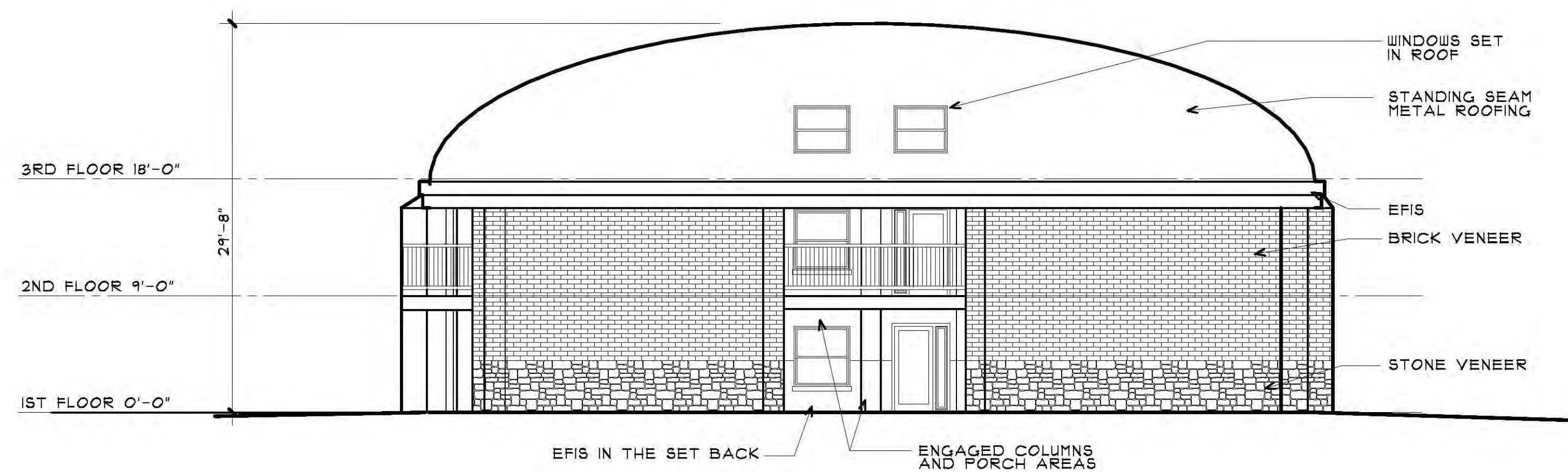


WEST ELEVATION
SCALE: 1/8"=1'-0"



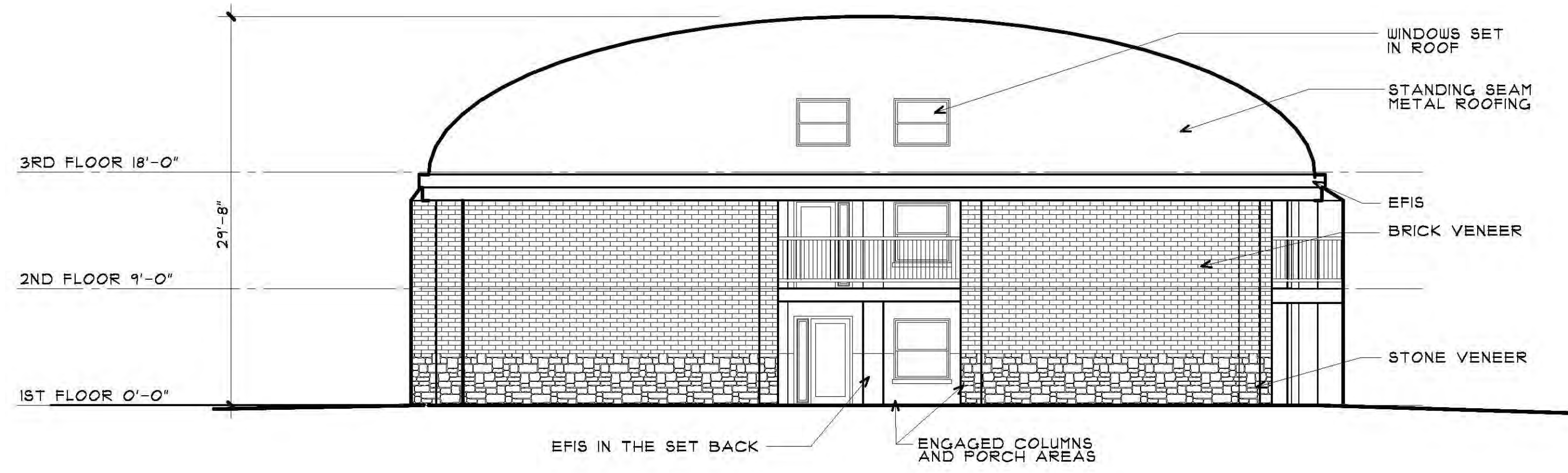
EAST ELEVATION
SCALE: 1/8"=1'-0"





WEST ELEVATION

SCALE: 1/8"=1'-0"



EAST ELEVATION

SCALE: 1/8"=1'-0"

