



GARLAND

AGENDA

REGULAR MEETING OF THE CITY COUNCIL

**City of Garland
Duckworth Building, Goldie Locke Room
217 North Fifth Street
Garland, Texas
September 6, 2016
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. **BRaille 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 August 16, 2016 Regular Meeting.
2. Consider approval of the following bids:
 - a. Dump Trucks for Water and Wastewater Bid No. 6844-16

Freightliner of Austin \$188,503.00

This request is to purchase two dump trucks to be used by the Water and Wastewater Departments in their daily operations.
 - b. Heavy Duty Trucks for Street Department Bid No. 6884-16

Volvo & Mack Trucks of Waco \$970,282.00

This request is to purchase three dump trucks and four tractor trucks to be used by the Street Department in their daily operations.
 - c. Steel Structures for GP&L Swindell Substation Bid No. 6752-16
Rebuild

Dis-Tran Steel, LLC \$299,627.00
Optional Contingency 29,962.70
TOTAL \$329,589.70

This request is to purchase nine tubular steel structures necessary for the rebuild of the Swindell Substation and Greenville to Olinger transmission line termination. Due to the complex nature of the project, an optional contingency is included for any unforeseen additional work that may be required.

d. SEL RTU Automation Controllers Bid No. 6820-16

Schweitzer Engineering Laboratories \$124,443.00

This request is to replace seventeen SEL Remote Telemetry Units (RTUs) that are running Windows XP and cannot accept current system updates. These RTUs are critical components in Garland Power & Light's SCADA system.

**e. Water, Wastewater, Sanitary Sewer, and Bid No. 6734-16
Paving Improvements**

SYB Construction Company, Inc. \$1,313,988.50

This request is to provide for the construction of approximately 62 linear feet of 6-inch water, 1,559 linear feet of 8-inch water, 20 linear feet of 6-inch wastewater, and 2,602 linear feet of 8-inch wastewater all by open cut; and 595 linear feet of 8-inch wastewater by pipe bursting along with 2,570 square yards of pavement replacement and all incidentals.

**f. Holford Road Alignment Study - President Bid No. 6878-16
George Bush Turnpike to City Limits**

R-Delta Engineers, Inc. \$271,440.00

This request is to provide professional services for an alignment study of Holford Road from the President George Bush Turnpike to City Limits.

**g. Holford Road Alignment Study - Arapaho Bid No. 6877-16
Road to President George Bush Turnpike**

R-Delta Engineers, Inc. \$341,100.00

This request is to provide professional services for an alignment study of Holford Road from Arapaho Road to the President George Bush Turnpike.

- 3. Public hearings were previously conducted for the following zoning cases. Council approved the requests and instructed staff to bring forth the following ordinances for consideration.**

a. Zoning File No. Z 16-13, D.R. Rankin PLLC

Consider an ordinance amending the Garland Development Code of the City of Garland by approving 1) an amendment to the Concept Plan for Planned Development (PD) District 15-45, 2) a Detail Plan for Multi-Family Uses on property zoned Planned Development (PD) 15-45 District for Single-Family-5 (SF-5) Uses, Multi-Family Uses on a 17.892-acre tract of land located at the north intersection of Arapaho Road and north Garland Road; providing for conditions, restrictions, and regulations; and providing for a penalty and an effective date.

b. Zoning File No. Z 16-26, Craig Turner

Consider an ordinance amending the Garland Development Code of the City of Garland by approving a change in zoning from Agricultural (AG) District to Single-Family-10 (SF-10) District on a 2.0-acre tract of land located at 3926 Zion Road; providing for conditions, restrictions, and regulations; and providing for a penalty and an effective date.

4. Consider an ordinance to issue Tax Notes, Series 2016

At the August 15, 2016 Work Session, Council considered authorizing the issuance of tax notes in the amount of \$7,350,000 million to provide funding for street improvements plus debt issuance costs. Issuance of the Tax Notes will not increase the Fiscal Year 2016-17 General Obligation Debt Service tax rate because of savings realized from the commercial paper program.

5. Consider a resolution authorizing a Texas Department of Transportation (TxDOT) Selective Traffic Enforcement Program (STEP) - single year - 2017 Comprehensive Grant in the amount of \$389,872.39; and providing an effective date.

Council is requested to approve a resolution authorizing the City Manager to accept the State of Texas Department of Transportation (TxDOT) Selective Traffic Enforcement Program (STEP) Grant for FY 2016-17 in the amount of \$389,872.39.

6. Consider a resolution authorizing the City Manager to execute an Interlocal Agreement with the City of Georgetown and authorizing the purchase of Customer Information System Consulting Services pursuant to that interlocal agreement; and providing an effective date.

At the August 15, 2016 City Council Work Session, an Interlocal Agreement with the City of Georgetown was presented for discussion. City of Georgetown has an existing contract with Westin Engineering, Inc. that Garland IT and Customer

Service would like to utilize. Westin Engineering, Inc. will assist with requirements definition, RFP creation, and evaluation of potential utility billing solutions.

- 7. Consider a resolution regarding the City's option to extend the term of its Power Sales Contract with Texas Municipal Power Agency, as amended, and direction to the City Manager, or his designee, to provide written notice of this election to TMPA; and providing an effective date.**

Council is requested to consider a resolution regarding the City's option to extend the term of its Power Sales Contract with Texas Municipal Power Agency.

- 8. Sale of Certain Assets by TMPA**

Council is requested to consider a resolution approving and authorizing the sales of certain assets by the Texas Municipal Power Agency and the refunding of certain agency financial obligations in connection with TMPA's sales of assets. The resolution will also authorize the Mayor to act on the City's behalf in executing amendments to several existing agreements involving TMPA in order to accommodate the proposed sales and the associated refunding.

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 are 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. Consider a request to waive payment of the Reforestation and Tree Management Fund**

R-Delta Engineers, Inc., is requesting a waiver of the required payment to the Reforestation and Tree Management Fund as outlined in the Garland Development Code Chapter 4: Article 4: Tree Preservation & Mitigation.

- 10. Hold a public hearing regarding the 2016-17 Proposed Budget**

Section 5, Article VII, of the City Charter requires that a Public Hearing be held on the Proposed Budget for the coming fiscal year. At the Public Hearing, all interested persons shall be given an opportunity to be heard for or against any proposed item in the Budget. The Proposed Budget for 2016-17 has been available for public inspection in the City libraries, in the City Secretary's Office, and on the City's website since August 3, 2016. Previous Public Hearings were held on August 16 and August 25, 2016.

This budget will raise more total property taxes than last year's budget by \$7,458,690 or 9.44%, and of that amount, \$785,374 is tax revenue to be raised from new property added to the tax roll this year.

11. Hold a public hearing regarding the Proposed 2016-17 Tax Rate

The Texas Property Tax Code, Section 26.05 (d), provides that a governing body may not adopt a tax rate that exceeds the lower of the rollback tax rate or the effective rate until the governing body has held two public hearings on the proposed tax rate and has otherwise complied with Section 26.06 and Section 26.065. The 2016-17 Proposed Budget is based on a tax rate of 70.46 cents per \$100 of valuation, which does exceed the effective tax rate of 64.20 cents and the rollback rate of 69.83 cents due to a 10.6% increase in taxable values. This budget will raise more total property taxes than last year's budget by \$7,458,690 or 9.44%, and of that amount, \$785,374 is tax revenue to be raised from new property added to the tax roll this year. Previous public hearings were held on August 16 and August 25, 2016.

12. Adoption of the 2016-17 Budget

In accordance with the City Charter, the City Manager presented his recommended Budget for fiscal year 2016-17 to the City Council on August 2, 2016. Copies were made available for public inspection at the City libraries, at the City Secretary's Office, and on the City's website. Public hearings were held on August 16, August 25, and September 6, 2016. An ordinance reflecting final decisions regarding the Budget for 2016-17 and revised budgets will be prepared for the Mayor's signature upon final direction from the City Council.

13. Adoption of 2016-17 Property Tax Rate

The City Council has considered an Ad Valorem Tax Rate of 70.46 cents per \$100 of valuation for the fiscal year beginning October 1, 2016. All meetings, notices, and public hearing requirements related to the adoption of the Tax Rate have been met in accordance with State law. Council is requested to consider approving an ordinance setting the Ad Valorem Tax Rate at 70.46 cents per \$100 of valuation for 2016-17.

14. Rate and Fee Changes for 2016-17

In considering the 2016-17 Proposed Budget, the City Council reviewed the adjustments to existing rates and fees. Revenue estimates included in the 2016-17 Proposed Budget are based on these actions. An ordinance will be prepared for the Mayor's signature once final direction has been given by the City Council.

- 15. Consider an ordinance of the City of Garland establishing civil service classifications within the Police and Fire Departments; prescribing the number of positions in each classification; prescribing the base salary and types of pay for those classifications; and providing an effective date.**

Pursuant to Chapter 143 of the Local Government Code of Texas, the City Council must establish the civil service classifications in the Police and Fire Departments, the number of positions in each classification, the base salary, and the types of incentive pays for each classification.

- 16. 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.

- 17. 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.



GARLAND

City Council Regular Session Agenda

Agenda Item 1.

Meeting Date: September 6, 2016

Item Title:

Submitted By: Rene Dowl, City Secretary, City Secretary

Summary:

Consider approval of the minutes of the August 16, 2016 Regular Meeting.

Attachments

Minutes August 16, 2016

The City Council of the City of Garland convened in regular session at 7:00 p.m. on Tuesday, August 16, 2016, 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 | Scott LeMay |
| Council Member | David Gibbons |
| Council Member | Anita Goebel |
| Council Member | Stephen Stanley |
| Council Member | B. J. Williams |
| Council Member | Rich Aubin |
| Council Member | Lori Dodson |
| Council Member | James Cahill |

STAFF PRESENT:

| | |
|----------------|-------------------|
| City Manager | Bryan L. Bradford |
| City Attorney | Brad Neighbor |
| City Secretary | Eloyce René Dowl |

CALL TO ORDER:

The meeting was called to order by Mayor Douglas Athas. Mayor Pro Tem LeMay led the pledge and invocation.

CEREMONIALS:

The Mayor presented a Special Recognition to the Garland Sports Hall of Fame President, Dennis Wegehof, congratulating them on their 30th anniversary.

CONSENT AGENDA:

All items marked with asterisks (**) on the Consent Agenda were voted on at the beginning of the meeting. Mayor Athas read those items into the record. Motion was made by Mayor Pro Tem LeMay to approve the Consent Agenda as presented, seconded by Council Member Cahill, to approve items 1, 2a, 2b, 2c, 2d, 2e, 3a, 3b, 3c, 4, 5, and 6. Motion carried, 9 ayes, 0 nays.

1. APPROVED**

Approval of the Minutes of the August 2, 2016 Regular Meeting.

2a. APPROVED**

Bid No. 6698-16 to Irby Utilities in the amount of \$163,171.00 for Air Break and Disconnect Switches.

The purpose of this contract is to provide Air Break and Disconnect Switches for use at various substations serviced by Garland Power & Light. This is a term contract with four optional renewals.

2b. APPROVED**

Bid No. 6537-16 to Holt Caterpillar in the amount of (\$155,000.00) credit for trade-in of a Caterpillar Compactor.

The purpose of this contract is to exercise a trade-in option using one Caterpillar 836 Compactor that the City of Garland owns and operates at the Hinton Landfill. This Change Order will result in a decrease of \$155,000.00 to the original Purchase Order No. 24399.

2c. APPROVED**

Bid No. 6732-16 to Techline, Inc. in the amount of \$554,644.00 to include an optional contingency of \$55,464.00 for a total bid of \$610,108.00 for Steel Transmission Structures for Apollo to E. Richardson.

The purpose of this contract is to purchase tubular Steel Structures for the Apollo to E. Richardson 138 kV Transmission Line Reconstruction. Due to the long lead time on the structures, an Optional Contingency of \$55,464.00 has been included in the bid award amount.

2d. APPROVED**

Bid No. 6466-16 to SYB Construction Company, Inc. in the amount of \$2,803,803.00 for Water and Sewer Line Replacements.

The purpose of this contract is to provide construction of approximately 4,600 linear feet of 6-inch water line, approximately 5,000 linear feet of 8-inch water line, and approximately 2,400 linear feet of 8-inch sanitary sewer, along with pavement removal and replacement of all.

2e. APPROVED**

Bid No. 6507-16 to Aspen Rentals, Inc. for \$72,775.00 for Belt Filter Press Rental.

The purpose of this Change Order is to request additional rental time of the Belt Filter Press that will ensure continuous biosolids processing during the ongoing Rowlett WWTP

Biosolids and Odor Abatement Project. Aspen Rentals was awarded the original contract on Purchase Order No. 24247.

This Change Order represents a 97.8% increase to the original Purchase Order amount of \$74,350.00.

3a. APPROVED**

Ordinance No. 6847 amending the Garland Development Code of the City of Garland by approving 1) an Amended Concept Plan for Dwelling, Single-Family Detached; Dwelling, Multi-Family; Elder Care-Independent Living and Restaurant and 2) a Detail Plan for Dwelling, Single-Family Detached on a 141.653-acre tract of land zoned Planned Development (PD) District 15-45 for Single-Family-5 (SF-5) Uses, Multi-Family Uses and Limited Community Office Uses and bounded by Holford Road to the northwest, Spring Creek Forest Preserve to the northeast, north Garland Avenue to the southeast and Arapaho Road to the southwest, providing for conditions, restrictions, and regulations; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland; providing a Savings Clause and a Severability Clause; and providing an effective date. (Jacobs Engineering Group, Inc. File Z 16-16, District 7)

3b. APPROVED**

Ordinance No. 6848 amending the Garland Development Code of the City of Garland by approving a Specific Use Provision for a Charter School on a 8.539-acre tract of land zoned Single-Family-7 (SF-7) District located at 2256 Arapaho Road, south of Arapaho Road and east of north Shiloh Road; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland; providing a Savings Clause and a Severability Clause; and providing an effective date. (Baldwin Associates File Z 16-20, District 7)

3c. APPROVED**

Ordinance No. 6849 amending the Envision Garland Plan Future Land Use Map from "Parks & Open Space (Public and Private)" to "Traditional Neighborhoods;" and amending the Garland Development Code of the City of Garland by approving 1) a change of zoning from Agriculture (AG) District to Planned Development (PD) District for Single-Family-10 (SF-10) Uses and 2) a Concept Plan for Dwelling,

Single-Family Detached on a 28.62-acre tract of land located at 2401 and 2601 Brand Road; providing for conditions, restrictions, and regulations; and providing for a penalty and an effective date. (Serene Global File LU 16-01 / Z 16-23, District 1)

4. APPROVED**

Ordinance No. 6850 amending Chapter 30, "Building Inspection," of the Code of Ordinances of the City of Garland; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland; providing a Savings Clause and a Severability Clause; and providing an effective date.

Council approved the adoption of the 2015 editions of the following construction codes: International Building Code, International Residential Code, International Plumbing Code, International Fuel Gas Code, International Mechanical Code, International Energy Conservation Code, International Property Maintenance Code, and the 2014 National Electrical Code.

5. APPROVED**

Ordinance No. 6851 amending Chapter 21, "Fire Prevention," of the Code of Ordinances of the City of Garland; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland; providing a Savings Clause and a Severability Clause; and providing an effective date.

Council approved the adoption of the 2015 International Fire Code amendments.

6. APPROVED**

Minute action approving a contract with Freese and Nichols, Inc. for consulting services for the IH-30 Corridor Catalyst Area Revitalization Plan.

7. PH HELD Hold a public hearing on the 2016-17 Proposed Budget.
- Mayor Athas opened the public hearing at 7:18 p.m.
- Speaking on this item were: Charles Axe, Raymond Johnson, and Donna Nelson.
- There being no further speakers the public hearing was closed at 7:28 p.m.
8. PH HELD Hold a public hearing regarding the Proposed 2016-17 Tax Rate.
- Mayor Athas opened the hearing at 7:29 p.m.
- Speaking on this item was: Donna Nelson
- There being no further speakers the public hearing was closed at 7:30 p.m.
9. APPROVED Minute action approving a development incentive request from VPET USA, Inc. for a partial rebate of applicable Business Personal Property (BPP) tax required of a proposed new manufacturing project for a specific period of time.
- David Gwin, Director of Economic Development, presented background information on the VPET USA, Inc. project.
- Motion was made by Council Member Aubin to approve the request for development assistance, as provided by staff, seconded by Council Member Dodson. Motion carried 9 ayes, 0 nays.
- 10a. APPROVED Consider the application of D. R. Rankin PLLC, requesting approval of 1) an amendment to the Concept Plan for

Planned Development (PD) District 15-45, 2) a Detail Plan for Multi-

Family Uses on property zoned Planned Development (PD) 15-45 District for Single-Family-5 Uses, Multi-Family Uses and Limited Community office Uses. This property is located at 4221 Arapaho Road. (File No. Z 16-13, District 7)

The applicant seeks approval of a Detail Plan for a 300-unit multi-family development. The multi-family development will occupy approximately 18-acres of a larger 142-acre mixed-use development.

Mayor Athas opened the hearing at 7:44 p.m. The speakers on this item were Isaac Williams, Development Planner and Tom Perdew, Floridays Development. Motion was made by Mayor Pro Tem LeMay to approve the request based on staff and Plan Commission recommendation, seconded by Council Member Aubin to close the hearing at 7:59 p.m. Motion carried 9 ayes, 0 nays.

10b. APPROVED

Consider the application of Craig Turner, requesting approval of a Change in Zoning from Agricultural (AG) District to Single-Family-10 (SF-10) District. This property is located at 3926 Zion Road. (File No. Z-16-26, District 3).

The applicant requests approval of a Change in Zoning from Agricultural (AG) District to Single-Family-10 (SF-10) District for the development of a 1.016-acre single-family dwelling site.

Mayor Athas opened the hearing at 8:00 p.m. The speaker on this item was Isaac Williams, Development Planner. Motion was made by Council Member Stanley to approve the request based on staff and Plan Commission recommendation, seconded by Council Member Williams to close the hearing at 8:06 p.m. Motion carried 9 ayes, 0 nays.

11. APPOINTED

Nominations were presented by Council Member Gibbons to appoint the following individuals to the listed boards:

- Scott Roberts – Plan Commission
- Julius Irozuru – Library Board
- Jaques “Jack” Loraine – Senior Citizens Advisory Committee
- Harlan Seagren – Cultural Arts Commission
- Ed Seghers – Parks and Recreation Board
- Barbara Powers – Citizens Environmental and Neighborhood Advisory Committee
- Cheryl Hagan – Community Multicultural Commission
- Nicholas Oliver – Property Standards Board
- John Young – Board of Adjustment
- Aaron Miller – Building and Fire Codes Board

A vote was cast and the nominees were appointed with 9 ayes, 0 nays.

Nominations were presented by Council Member Goebel to appoint the following individuals to the listed boards:

- Sharon Carstens – Parks and Recreation Board
- LeAnn Hampton – Community Multicultural Commission
- Dwight Nichols – Plumbing and Mechanical Codes Board
- Claudia Porras – Cultural Arts Commission
- Wayne Wilmany – Senior Citizens Advisory Committee
- Rodney Blount – Property Standards Board
- Patricia Boone – Library Board
- Arlene Beasley – Board of Adjustment
- Louis Moore – Plan Commission

A vote was cast and the nominees were appointed with 9 ayes, 0 nays.

Nominations were presented by Council Member B. J. Williams to appoint the following individuals to the listed boards:

- David Perry – Property Standards Board
- Blanca Sanchez – Cultural Arts Commission
- Shibu Samuel – Community Multicultural Commission
- Weldon Bradley – Building and Fire Codes Board
- Jim Bookhout – Board of Adjustment
- Gwendolyn Daniels – Senior Citizens Advisory Committee
- Katherine Creech – Citizens Environmental and Neighborhood Advisory Committee
- Larry Daniels – Plumbing and Mechanical Codes Board
- James Hall, Jr. – Plumbing and Mechanical Codes Board
- Corsharra Jackson – Library Board
- John O'Hara – Plan Commission
- Michael Pendleton – Parks and Recreation Board

A vote was cast and the nominees were appointed with 9 ayes, 0 nays.

Nominations were presented by Council Member Rich Aubin to appoint the following individuals to the listed boards:

- Guy Hull, II – Board of Adjustment
- Kenneth Puckett – Building and Fire Codes Board
- Betty Roberts – Citizens Environmental and Neighborhood Advisory Committee
- Donna Nelson – Community Multicultural Commission
- Howard Gay – Cultural Arts Commission
- Edwina Garner – Library Board

- Margaret Lucht – Parks and Recreation Board
- Truett Welborn – Plan Commission
- Noelia Garcia – Property Standards Board
- Gail Belton – Senior Citizens Advisory Committee

A vote was cast and the nominees were appointed with 9 ayes, 0 nays.

12. CITIZEN COMMENTS: None

13. ADJOURN

There being no further business to come before the City Council, Mayor Athas adjourned the meeting at 8:06 p.m.

CITY OF GARLAND, TEXAS

/s/ Douglas Athas, Mayor

/s/ Eloyce René Dowl, City Secretary



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

Agenda Item 2. a.

Meeting Date: September 6, 2016

Item Title: Dump Trucks for Water and Wastewater

Submitted By: Terry Anglin, Fleet Services Director

PURCHASE JUSTIFICATION:

The purpose of this contract is to purchase two (2) dump trucks to be used by the Water and Wastewater Departments in their daily operations.

AWARD RECOMMENDATION:

| <u>Vendor</u> | <u>Item</u> | <u>Amount</u> |
|------------------------|-------------|--------------------|
| Freightliner of Austin | | \$188,503.00 |
| TOTAL: | | <hr/> \$188,503.00 |

Fiscal Impact

| | |
|-------------------------------------|------------------------------|
| Total Project/Account: | \$291,506 |
| Expended/Encumbered to Date: | 101,506 |
| Balance: | \$190,000 |
| This Item: | 188,503 |
| Proposed Balance: | \$1,497 |
| Account #: | 444-4031-9009, 444-4125-9009 |

Fund/Agency/Project – Description and Comments:

444-4031-9009 - Water Dept. - \$102,783 Dump Truck
444-4125-9009 - Wastewater Dept. - \$85,720 Dump Truck
Total Cost for Two Trucks = \$188,503

Attachments

6844-16 Bid Recap
Executive Summary

Fiscal Reference:

Budget Type: Operating Budget

Fiscal Year: 2015-16

Document Location: p. 120

Budget Director Approval: Ron Young
Approval Date: 08/23/2016

Purchasing Director Approval: Gary L. Holcomb
Approval Date: 08/22/2016



GARLAND
PURCHASING EXECUTIVE SUMMARY

Bid 6844-16
Dump Trucks for Water and Wastewater

Recommended Vendor:
Freightliner of Austin

Total Recommended Award:
\$188,503.00

Basis for Award:
Cooperative Purchase

Purpose:
The purpose of this contract is to purchase two (2) dump trucks to be used by the Water and Wastewater Departments in their daily operations.

Evaluation:
These dump trucks are being purchased from Freightliner of Austin through the BuyBoard Purchasing Cooperative Contract 430-13.

Recommendation:
Staff recommends awarding the contract for dump trucks to Freightliner of Austin.

Funding Information:
444-4125-9009, 444-4031-9009

Department Director:
Terry Anglin, Fleet Director, 972-205-3524



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

Agenda Item 2. b.

Meeting Date: September 6, 2016

Item Title: Heavy Duty Trucks for Street Department

Submitted By: Terry Anglin, Fleet Services Director

PURCHASE JUSTIFICATION:

The purpose of this contract is to purchase three (3) dump trucks and four (4) tractor trucks to be used by the Street Department in their daily operations.

AWARD RECOMMENDATION:

| <u>Vendor</u> | <u>Item</u> | <u>Amount</u> |
|-----------------------------|-------------|--------------------|
| Volvo & Mack Trucks of Waco | | \$970,282.00 |
| TOTAL: | | <hr/> \$970,282.00 |

Fiscal Impact

| | |
|-------------------------------------|--|
| Total Project/Account: | \$2,371,508 |
| Expended/Encumbered to Date: | 771,006 |
| Balance: | \$1,600,502 |
| This Item: | 970,282 |
| Proposed Balance: | \$630,220 |
| Account #: | 692-4699-3981115-9009, 692-4699-3981900-9009, 831-4693-9007 |

Fund/Agency/Project – Description and Comments:

692-4699-3981115-9009 - \$390,042
692-4699-3981900-9009 - \$430,046
831-4693-9007 - \$150,194
Total Cost = \$970,282

Attachments

6884-16 Bid Recap
Executive Summary

Fiscal Reference:

Budget Type: Operating Budget
 CIP

Fiscal Year: 2016

Document Location: Op. Bgt. Pg. 265, CIP Pg. MF12, M13

| | |
|----------------------------------|-----------------------|
| Budget Director Approval: | Approval Date: |
| Ron Young | 08/23/2016 |

| | |
|--------------------------------------|-----------------------|
| Purchasing Director Approval: | Approval Date: |
| Gary L. Holcomb | 08/22/2016 |

| | | | | | | | | | | | |
|--|-----|------|--|-------------------------------|--------------|------------|-------|--|-------|------------|-------|
| CITY OF GARLAND - BID RECAP SHEET OPENED: 08/19/16 REQ. NO. PR 36775 BID NO. 6884-16 PAGE: 1 of 1 BUYER: T. Smith | | | | Volvo and Mack Trucks of Waco | | | | | | | |
| ITEM | QTY | UNIT | DESCRIPTION | UNIT PRICE | TOTAL | UNIT PRICE | TOTAL | UNIT PRICE | TOTAL | UNIT PRICE | TOTAL |
| | | | Heavy Trucks for the Street Dept. | | | | | | | | |
| 1 | 3 | ea. | 12-yd. Dump trucks, new Mack CXU613, 14' square bed, electric tarp | \$139,926.00 | \$419,778.00 | | | | | | |
| 2 | 2 | ea. | New, tractor trucks for end dump Mack CXU613 | \$124,858.00 | \$249,716.00 | | | | | | |
| 3 | 2 | ea. | Tractor trucks for heavy haul, Mack CHU613, wetkit, headache rack, 12 LED light bar. | \$150,194.00 | \$300,388.00 | | | | | | |
| 4 | 1 | ea. | Buyboard Fee | \$400.00 | \$400.00 | | | | | | |
| | | | TOTAL GROSS PRICE | \$970,282.00 | | | | | | | |
| | | | CASH DISCOUNT | | | | | | | | |
| | | | TOTAL NET PRICE | \$970,282.00 | | | | | | | |
| | | | F.O.B. | DELIVERED | | DELIVERED | | DELIVERED | | DELIVERED | |
| | | | DELIVERY | | | | | | | | |
| NEXT LOW: | | | | n/a # Ionwave Notifications | | | | All bids submitted for the designated project are reflected on this bid tab sheet. However, the listing of a bid on this sheet should not be construed as a comment on the responsiveness of such bid or as any indication that the city accepts such bid as responsive. The City will notify the successful bidder upon award of the contract and, according to the law, all bids received will be available for inspection at that time. | | | |
| LOW: | | | | n/a # Ionwave HUBS | | | | | | | |
| SAVINGS: | | | | n/a # Direct Contact HUBS | | | | | | | |
| | | | | n/a # HUBS Responded | | | | | | | |
| | | | | \$0.00 | | | | | | | |



GARLAND
PURCHASING EXECUTIVE SUMMARY

Bid 6884-16
Heavy Duty Trucks

Recommended Vendor:

Volvo & Mack Trucks of Waco

Total Recommended Award:

\$970,282.00

Basis for Award:

Cooperative Purchase

Purpose:

The purpose of this contract is to purchase three (3) dump trucks and four (4) tractor trucks to be used by the Street Department in their daily operations.

Evaluation:

These trucks are being purchased from Volvo & Mack Trucks of Waco through the BuyBoard Purchasing Cooperative Contract 430-13.

Recommendation:

Staff recommends awarding the contract for heavy duty trucks to Volvo & Mack Trucks of Waco.

Funding Information:

692-4699-3981115-9009, 692-4699-3981900-9009, 831-4693-9007

Department Director:

Terry Anglin, Fleet Director, 972-205-3524



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

Agenda Item 2. c.

Meeting Date: September 6, 2016

Item Title: Steel Structures for GP&L Swindell Substation Rebuild

Submitted By: Ross Owen, Director of Transmission & Distr

PURCHASE JUSTIFICATION:

The purpose of this bid is to purchase of nine (9) tubular steel structures necessary for the rebuild of the Swindell Substation and Greenville to Olinger transmission line termination. Due to the complex nature of the project, an optional contingency is included for any unforeseen additional work that may be required.

AWARD RECOMMENDATION:

| <u>Vendor</u> | <u>Item</u> | <u>Amount</u> |
|----------------------|-------------|---------------------|
| Dis-Tran Steel, LLC. | All | \$299,627.00 |
| Optional Contingency | | 29,962.70 |
| TOTAL: | | \$329,589.70 |

Fiscal Impact

Total Project/Account: 7,219,300
Expended/Encumbered to Date: 2,361,945
Balance: 4,857,355
This Item: 329,590
Proposed Balance: 4,527,765
Account #: 210-3799-3177101-7111
Fund/Agency/Project – Description and Comments:
Electric/Substations/Swindell Substation Construction

Attachments

Bid Recap
Executive Summary

Fiscal Reference:

Fiscal Year: 2016

Document Location: E10

| | |
|----------------------------------|-----------------------|
| Budget Director Approval: | Approval Date: |
| Ron Young | 08/30/2016 |

| | |
|----------------------------|-----------------------|
| Purchasing Director | Approval Date: |
| Approval: | 08/24/2016 |
| Gary L. Holcomb | |

[illegible]



GARLAND
PURCHASING EXECUTIVE SUMMARY

Bid 6752-16
Steel Structures for GP&L Swindell Substation Rebuild

Recommended Vendor:
Dis-Tran Steel, LLC.

Total Recommended Award:
\$329,589.70

Basis for Award:
Straight Low Bid

Purpose:
The purpose of this bid is to purchase of nine (9) tubular steel structures necessary for the rebuild of the Swindell Substation and Greenville to Olinger transmission line termination.

Evaluation:
Requests for bids were issued in accordance with Purchasing procedures. Five (5) bids were received and evaluated. Dis-Tran Steel, LLC submitted the lowest bid and met all requirements of the specifications.

Recommendation:
Staff recommends awarding the bid to Dis-Tran Steel, LLC.

Funding Information:
210-3799-31771-01-7111 (EC-S0771-001-1-7111)

Department Director:
Ross Owen, Transmission and Distribution Director, 972-205-2667



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

Agenda Item 2. d.

Meeting Date: September 6, 2016

Item Title: SEL RTU Automation Controllers

Submitted By: Jeff Janke, Administration

PURCHASE JUSTIFICATION:

The purpose of this order is to replace seventeen (17) SEL Remote Telemetry Units (RTUs) that are running Windows XP and cannot accept current system updates. These RTUs are critical components in Garland Power & Light's SCADA system.

AWARD RECOMMENDATION:

| <u>Vendor</u> | <u>Item</u> | <u>Amount</u> |
|-------------------------------------|-------------|---------------------|
| Schweitzer Engineering Laboratories | All | \$124,443.00 |
| TOTAL: | | \$124,443.00 |

Fiscal Impact

Total Project/Account: \$206,338
Expended/Encumbered to Date: 15,089
Balance: \$191,249
This Item: 124,443
Proposed Balance: \$66,806
Account #: 210-3699-3122301-6051
Fund/Agency/Project – Description and Comments:
Electric CIP Fund / Communications Upgrades/Improvements

Bid #6820-16

Attachments

Bid Recap
Executive Summary

Fiscal Reference:

Budget Type: CIP
Fiscal Year: 2016
Document Location: Page E02

| | |
|------------------------|-----------------------|
| Budget Director | Approval Date: |
| Approval: | 08/30/2016 |
| Ron Young | |

| | |
|----------------------------|-----------------------|
| Purchasing Director | Approval Date: |
| Approval: | 08/10/2016 |
| Gary L. Holcomb | |



GARLAND
PURCHASING EXECUTIVE SUMMARY

Bid 6820-16
SEL RTU Automation Controllers

Recommended Vendor:
Schweitzer Engineering Laboratories

Total Recommended Award:
\$125,443.00

Basis for Award:
Sole Source

Purpose:
The purpose of this order is to replace seventeen (17) SEL Remote Telemetry Units (RTUs) that are running Windows XP and cannot accept current system updates. These RTUs are critical components in Garland Power & Light's SCADA system.

Evaluation:
These items are being awarded as a sole source due to patents and copyrights. Schweitzer Engineering Laboratories is the manufacturer and sole distributor of the required SEL RTU equipment.

Recommendation:
Staff recommends awarding the RTUs to Schweitzer Engineering Laboratories.

Funding Information:
210-3699-3122301-6051 EMS Equipment Upgrade CIP Project

Department Director:
Ananth Palani, Technology Services Director, 972-205-3032



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

Agenda Item 2. e.

Meeting Date: September 6, 2016

Item Title: Water, Wastewater, Sanitary Sewer, and Paving Improvements

Submitted By: Michael Polocek, Engineering Director

PURCHASE JUSTIFICATION:

The purpose of this contract is to provide for the construction of approximately 62 linear feet of 6-inch water, 1,559 linear feet of 8-inch water, 20 linear feet of 6-inch wastewater, and 2,602 linear feet of 8-inch wastewater all by open cut; and 595 linear feet of 8-inch wastewater by pipe bursting along with 2,570 square yards of pavement replacement and all incidentals.

AWARD RECOMMENDATION:

| <u>Vendor</u> | <u>Item</u> | <u>Amount</u> |
|--------------------------------|-------------|-----------------------|
| SYB Construction Company, Inc. | All | \$1,313,988.50 |
| TOTAL: | | \$1,313,988.50 |

Fiscal Impact

Total Project/Account: \$12,737,289

Expended/Encumbered to Date: 7,064,105

Balance: \$5,673,184

This Item: 1,313,989

Proposed Balance: \$4,359,195

Account #: Various

Fund/Agency/Project – Description and Comments:

Water CIP / Transmission Mains - S. Country Club

Wastewater CIP / Relocation of Mains Prior to Paving - S. Country Club

Streets Operating Budget / Construction / S. Country Club

Wastewater CIP / Relocation of Mains Prior to Paving - Randolph Dr. & Lewis Dr. Alley

Bid #6734-16

Attachments

Bid recap
Executive Summary

Fiscal Reference:

Budget Type: Operating Budget
CIP
Fiscal Year: 2016
Document Location: Oper. Bgt. - p. 265; 2016 CIP - pp. W01
& WW08

| | |
|----------------------------------|-----------------------|
| Budget Director Approval: | Approval Date: |
| Ron Young | 08/30/2016 |

| | |
|--------------------------------------|-----------------------|
| Purchasing Director Approval: | Approval Date: |
| Gary L. Holcomb | 08/30/2016 |



GARLAND
PURCHASING EXECUTIVE SUMMARY

Bid 6734-16
Water, Wastewater, Sanitary Sewer, and Paving Improvements

Recommended Vendor:

SYB Construction Company, Inc.

Total Recommended Award:

\$1,313,988.50

Basis for Award:

Lowest Responsible Bid

Purpose:

The purpose of this contract is to provide for the construction of approximately 62 linear feet of 6 inch water, 1,559 linear feet of 8 inch water, 20 linear feet of 6 inch wastewater, and 2,602 linear feet of 8 inch wastewater all by open cut, and 595 linear feet of 8 inch wastewater by pipe bursting along with 2,570 square yards of pavement replacement and all incidentals. The water, wastewater, and paving improvements will be from S. Country Club Road to Marilee Drive to Eastern Hills Drive. The sanitary sewer improvements will be at Randolph Drive/Lewis Drive Alley West of LaMesa Drive.

Evaluation:

Requests for bids were issued in accordance with Purchasing procedures. Four (4) bids were received and evaluated with SYB Construction Company, Inc. submitting the lowest overall bid. Staff believes this project is fully within their capabilities.

The City Attorney's Office has reviewed the Master Proposal, Specifications, Contract and Bid document as to form in 2016.

Recommendation:

Staff recommends awarding the construction contract to SYB Construction Company, Inc.

Funding Information:

S. Country Club - Water - 220-4049-3019000-9213 (CW190-CP-7-9213) \$463,298.00
S. Country Club - Wastewater - 230-4149-3215700-9305 (CS2157-CP-3-9305) \$408,927.08
S. Country Club - Streets - 831-4693-7111 (ST160-59) \$170,316.42
Randolph / Lewis - Wastewater - 237-4149-3215700-9305 (CS2157-RB-5-9305) \$154,060.00
Randolph / Lewis - Wastewater - 230-4149-3215700-9305 (CS2157-CP-5-9305) \$117,387.00

Department Director:

Michael C. Polocek, P.E., Director of Engineering, 972-205-2178



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

Agenda Item 2. f.

Meeting Date: September 6, 2016

Item Title: Holford Road Alignment Study - President George Bush Turnpike to City Limits

Submitted By: Michael Polocek, Engineering Director

PURCHASE JUSTIFICATION:

The purpose of this contract is to provide professional services for an alignment study of Holford Road from the President George Bush Turnpike to City Limits.

Funding for this project was included in the 2016 Capital Improvement Program. R-Delta Engineers was selected from a pool of engineering firms that have been pre-qualified for this type of work.

AWARD RECOMMENDATION:

| <u>Vendor</u> | <u>Item</u> | <u>Amount</u> |
|-------------------------|-------------|---------------------|
| R-Delta Engineers, Inc. | All | \$271,440.00 |
| TOTAL: | | \$271,440.00 |

Fiscal Impact

Total Project/Account: \$300,000
Expended/Encumbered to Date: 0
Balance: \$300,000
This Item: 271,440
Proposed Balance: \$28,560
Account #: 692-1409-1430500-7101
Fund/Agency/Project – Description and Comments:

Certificate of Obligation CIP Fund / Engineering / Holford Road Alignment Study - PGBT to City Limits

Bid #6878-16

Attachments

Bid Recap
Executive Summary

Fiscal Reference:

Budget Type: CIP
Fiscal Year: 2016
Document Location: Page ST20

| | |
|----------------------------|-----------------------|
| Budget Director | Approval Date: |
| Approval: | 08/30/2016 |
| Ron Young | |
| Purchasing Director | Approval Date: |
| Approval: | 08/30/2016 |
| Gary L. Holcomb | |



GARLAND
PURCHASING EXECUTIVE SUMMARY

Bid 6878-16
Holford Road Alignment Study - President George Bush Turnpike to City Limits

Recommended Vendor:
R-Delta Engineers, Inc.

Total Recommended Award:
\$271,440.00

Basis for Award:
Most Qualified

Purpose:
The purpose of this contract is to provide professional services for an alignment study of Holford Road from the President George Bush Turnpike to City Limits.

Evaluation:
R-Delta Engineers was selected as the most qualified firm for this project from the short list of engineers evaluated and ranked by the published criteria in RFQ 3617-13.

The City Attorney's Office has reviewed the Master Engineering Services Contract as to form in 2016.

Recommendation:
Staff recommends award of the professional services contract to R-Delta Engineers, Inc.

Funding Information:
692-1409-1430500-7101

Department Director:
Michael C. Polocek, P.E., Director of Engineering, 972-205-2178



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

Agenda Item 2. g.

Meeting Date: September 6, 2016

Item Title: Holford Road Alignment Study - Arapaho Road to President George Bush Turnpike

Submitted By: Michael Polocek, Engineering Director

PURCHASE JUSTIFICATION:

The purpose of this contract is to provide professional services for an alignment study of Holford Road from Arapaho Road to the President George Bush Turnpike.

Funding for this project was included in the 2016 Capital Improvement Program. R-Delta Engineers was selected from a pool of engineering firms that have been pre-qualified for this type of work.

AWARD RECOMMENDATION:

| <u>Vendor</u> | <u>Item</u> | <u>Amount</u> |
|-------------------------|-------------|---------------------|
| R-Delta Engineers, Inc. | All | \$341,100.00 |
| TOTAL: | | \$341,100.00 |

Fiscal Impact

Total Project/Account: \$425,000
Expended/Encumbered to Date: 0
Balance: \$425,000
This Item: 341,100
Proposed Balance: \$83,900
Account #: 692-1409-1430600-7101
Fund/Agency/Project – Description and Comments:

Certificate of Obligation CIP Fund / Engineering / Holford Road Alignment Study - Arapaho to PGBT

Bid #6877-16

Attachments

Bid Recap
Executive Summary

Fiscal Reference:

Budget Type: CIP
Fiscal Year: 2016
Document Location: Page ST21

| | |
|----------------------------|-----------------------|
| Budget Director | Approval Date: |
| Approval: | 08/30/2016 |
| Ron Young | |
| Purchasing Director | Approval Date: |
| Approval: | 08/30/2016 |
| Gary L. Holcomb | |



GARLAND
PURCHASING EXECUTIVE SUMMARY

Bid 6877-16

Holford Road Alignment Study - Arapaho Road to President George Bush Turnpike

Recommended Vendor:

R-Delta Engineers, Inc.

Total Recommended Award:

\$341,100.00

Basis for Award:

Most Qualified

Purpose:

The purpose of this contract is to provide professional services for an alignment study of Holford Road from Arapaho Road to the President George Bush Turnpike.

Evaluation:

R-Delta Engineers was selected as the most qualified firm for this project from the short list of engineers evaluated and ranked by the published criteria in RFQ 3617-13.

The City Attorney's Office has reviewed the Master Engineering Services Contract as to form in 2016.

Recommendation:

Staff recommends award of the professional services contract to R-Delta Engineers, Inc.

Funding Information:

692-1409-1430600-7101

Department Director:

Michael C. Polocek, P.E., Director of Engineering, 972-205-2178



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

Agenda Item 3. a.

Meeting Date: September 6, 2016

Item Title: Z 16-13 D.R. Rankin PLLC

Submitted By: Will Guerin, Planning Director

Summary of Request/Problem

Zoning Ordinance Z 16-13 D.R. Rankin PLLC

Recommendation/Action Requested and Justification

Consider adoption of attached ordinance.

Attachments

Z 16-13 D.R. Rankin PLLC Ordinance

Z 16-13 D.R. Rankin PLLC Attachments

ORDINANCE NO.

AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING 1) AN AMENDMENT TO THE CONCEPT PLAN FOR PLANNED DEVELOPMENT (PD) DISTRICT 15-45, 2) A DETAIL PLAN FOR MULTI-FAMILY USES ON PROPERTY ZONED PLANNED DEVELOPMENT (PD) 15-45 DISTRICT FOR SINGLE-FAMILY-5 (SF-5) USES, MULTI-FAMILY USES ON A 17.892-ACRE TRACT OF LAND LOCATED AT THE NORTH INTERSECTION OF ARAPAHO ROAD AND NORTH GARLAND ROAD. PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; AND PROVIDING FOR A PENALTY AND AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on the 25th day of July, 2016, the City Plan Commission did consider and make recommendations on a certain request for zoning change made by **ALTHEC Partnership**; and

WHEREAS, The City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendment to the zoning laws would provide for and would be in the best interest of the health, safety, morals, and general welfare:

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

Section 1.

Ordinance No. 6773 is hereby amended by approving 1) an amendment to the Concept Plan for Planned Development (PD) District 15-45, 2) a Detail Plan for Multi-Family Uses on property zoned Planned Development (PD) 15-45 District for Single-Family-5 (SF-5) Uses, Multi-Family Uses and Limited Community Office Uses.

Section 2.

Development shall be in conformance with the conditions, restrictions, and regulations set forth in Exhibit B, attached hereto and made a part hereof.

Section 3.

Ordinance No. 6773, as amended, shall remain in full force and effect, save and except as amended by this Ordinance.

Section 4.

FILE NO. 16-13

Violation of this Ordinance shall be a misdemeanor punishable in accordance with Section 10.05 of the Code of Ordinances, City of Garland, Texas.

Section 5.

This Ordinance shall become and be effective on and after its adoption and publication as required by law.

PASSED AND APPROVED this _____ day of _____, 2016.

THE CITY OF GARLAND, TEXAS

By:

Mayor

ATTEST:

City Secretary

Published:

EXHIBIT A

LEGAL DESCRIPTION

ZONING FILE 16-13

BEING an approximate 17.892 acre tract of land, situated in the Onefre Alvarado Survey, Abstract No. 2, Garland, Dallas County, Texas, and being part of Tract No.1, Tract No. 2 and in deed to Althec Partnership, Ltd. as recorded in Volume 2002049, Page 2378, Deed Records of Dallas County, Texas.

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 16-13

Northwest of the northwest corner of North Garland Avenue and Arapaho Road

- I. Statement of Purpose:** The purpose of this Planned Development is to permit the development of a 300-Unit Multi-Family development.
- II. Statement of Effect:** This Planned Development shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations of the Planned Development (PD 15-45) District and the Multi-Family (MF) District as set forth in Chapter 2 of the Garland Development Code are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. Development Plans:**

Detail Plan: Development shall be in general conformance with the Detail Plan set forth in Exhibit C; however, in the event of conflict between the Detail Plan and the written conditions in Planned Development (PD) District 15-45 of this Ordinance, the written conditions shall apply.

V. Specific Regulations:

- A. Permitted Uses:** Uses shall be as permitted within the Multi-Family (MF) District.
- B. Density:** The total density of multi-family shall be limited to approximately twenty (20) dwelling units per acre.
- C. Site Design:** The multi-family buildings shall be located as generally shown on the Detail Plan labeled Exhibit C. The unified trail way shall be designed to connect and align with Tracts 1a and 3 in accordance with the Master Trail Plan and located as shown on Exhibit C.
- D. Screening and Landscaping:** Screening of the multi-family use from adjacent residential uses shall meet the requirements of Chapter 4, Article 3 of the

Garland Development Code with the following additional requirements:

1. Multi-family yards adjacent to residential districts must provide a dense opaque vegetative screening with a species that will provide the optimal amount of screening and limited permeability. The live screening shall be a minimum of eight (8) feet in height at the time of installation and shall be maintained by the multi-family development ownership and shall be as generally shown on the Detail Plan labeled Exhibit C.
- E. Setbacks: Setbacks shall be as generally shown on the Detail Plan labeled Exhibit C.
- F. Parking: Parking shall be generally located as shown on the Detail Plan labeled Exhibit C.
- G. Building Elevations: Building elevations shall be in conformance with Exhibit D.
- H. Height: The maximum permitted height for any building or structure shall be 48.5 feet or four stories, except 57 feet allowed for the elevator tower height in the split level buildings Number 1 and Number 3.
- I. Storage Facilities: External storage facilities shall not be required to be directly accessed from each unit. Storage areas provided in closets connected to the balconies shall be a minimum size of twenty-five (25) square feet, no less than 175 cubic feet.

NORTHSIDE FLOOD STUDY
to be Prepared by
McLendon Hydrology and Engineering, LLC

PROPOSED WATER METER SCHEDULE

| METER ID NUMBER | WATER SERVICE SIZE | WATER METER SIZE | METER DOM. IRR. | SAN. SERVICE SIZE |
|-----------------------|--------------------------|------------------------|--------------------|-------------------------|
| △ | 4" | 3" | X | 6" |
| △ | 4" | 3" | X | 6" |
| △ | 4" | 3" | X | 6" |
| △ | 1" | 1" | X | 6" |
| △ | 2" | 2" | X | N/A |
| △ | 2" | 2" | X | N/A |
| △ | 2" | 2" | X | N/A |

WOODLANDS TRACT 2 SITE INFORMATION

LAND AREA: 779,361 S.F. OR 17.892 ACRES
LAND AREA NET: 660,580 S.F. OR 15.165 ACRES (net proposed 100yr floodplain)
ZONING: PD 15-45, MF (Multi-Family)
APARTMENTS: 300 UNITS
BUILDING AREA: 84,195 SF (28,065 sf per Bldg Including Patios)
BUILDING AREA: 7,600 SF Club House (Single Story Hight =30ft)
BUILDING HEIGHTS: 48.5' (4 Story Apartment Buildings)
BUILDING HEIGHTS: 57' Max Height Allowed for Elevator Towers in Split Level Bldgs 1 & 3
FLOOR TO AREA: 0.44:1 [(336,780+7,600)/779,361]
LOT COVERAGE: 11.8% [(84,195+7,600)/779,361]
PARKING REQUIRED: 1.5 Parks per Unit = 450 SPACES
PARKING PROVIDED: 50% of Required Parking to be Covered
504 TOTAL, (494 w/ 10 HANDICAP)
277 Field, 179 Covered, 48 Garage
TOTAL IMPERVIOUS SURFACE: 425,907 SF = 54.6%
TOTAL PERVIOUS AREA: 353,454 SF = 45.4%



TEXAS EXCAVATION
SAFETY SERVICES
1-800-344-8377

TRACT ONE ALTHEC PARTNERSHIP, LTD.
A TEXAS LIMITED PARTNERSHIP
VOLUME 2002049, PAGE 2378
R.P.R.D.C.T.

| Lot 3 Boundary Line Table | | |
|---------------------------|---------------|---------|
| LINE | BEARING | LENGTH |
| L1 | S 66°40'04" W | 98.78' |
| L2 | S 53°19'37" W | 62.39' |
| L3 | S 19°26'41" W | 144.17' |
| L4 | S 29°03'41" W | 41.17' |
| L5 | S 56°46'21" W | 46.21' |
| L6 | S 81°15'28" W | 122.74' |
| L7 | S 36°01'50" W | 90.65' |
| L8 | S 26°34'15" W | 71.52' |
| L9 | S 05°11'44" W | 103.04' |
| L10 | S 05°18'57" E | 57.56' |
| L11 | S 04°26'19" W | 155.07' |
| L12 | S 33°41'38" W | 96.12' |
| L13 | S 58°00'20" W | 37.72' |
| L14 | S 75°48'16" W | 57.07' |
| L15 | S 56°32'26" W | 47.14' |
| L16 | S 45°00'30" W | 52.89' |
| L17 | S 89°29'41" W | 21.50' |
| L18 | N 46°37'23" W | 72.35' |
| L19 | N 54°37'23" W | 26.24' |

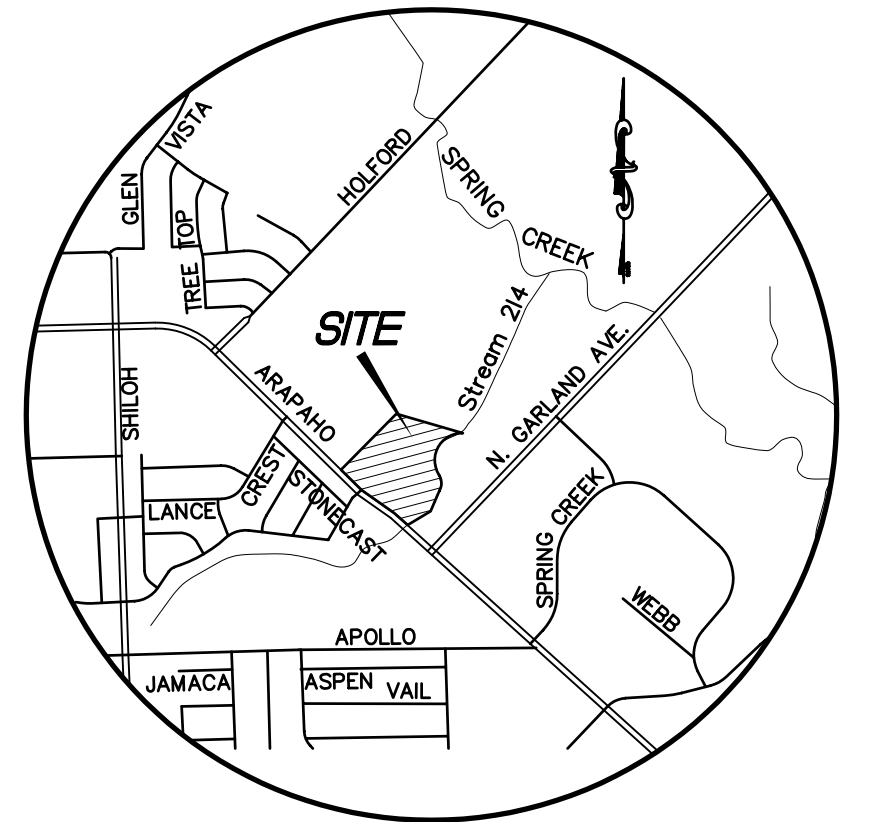
| Boundary Curve Table | | | | | |
|----------------------|---------|----------|----------|---------|---------------|
| Curve | Length | Radius | Delta | Chord | Chord Bearing |
| C1 | 202.46' | 1450.00' | 8°00'00" | 202.30' | N 50°37'23" W |
| C2 | 206.56' | 1350.00' | 8°46'00" | 206.36' | N 50°14'23" W |

TRACT TWO ALTHEC PARTNERSHIP,
LTD. A TEXAS LIMITED PARTNERSHIP
VOLUME 2002049, PAGE 2378
R.P.R.D.C.T.

FLOODPLAIN LEGEND

- *Proposed 100yr Ultimate Floodplain
- 100yr Flood Plain per effective FEMA FIRM
- Proposed Drainage Easement

*Elevations Delineated per Current Field Survey



LOCATION MAP
NOT TO SCALE

LEGEND

- PROPOSED COVERED PARKING STRUCTURE
- PROPOSED PARKING
- PROPOSED FIRE HYDRANT
- PROPOSED SANITARY MANHOLE
- PROPOSED DOMESTIC WATER METER
- PROPOSED DOMESTIC WATER METER IN VAULT
- PROPOSED IRRIGATION WATER METER
- PROPOSED FIRELANE
- PROPOSED SIDEWALK
- EXISTING SANITARY SEWER MANHOLE
- EXISTING FIRE HYDRANT
- EXISTING POWER POLE W/ GUY WIRE

Site Plan Notes

Any revision to this plan will require City approval and will require revisions to any corresponding plans to avoid conflicts between plans.

- Firelanes and Site paving shall be concrete, designed and constructed per City standards.
- Handicapped parking areas shall be designed and provided per city standards and shall comply with requirements of the current, adopted International Building Code, ADA and T&S requirements.
- Mechanical units, dumpsters and trash compactors shall be screened in accordance with City Ordinance.
- All signage contingent upon approval through a separate sign permit application.
- Outdoor lighting shall comply with illumination standards within the City Code of Ordinances.

ADDITIONAL SITE NOTES:

- Tree Survey & Mitigation Plan required.
- 100 year flood plain exists on property.
- 24 ft wide firelanes to have a minimum 20' inside radius.
- Typical parking dimensions are 9' x 18'.
- Concrete pavement construction of all walks, parking & driveways
- Firelanes not to exceed 6% max slope.
- Landscape areas not to exceed 4:1 max slope.
- Existing above ground structures in public right of way, including but not limited to: gas markers & manholes, communication markers & manholes, street signs, etc., shall relocated at contractor expense where conflicts occur with required public improvements.

ZONING DETAIL PLAN
PLANNED DEVELOPMENT 16-13
THE WOODLANDS on SPRING CREEK
TRACT No. 2
~NORTHSIDE at the WOODLANDS~

17.892 ACRES ~ ONEFRE ALVARADO SURVEY
ABSTRACT #02
GARLAND, DALLAS COUNTY, TX
ZONING: PD ~ MULTI-FAMILY (PD-MF)

OWNER / DEVELOPER:
FLORIDAYS DEVELOPMENT CO.
783 S. ORANGE AVENUE #200
SARASOTA, FL 34236
(941) 223-6656

CIVIL ENGINEER:
DR RANKIN, PLLC
TBPE FIRM #8838
2321 DAYBREAK TRAIL
PLANO, TEXAS 75093
(972) 378-0683

SURVEYOR:
DATA LAND SERVICES
PO BOX 2110
FORNEY, TEXAS 75126
(972) 564-6166

ARCHITECT:
IKEMIRE ARCHITECTS
16660 DALLAS PARKWAY
SUITE 2900
DALLAS, TEXAS 75248
(972) 248-2486

Submittal: 04-13-16
Revised: 05-12-16
Revised: 06-08-16
Revised: 07-13-16

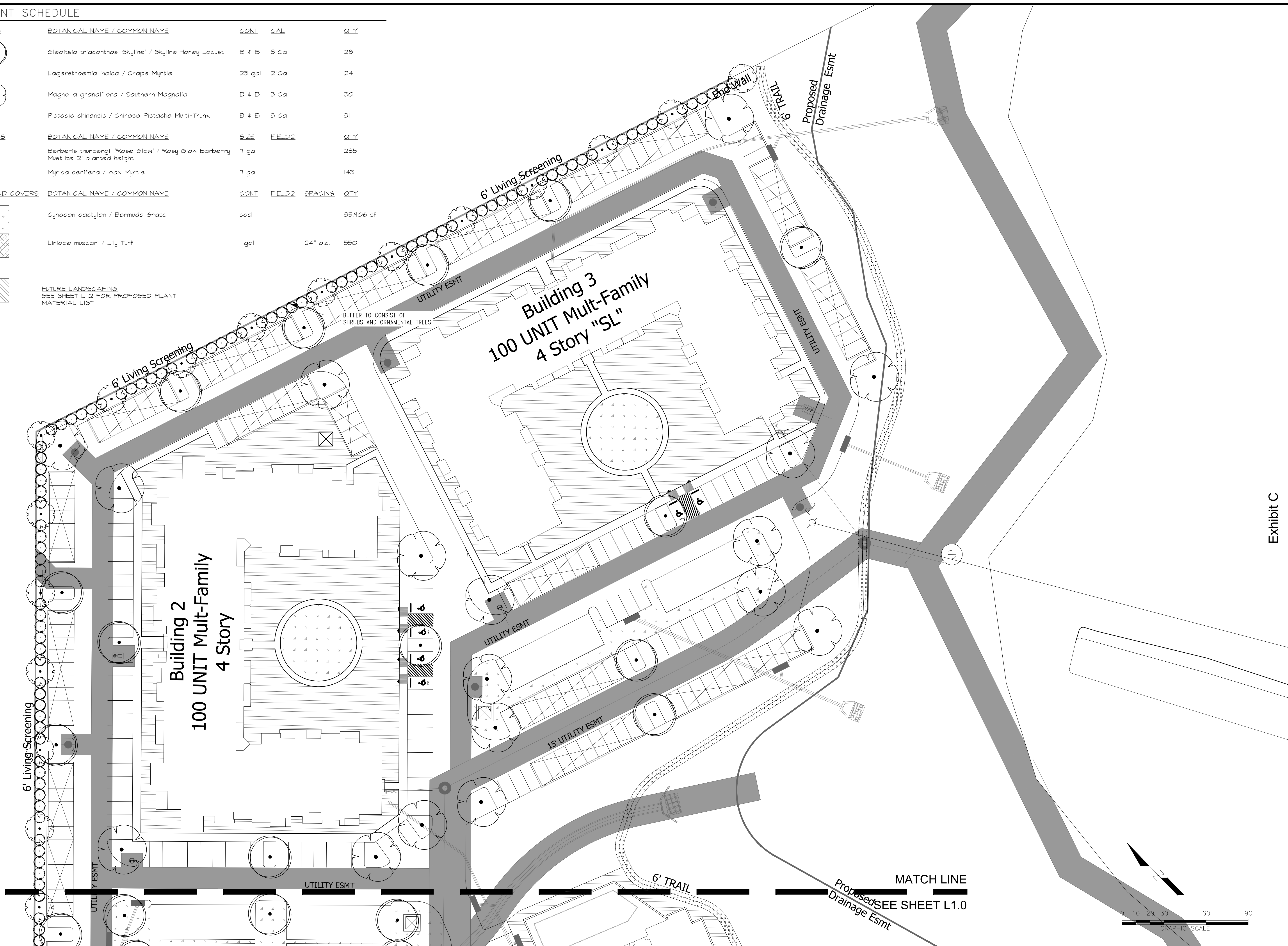


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An S&ME Company

1615 Edgewater Drive, Suite 200, ORLANDO, FLORIDA 32804
T 407.975.1273 F 407.975.1278 www.littlejohn.com

Leonard E. Arnold, Jr. P.E. 552441
Bruce C. Hall, P.E. LA000067
Florida Firm Registration No. 28050

| TREES | <u>BOTANICAL NAME / COMMON NAME</u> | <u>CONT</u> | <u>GAL</u> | <u>QTY</u> | |
|--|--|-------------|---------------|----------------|------------|
| |  Gloditsia triacanthos 'Skyline' / Skyline Honey Locust | B & B | 3"Gal | 28 | |
| |  Lagerstroemia indica / Crape Myrtle | 25 gal | 2"Gal | 24 | |
| |  Magnolia grandiflora / Southern Magnolia | B & B | 3"Gal | 30 | |
| SHRUBS |  Pistacia chinensis / Chinese Pistache Multi-Trunk | B & B | 3"Gal | 31 | |
| | <u>BOTANICAL NAME / COMMON NAME</u> | <u>SIZE</u> | <u>FIELD2</u> | <u>QTY</u> | |
| |  Berberis thunbergii 'Rose Glow' / Rosy Glow Barberry | 7 gal | | 235 | |
| |  Myrica cerifera / Wax Myrtle | 7 gal | | 143 | |
| GROUND COVERS | <u>BOTANICAL NAME / COMMON NAME</u> | <u>CONT</u> | <u>FIELD2</u> | <u>SPACING</u> | <u>QTY</u> |
| |  Cynodon dactylon / Bermuda Grass | 50d | | | 35,906 sf |
| |  Liriope muscari / Lily Turf | 1 gal | | 24" o.c. | 550 |
| |  | | | | |
| FUTURE LANDSCAPING SEE SHEET L1.2 FOR PROPOSED PLANT MATERIAL LIST | | | | | |

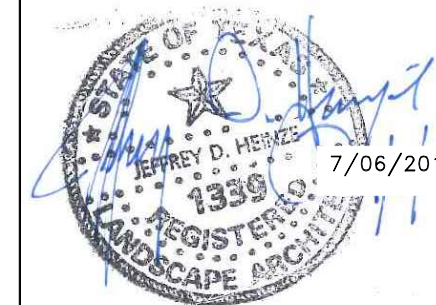


NORTHSIDE AT THE WOODLANDS

**FLORIDAYS
DEVELOPMENT
COMPANY**
783 SOUTH ORANGE AVE.
SUITE 210
SARASOTA, FLORIDA, 34236



Littlejohn
An S&ME Company

[illegible]

| | |
|----------------|-----------|
| PROJECT NUMBER | 527116012 |
|----------------|-----------|

DRAWING NUMBER
L1.1

DRAWING NAME
LANDSCAPE
PLAN

MATERIAL LEGEND

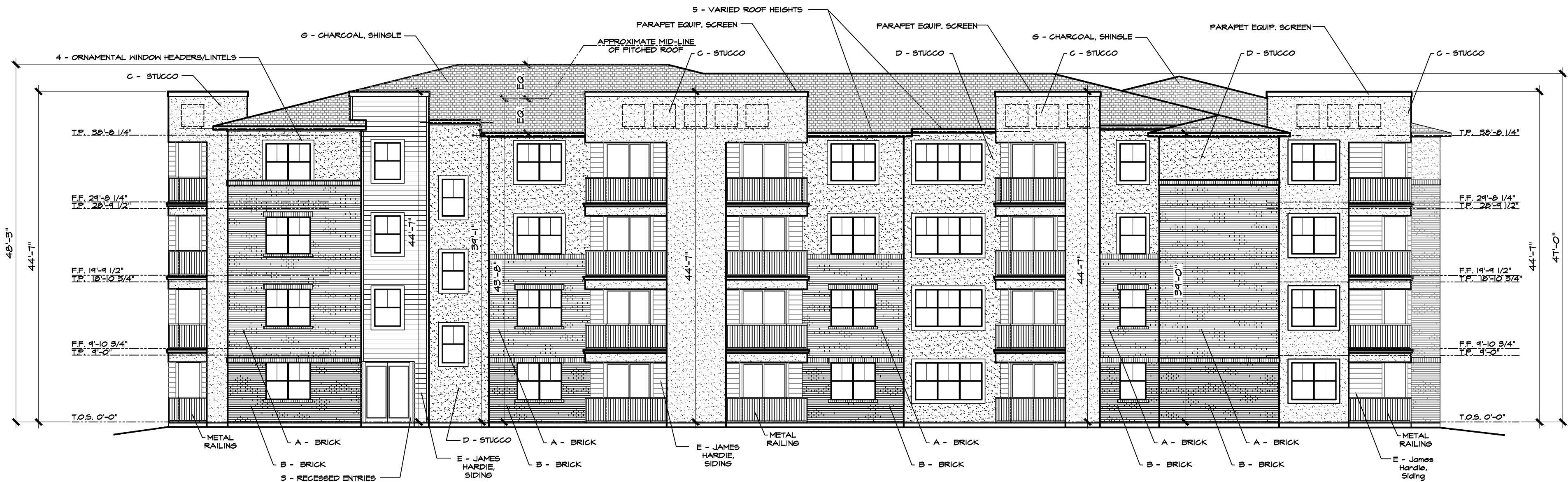
ARCHITECTURAL ELEMENT

- 1 - AWNINGS or CANOPIES
- 2 - DIVIDE LITE WINDOWS
- 3 - RECESSED ENTRIES
- 4 - ORNAMENTAL WINDOW HEADERS/LINTELS
- 5 - VARIED ROOF HEIGHTS
- 6 - BENCHES FOR OUTDOOR SEATING



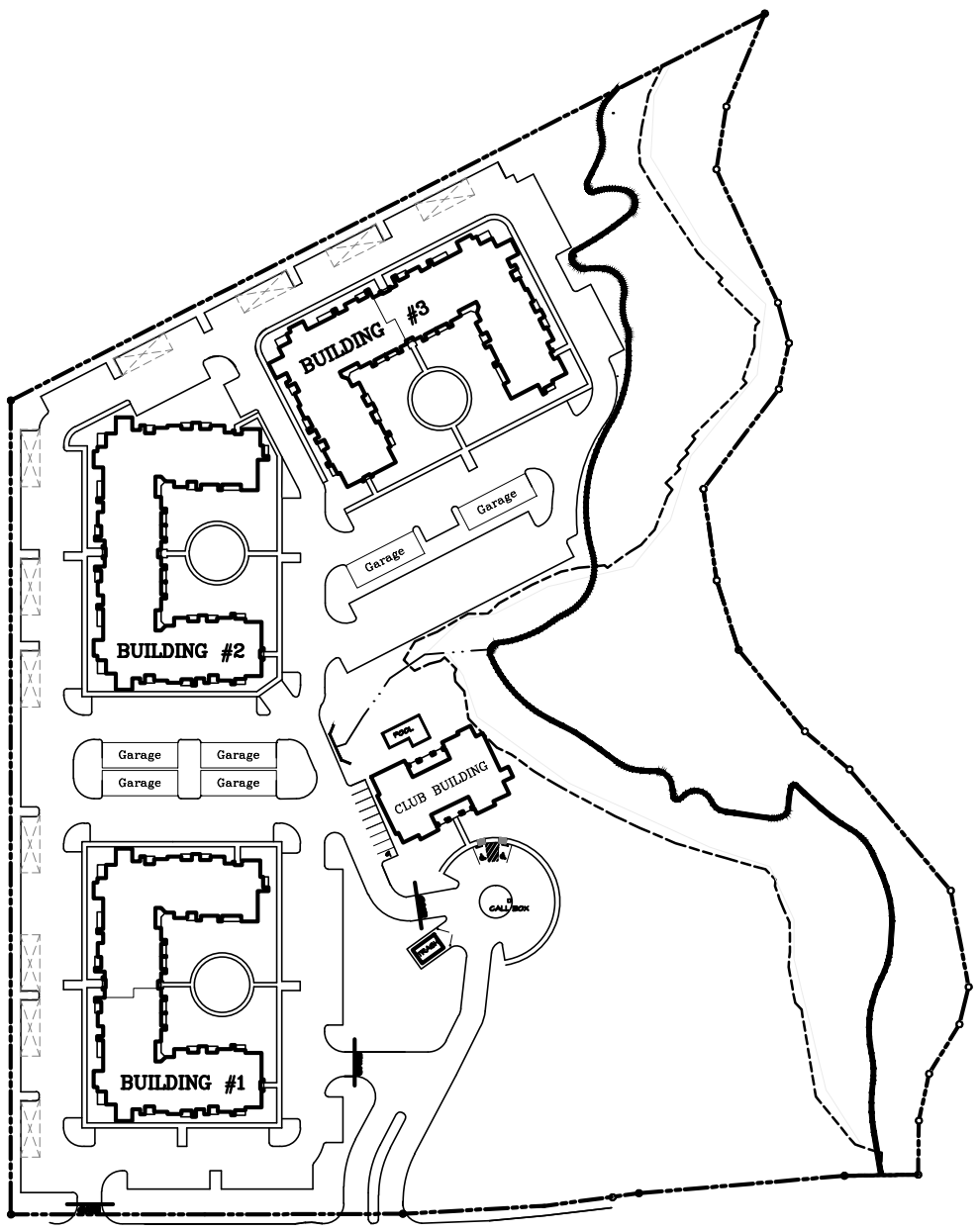
PERCENT MASONRY CALC.

| ELEVATION | BRICK | STUCCO | SIDING | TOTAL | % BRICK | % STUCCO | % SIDING |
|---------------|-------------|-------------|------------|-------------|---------|----------|----------|
| EAST - FRONT | 3,830 S.F. | 3,424 S.F. | 932 S.F. | 8,186 S.F. | 46.8% | 41.8% | 11.4% |
| WEST - REAR | 3,686 S.F. | 2,728 S.F. | 994 S.F. | 7,408 S.F. | 49.8% | 36.8% | 13.4% |
| SOUTH - LEFT | 2,161 S.F. | 2,058 S.F. | 383 S.F. | 4,602 S.F. | 46.9% | 44.7% | 8.4% |
| NORTH - RIGHT | 1,787 S.F. | 2,435 S.F. | 530 S.F. | 4,752 S.F. | 37.6% | 51.2% | 11.2% |
| TOTAL | 11,464 S.F. | 10,645 S.F. | 2,839 S.F. | 24,948 S.F. | 45.9% | 42.7% | 11.4% |



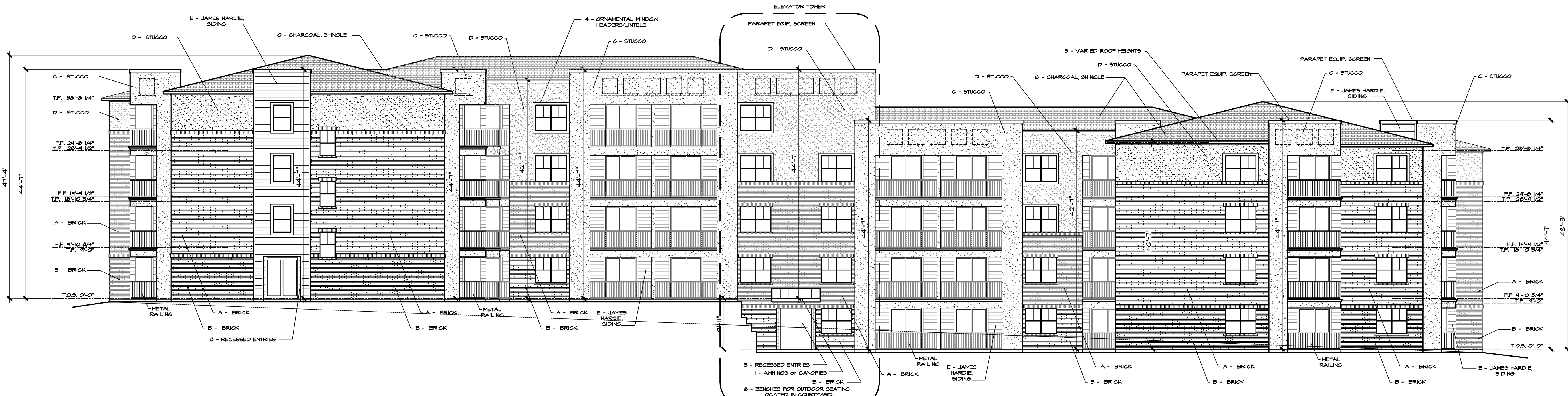
NORTH ELEVATION

SCALE: 3/32"=1'-0"



BUILDING KEY

SCALE: NONE



EAST - FRONT ELEVATION - BUILDING #1 & #3

SCALE: 3/32"=1'-0"

IKEMIRE ARCHITECTS
ARCHITECTURE PLANNING INTERIORS
16660 DALLAS PKWY. SUITE 2900 DALLAS, TX 972-248-2486 FAX 972-248-1557

Northside at the Woodlands
300 UNIT APARTMENT COMPLEX
FLORIDAYS DEVELOPMENT CO.
ARAPHO RD AND N GARLAND AVE
GARLAND, TEXAS

DATE NAME REVISIONS CASE NO. 160901-I DR RANKIN PLLC APPLICANT.

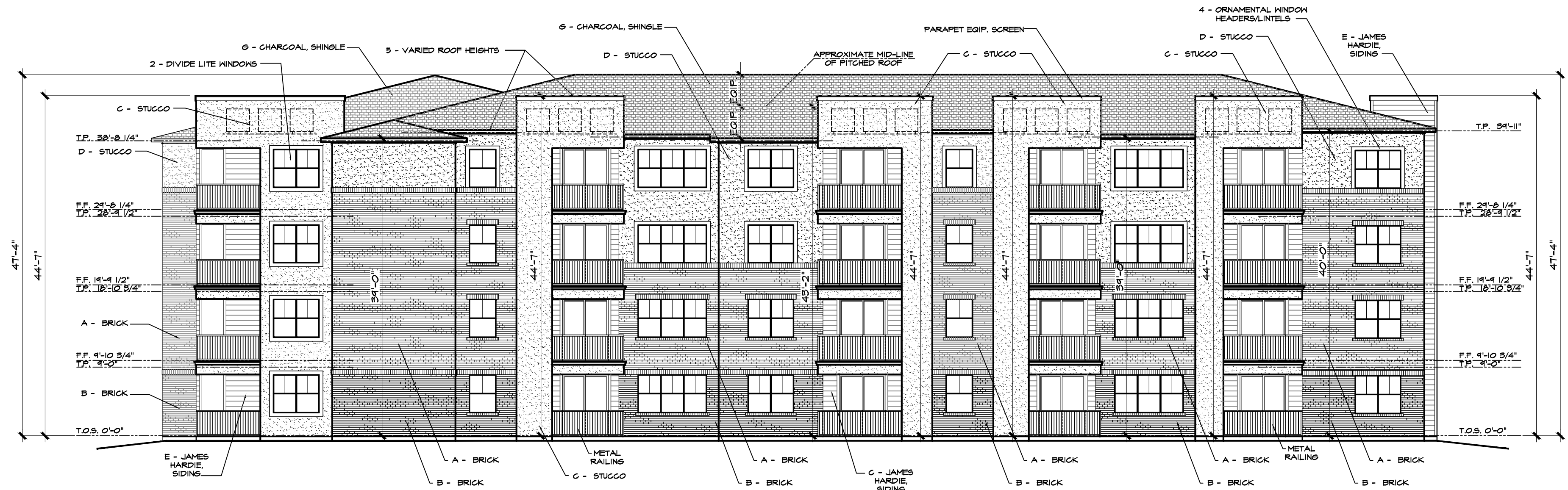
A10

of #
JOB# 215061

MATERIAL LEGEND



| PERCENT MASONRY CALC. | | | | | | | |
|-----------------------|-------------|-------------|------------|-------------|---------|----------|----------|
| ELEVATION | BRICK | STUCCO | SIDING | TOTAL | % BRICK | % STUCCO | % SIDING |
| EAST - FRONT | 3,830 S.F. | 3,424 S.F. | 932 S.F. | 8,186 S.F. | 46.8% | 41.8% | 11.4% |
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| SOUTH - LEFT | 2,161 S.F. | 2,058 S.F. | 383 S.F. | 4,602 S.F. | 46.9% | 44.7% | 8.4% |
| NORTH - RIGHT | 1,787 S.F. | 2,435 S.F. | 530 S.F. | 4,752 S.F. | 37.6% | 51.2% | 11.2% |
| TOTAL | 11,464 S.F. | 10,645 S.F. | 2,839 S.F. | 24,948 S.F. | 45.9% | 42.7% | 11.4% |

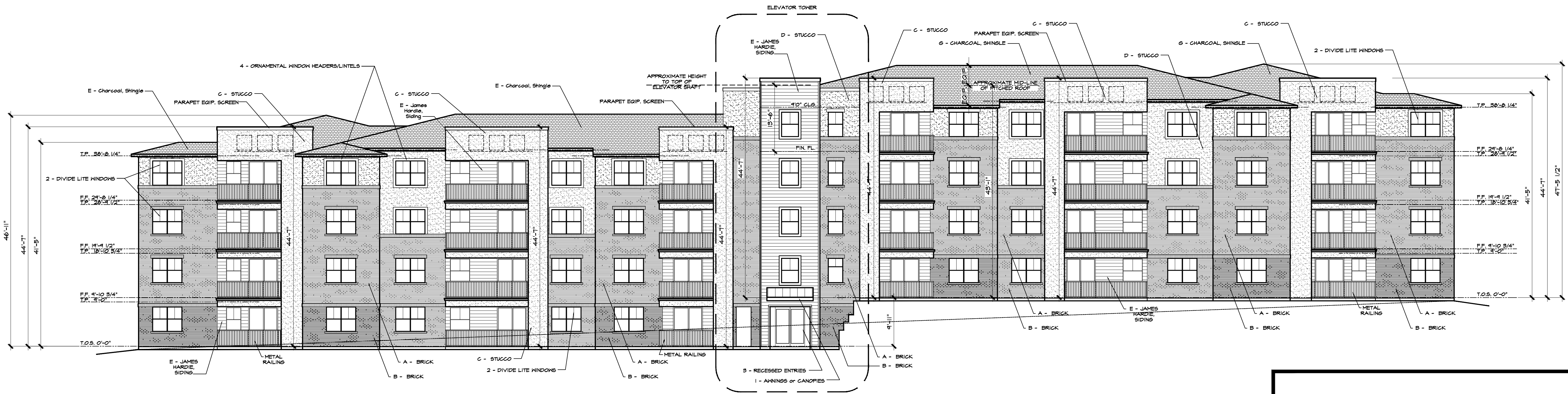


SOUTH ELEVATION

SCALE: 3/32"=1'-0"

ARCHITECTURAL ELEMENT

- 1 - AWNINGS or CANOPIES
- 2 - DIVIDE LITE WINDOWS
- 3 - RECESSED ENTRIES
- 4 - ORNAMENTAL WINDOW HEADERS/LINTELS
- 5 - VARIED ROOF HEIGHTS
- 6 - BENCHES FOR OUTDOOR SEATING



WEST ELEVATION - BUILDING #1 & #3

SCALE: 3/32"=1'-0"

IKEMIRE ARCHITECTS
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GARLAND, TEXAS

DATE NAME REVISIONS CASE NO. 160901-I APPLICANT: DR. RANKIN PLLC

A11
of #
JOB# 215061

MATERIAL LEGEND

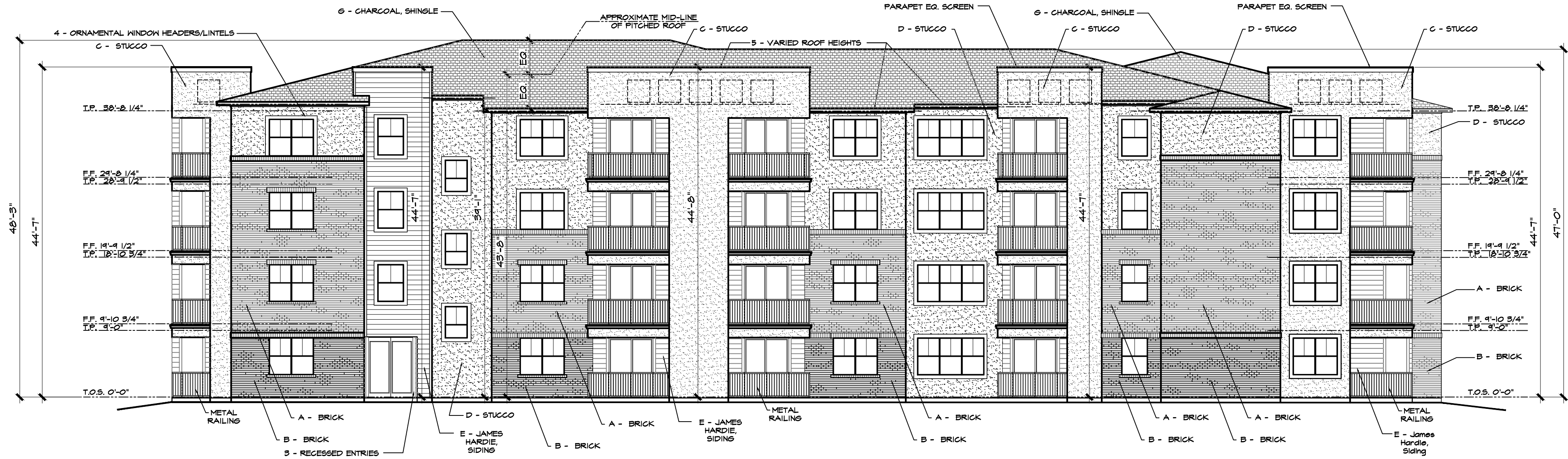
ARCHITECTURAL ELEMENT

- 1 - AWNINGS or CANOPIES
- 2 - DIVIDE LITE WINDOWS
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- 4 - ORNAMENTAL WINDOW HEADERS/LINTELS
- 5 - VARIED ROOF HEIGHTS
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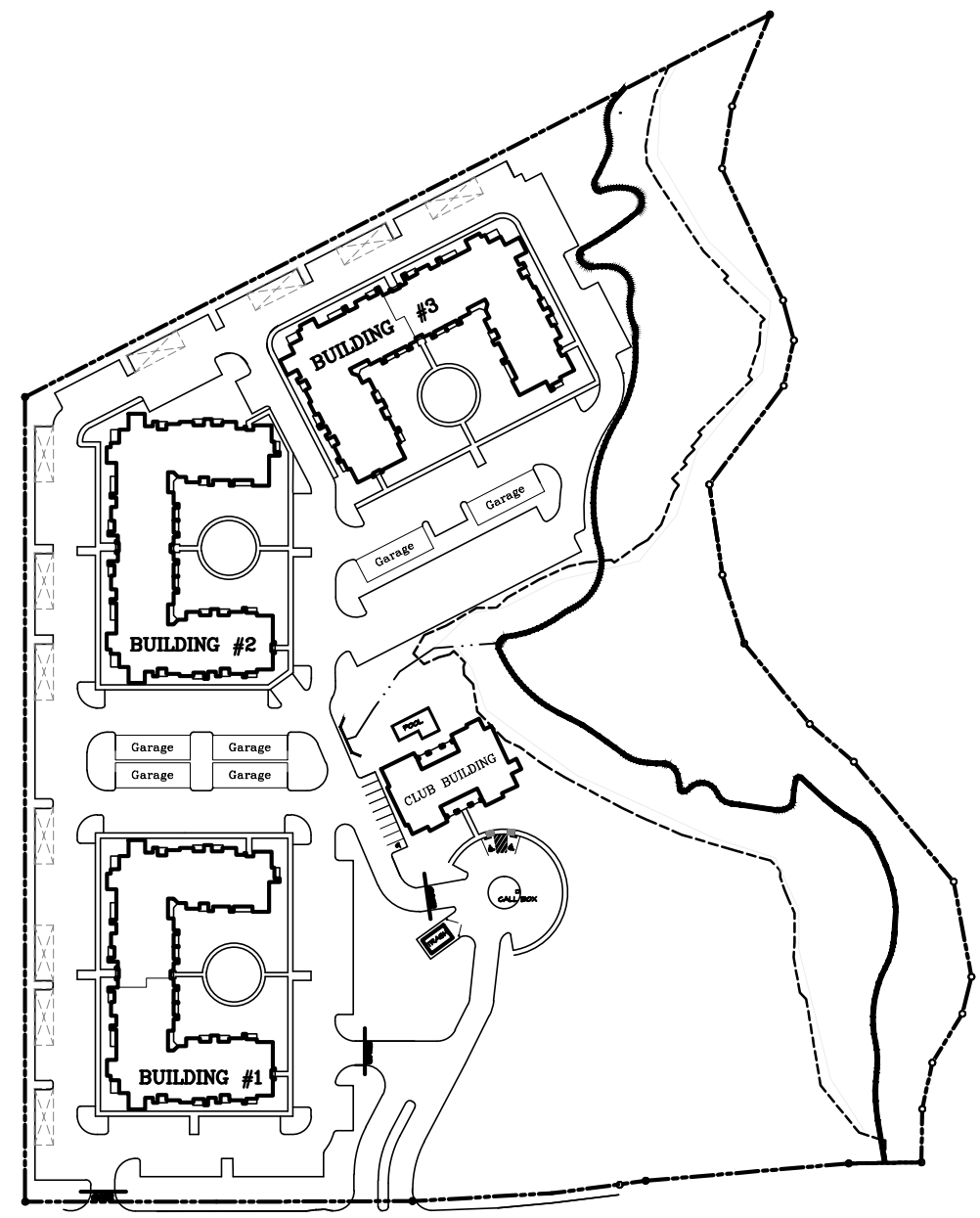


PERCENT MASONRY CALC.

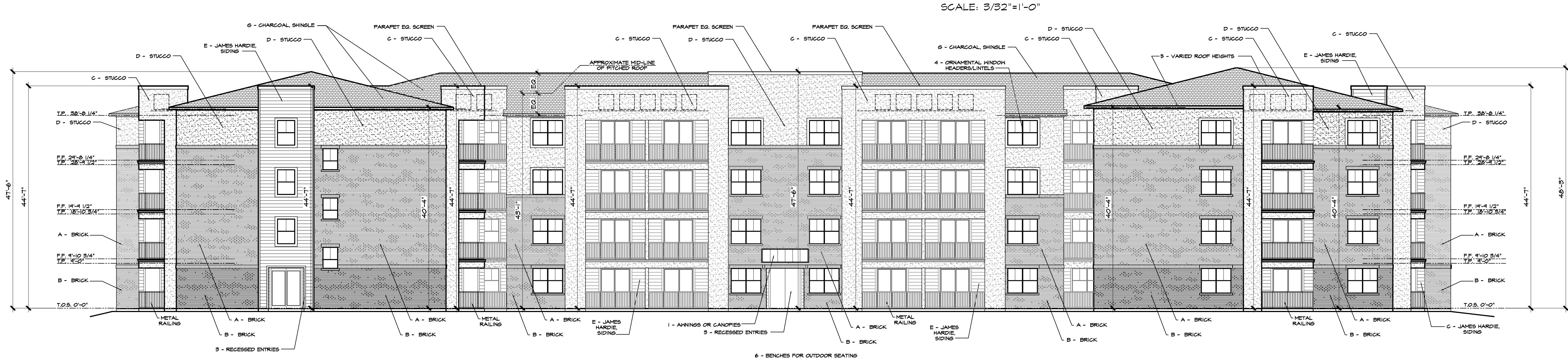
| ELEVATION | BRICK | STUCCO | SIDING | TOTAL | % BRICK | % STUCCO | % SIDING |
|---------------|-------------|-------------|------------|-------------|---------|----------|----------|
| EAST - FRONT | 3,921 S.F. | 3,249 S.F. | 941 S.F. | 8,111 S.F. | 48.3% | 40.1% | 11.6% |
| WEST - REAR | 3,580 S.F. | 2,796 S.F. | 749 S.F. | 7,125 S.F. | 50.2% | 39.2% | 10.6% |
| SOUTH - LEFT | 2,135 S.F. | 2,042 S.F. | 383 S.F. | 4,560 S.F. | 46.8% | 44.7% | 8.5% |
| NORTH - RIGHT | 1,785 S.F. | 2,444 S.F. | 536 S.F. | 4,765 S.F. | 37.5% | 51.3% | 11.2% |
| TOTAL | 11,421 S.F. | 10,531 S.F. | 2,609 S.F. | 24,561 S.F. | 46.5% | 42.9% | 10.6% |



NORTH ELEVATION



BUILDING KEY
SCALE: NONE



EAST - FRONT ELEVATION - BUILDING #2

SCALE: 3/32"=1'-0"

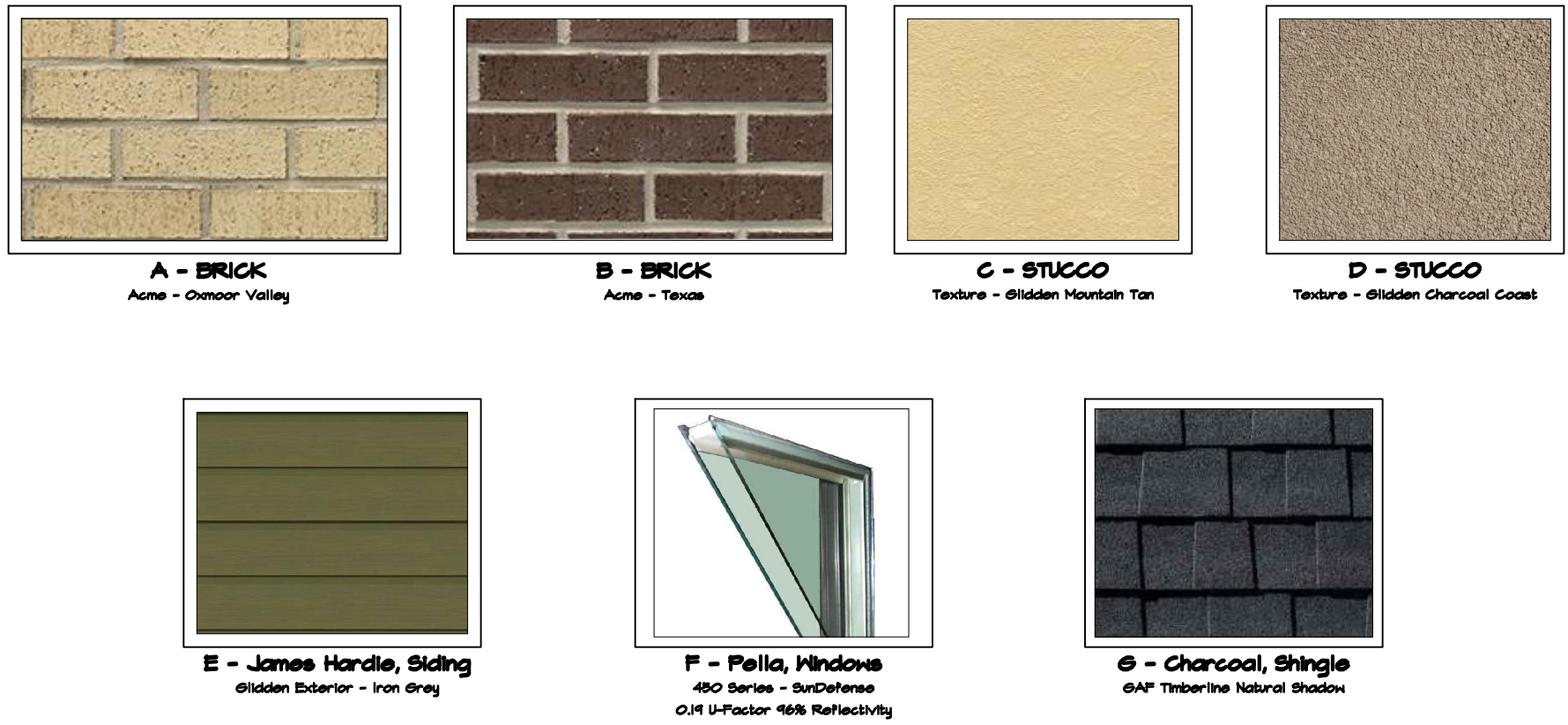
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GARLAND, TEXAS

DATE NAME REVISIONS CASE NO. 160901-I APPLICANT: DR. RANKIN PLLC

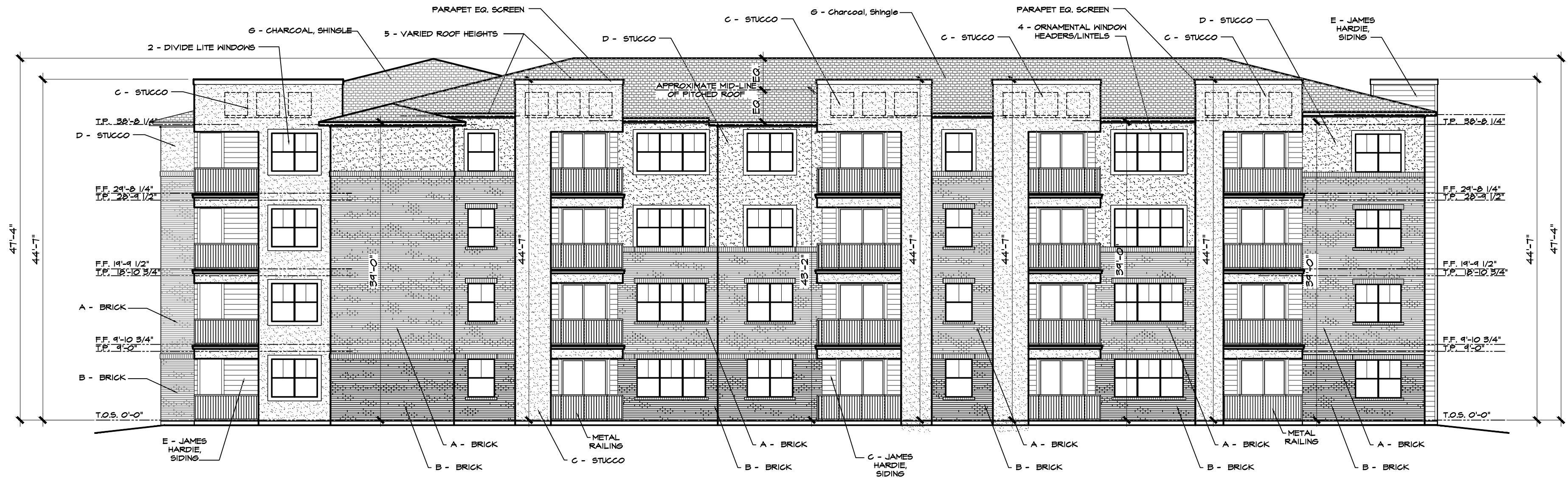
A12
of #
JOB# 215061

MATERIAL LEGEND



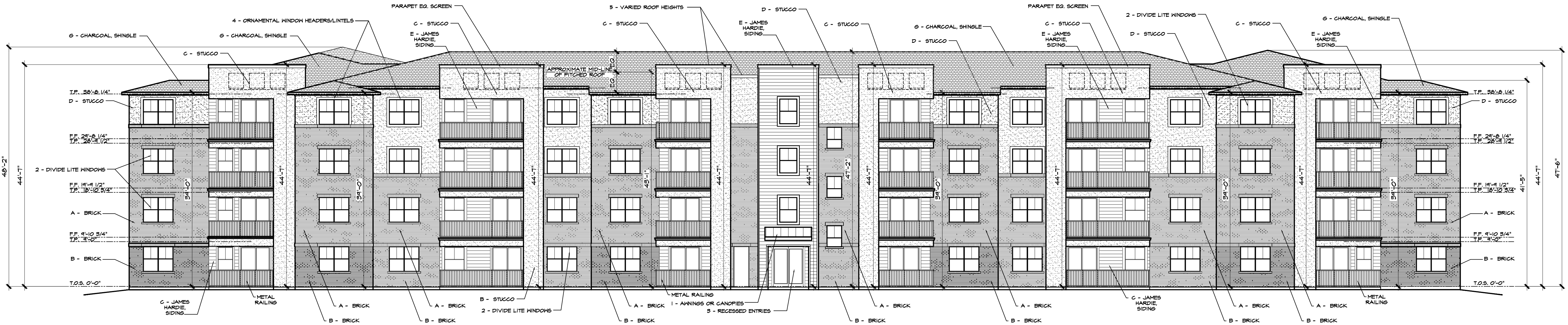
PERCENT MASONRY CALC.

| ELEVATION | BRICK | STUCCO | SIDING | TOTAL | % BRICK | % STUCCO | % SIDING |
|---------------|-------------|-------------|------------|-------------|---------|----------|----------|
| EAST - FRONT | 3,921 S.F. | 3,249 S.F. | 941 S.F. | 8,111 S.F. | 48.3% | 40.1% | 11.6% |
| WEST - REAR | 3,580 S.F. | 2,796 S.F. | 749 S.F. | 7,125 S.F. | 50.2% | 39.2% | 10.6% |
| SOUTH - LEFT | 2,135 S.F. | 2,042 S.F. | 383 S.F. | 4,560 S.F. | 46.8% | 44.7% | 8.5% |
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| TOTAL | 11,421 S.F. | 10,531 S.F. | 2,609 S.F. | 24,561 S.F. | 46.5% | 42.9% | 10.6% |



SOUTH ELEVATION

SCALE: 3/32\"=1'-0\"



WEST ELEVATION - BUILDING #2

SCALE: 3/32\"=1'-0\"

ARCHITECTURAL ELEMENT

- 1 - AWNINGS or CANOPIES
- 2 - DIVIDE LITE WINDOWS
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- 5 - VARIED ROOF HEIGHTS
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IKEMIRE ARCHITECTS
ARCHITECTURE PLANNING INTERIORS

16660 DALLAS PKWY. SUITE 2900 DALLAS, TX 972-248-2486 FAX 972-248-1557

Northside at the Woodlands

300 UNIT APARTMENT COMPLEX
FLORIDAYS DEVELOPMENT CO.
ARAPHO RD AND N GARLAND AVE
GARLAND, TEXAS

DATE NAME REVISIONS CASE NO. 160901-1 APPLICANT: DR. RANKIN, PLLC

A13

of #
JOB# 215061

Exhibit D



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

Agenda Item 3. b.

Meeting Date: September 6, 2016

Item Title: Z 16-26 Craig Turner

Submitted By: Will Guerin, Planning Director

Summary of Request/Problem

Zoning Ordinance Z 16-26 Craig Turner

Recommendation/Action Requested and Justification

Consider adoption of attached ordinance.

Attachments

Z 16-26 Craig Turner Ordinance

Z 16-26 Craig Turner Attachment

ORDINANCE NO.

AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING A CHANGE IN ZONING FROM AGRICULTURAL (AG) DISTRICT TO SINGLE-FAMILY-10 (SF-10) DISTRICT ON A 2.0-ACRE TRACT OF LAND LOCATED AT 3926 ZION ROAD. PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; AND PROVIDING FOR A PENALTY AND AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on the 25th day of July, 2016, the City Plan Commission did consider and make recommendations on a certain request for zoning change made by **Via Bayou Inc**; and

WHEREAS, The City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendment to the zoning laws would provide for and would be in the best interest of the health, safety, morals, and general welfare:

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

Section 1.

Ordinance No. 6773 is hereby amended by approving a Change in Zoning from Agricultural (AG) District to Single-Family-10 (SF-10) District.

Section 2.

Development shall be in conformance with the conditions, restrictions, and regulations set forth in the Garland Development Code.

Section 3.

Ordinance No. 6773, as amended, shall remain in full force and effect, save and except as amended by this Ordinance.

Section 4.

Violation of this Ordinance shall be a misdemeanor punishable in accordance with Section 10.05 of the Code of Ordinances, City of Garland, Texas.

FILE NO. 16-26

Section 5.

This Ordinance shall become and be effective on and after its adoption and publication as required by law.

PASSED AND APPROVED this _____ day of _____, 2016.

THE CITY OF GARLAND, TEXAS

By:

Mayor

ATTEST:

City Secretary

Published:

EXHIBIT A

LEGAL DESCRIPTION

ZONING FILE 16-26

BEING a tract of land situated in the James Loving Survey, Abstract No. 791 and the R. Bateman Survey, Abstract No. 89 of Dallas County, Texas and being the called southwest 1/2 of that certain 2.0 acre tract of land described in deed to Marvin Loving recorded in Volume 3040, Page 363 of the Deed Records of Dallas County, Texas and also being that certain tract of land described in deed to Kenneth Ewing recorded in Volume 80024, Page 1868 of the Deed Records of Dallas County, Texas



GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda

Agenda Item 4.

Meeting Date: September 6, 2016

Item Title: Issue Tax Notes, Series 2016

Submitted By: Steve Anderson, Investment and Debt Administrator

Summary of Request/Problem

At the August 15, 2016 Work Session, Council considered authorizing the issuance of tax notes in the amount of \$7,350,000 million to provide funding for street improvements plus debt issuance costs. Issuance of the Tax Notes will not increase the Fiscal Year 2016-17 General Obligation Debt Service tax rate because of savings realized from the commercial paper program.

Recommendation/Action Requested and Justification

Approve an ordinance to issue Tax Notes, Series 2016.



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

Agenda Item 5.

Meeting Date: September 6, 2016

Item Title: TxDOT Selective Traffic Enforcement Program (STEP) 2017 Comprehensive Grant

Submitted By: Mitch Bates, Chief of Police

Summary of Request/Problem

Council is requested to adopt a resolution authorizing the City Manager to accept a State of Texas Department of Transportation (TxDOT) Selective Traffic Enforcement Program (STEP) Grant consisting of four (4) enforcement modules: Speed Enforcement, Intersection/Red Light Enforcement, Occupant Protection – Safety Restraint Enforcement, and Driving While Intoxicated Enforcement in the amount of \$389,872.39. The required enforcement period will be Fiscal Year 2016-2017. The grant will be utilized to provide a greater level of traffic safety for the citizens of the City of Garland by potentially changing the driving habits of those who violate the laws related to the aforementioned enforcement modules and by reducing the number of motor vehicle accidents, injuries and fatalities.

This item was considered by Council at the September 6th Work Session.

Recommendation/Action Requested and Justification

Approve a resolution authorizing the City Manager to accept the State of Texas Department of Transportation (TxDOT) Selective Traffic Enforcement Program (STEP) Grant for FY 2016-2017 in the amount of \$389,872.39.

Attachments

Resolution

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING A TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) - SINGLE YEAR - 2017 COMPREHENSIVE GRANT IN THE AMOUNT OF \$389,872.39; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1

That the City of Garland Police Department, by and through Police Chief Mitch Bates, is hereby authorized to accept a Texas Department of Transportation (TxDOT) Selective Traffic Enforcement Program - Single Year - 2017 Comprehensive Grant in the amount of \$389,872.39, for the purpose of enforcing red light and intersection violations, seatbelt and child restraint violations, speed violations, and driving while intoxicated violations during FY 2016-2017.

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 _____, 2016.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda

Agenda Item 6.

Meeting Date: September 6, 2016

Item Title: Interlocal Agreement with City of Georgetown

Submitted By: Gary Holcomb, Purchasing Director

Summary of Request/Problem

At the August 15, 2016 City Council Work Session, an Interlocal Agreement with the City of Georgetown was presented for discussion. City of Georgetown has an existing contract with Westin Engineering, Inc. that Garland IT and Customer Service would like to utilize. Westin Engineering, Inc. will assist with requirements definition, RFP creation, and evaluation of potential utility billing solutions.

Recommendation/Action Requested and Justification

Adopt a Resolution authorizing the City Manager to execute the Interlocal Agreement with City of Georgetown.

Attachments

Georgetown ILA
Georgetown Resolution

INTERLOCAL AGREEMENT BETWEEN THE CITY OF GEORGETOWN AND THE CITY OF GARLAND RELATING TO THE PROCUREMENT OF CONSULTANT SERVICES

THIS INTERLOCAL AGREEMENT for participation in the direct expenses for the procurement of consultant services (“Agreement”) is entered into between the City of Georgetown (“Georgetown”) and the City of Garland (“Garland”), both Texas home-rule municipalities. In this Agreement, Georgetown and Garland are sometimes individually referred to as “Party” and collectively referred to as “the Parties.”

WHEREAS, the Interlocal Cooperation Act, Texas Government Code Chapter 791 (the “Act”) provides that local governments may contract with each other for the performance of governmental functions or services, including procurement of consultant services, for the mutual benefit and in the mutual interest of the Parties; and

NOW, THEREFORE, in consideration of the foregoing premises, and for other good and valuable consideration, the receipt and sufficiency of which is acknowledged, Georgetown and Garland agree as follows:

I. DUTIES AND OBLIGATIONS OF THE PARTIES

1.01 Georgetown and Garland may cooperate in the purchase of non-engineering consultant services commonly utilized by the Parties, where available and applicable, and may purchase goods and services from vendors under present and future contracts.

1.02 Georgetown and Garland shall each be individually responsible for payments directly to the vendor and for the vendor’s compliance with all conditions of delivery and quality of purchased items under such contracts. Georgetown and Garland shall each make their respective payments from current revenues available to the paying Party.

1.04 Term. This Agreement shall commence upon execution of this Agreement and shall end at such time as this Agreement is fully performed by the Parties or terminated by either party by sending a thirty (30) notice of termination to the other party.

II. GENERAL PROVISIONS

2.01 Authority. This Agreement is entered, in part, pursuant to the authority of the Interlocal Cooperation Act, Texas Government Code Chapter 791 (the “Act”). The provisions of the Act are incorporated in this Agreement and this Agreement shall be interpreted in accordance with the Act.

2.02 Severability. The provisions of this Agreement are severable and, if any provision of this Agreement is held to be invalid for any reason by a court or agency of

competent jurisdiction, the remainder of this Agreement will not be affected and this Agreement will be construed as if the invalid portion had never been included.

2.03 Cooperation. The Parties agree to cooperate at all times in good faith to effectuate the purposes and intent of this Agreement.

2.04 Entire Agreement. This Agreement constitutes the entire agreement of the Parties and supersedes all prior or contemporaneous understandings or representations, whether oral or written, regarding the subject matter of this Agreement. No promise, statement or representation that is not expressly stated in this Agreement has been made by any Party to induce execution of this Agreement.

2.05 Amendments. Any amendment of this Agreement shall be in writing and will be effective if signed by the authorized representative of each Party.

2.06 Waiver. Lack of enforcement of any right under this Agreement by either Party shall not constitute a waiver of that right or any other in the future.

2.07 Independent Relationship. Each Party, in the performance of this Agreement, shall act in an individual capacity and not as agents, employees, partners, joint ventures or associates of one another. The employees or agents of one Party shall not be deemed or construed to be the employees or agents of the other Party for any purpose.

2.08 No Waiver of Immunities. Nothing in this Agreement shall be deemed to waive, modify or amend any legal defense available at law or in equity to either Party. Neither Party waives, modifies, or alters to any extent whatsoever the availability of the defense of governmental immunity.

2.09 No Third Party Beneficiaries. This Agreement is entered into for the sole and exclusive benefit of the Parties. Nothing in this Agreement, express or implied, is intended to confer or shall be construed as conferring any rights, benefits, remedies, or claims upon any other person or entity.

2.10 No Assignment. This Agreement may not be assigned in whole or in part by either Party.

2.11 Applicable Law; Venue. This Agreement will be construed in accordance with Texas law. Venue for any action arising hereunder will be in Williamson County, Texas.

2.12 Notices. Notices given under this Agreement will be effective if forwarded to a Party by hand-delivery, transmitted to a Party by confirmed fax or deposited with the U.S. Postal Service, certified mail, postage prepaid, to the address of the Party indicated below:

GEORGETOWN: P.O. Box 409, Georgetown, Texas 78627
300-1 Industrial Ave, Georgetown, Texas 78626
Attn: Trina Brickford

Telephone: (512) 930-3647
Email: Trina.Brickford@georgetown.org

GARLAND:

Either Party may from time to time designate any other address for notice by written notice to the other Party.

2.13 Counterparts; Effect of Partial Execution. This Agreement may be executed in counterparts each of which, when executed and delivered, shall be deemed to be an original and all of which together shall constitute one and the same document.

2.14 Authority. Each Party represents and warrants that it has the full right, power and authority to execute this Agreement.

2.15 Effective Date. This Agreement is executed to be effective on the date the last Party signs this Agreement.

CITY OF GEORGETOWN, TEXAS

By: _____
Dale Ross, Mayor

ATTEST:

By: _____
Shelley Nowling, City Secretary

APPROVED AS TO FORM:

By: _____
Charlie McNabb, City Attorney

THE STATE OF TEXAS §
 §
COUNTY OF WILLIAMSON §

THIS INSTRUMENT was acknowledged before me on this ____ day of _____, 2016, by Dale Ross as Mayor of the City of Georgetown, a Texas _____ home-rule city, on behalf of said city.

Notary Public, State of Texas

CITY OF GARLAND, TEXAS

By: _____
Bryan L. Bradford, City Manager

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT WITH CITY OF GEORGETOWN AND AUTHORIZING THE PURCHASE OF CUSTOMER INFORMATION SYSTEM CONSULTING SERVICES PURSUANT TO THAT INTERLOCAL AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1

That the City Manager is hereby authorized to execute an interlocal agreement with City of Georgetown in substantially the form and substance of that attached as an exhibit hereto and to purchase Customer Information System Consulting Services pursuant to the provisions of the interlocal agreement.

Section 2

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

PASSED AND APPROVED this the 6 day of September, 2016.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda

Agenda Item 7.

Meeting Date: September 6, 2016

Item Title: Extension of TMPA Power Sales Contract

Summary of Request/Problem

Council is requested to consider a resolution regarding the City's option to extend the term of its Power Sales Contract with Texas Municipal Power Agency, as amended, and direction to the City Manager, or his designee, to provide written notice of this election to TMPA; and providing an effective date.

Recommendation/Action Requested and Justification

The Office of the City Attorney and Garland Power & Light has previously briefed Council on this item.

Attachments

Extension of TMPA Power Sales Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS, REGARDING THE CITY'S OPTION TO EXTEND THE TERM OF ITS POWER SALES CONTRACT WITH TEXAS MUNICIPAL POWER AGENCY, AS AMENDED, AND DIRECTION TO THE CITY MANAGER, OR HIS DESIGNEE, TO PROVIDE WRITTEN NOTICE OF THIS ELECTION TO TMPA; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Texas Municipal Power Agency ("Agency") has heretofore been created and established as a municipal power agency by the cities of Bryan, Denton, Garland, and Greenville, Texas (the "Member Cities"); and

WHEREAS, the Agency entered into a Power Sales Contract (as amended, the "PSC") with each Member City, effective, September 1, 1976, for sales of power and energy to each Member City; and

WHEREAS, the Agency and Member Cities amended these contracts, effective September 26, 1989, November 5, 1997, June 24, 2010, and August 29, 2013; and

WHEREAS, the Power Sales Contract will expire by its terms on September 1, 2018, and

WHEREAS, under the Power Sales Contracts, each Member City, may elect to extend the term of the Power Sales Contract beyond September 1, 2018, if notice to do so is sent to the Agency by September 30, 2016; and

WHEREAS, the Agency and Member Cities have entered into a further agreement, the Joint Operating Agreement, which provides additional terms relating to the extension of the Power Sales Contracts and later termination of the Power Sales Contracts; and

WHEREAS, under the Power Sales Contract and the Joint Operating Agreement between the Agency and the Member Cities, a Member City may extend the term of its Power Sales Contract so long as the Agency receives contracts for one hundred percent of the output of the Plant, and may thereafter terminate the Power Sales Contract upon two (2) years' notice; and

WHEREAS, the City Council of the City of Garland, Texas, finds that it is in the best interest of the citizens and electric ratepayers of the City to elect to extend its Power Sales Contract, on such terms, and

WHEREAS, in addition to the above actions, TMPA has issued a request for proposals related to the sales of certain assets of the TMPA, as authorized by the TMPA Board by Resolution No. 2016-1-5; and

WHEREAS, TMPA has received responses to the request for proposal that it wishes to accept, including a response in the form of a proposed

purchase of generation assets ("Generation Asset Sale") pursuant to TMPA Board Resolution 2016-1-5, which would impact such election;

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

Section 1

That the recitals which are set forth in the preamble of this Resolution are true and correct, and incorporated herein and are made a part of this Resolution for all purposes.

Section 2

That pursuant to the requirement of "Section 19: Continuation of Services" of the PSC, the City Council of the City of Garland, Texas elects to extend its Power Sales Contract, on the terms set forth in the Power Sales Contract and Joint Operating Agreement. Notwithstanding this election, the City acknowledges that the Power Sales Contract between TMPA and the City shall terminate and TMPA shall cease production of power and energy in the event the Generation Asset Sale closes.

Section 3

That the City Manager is directed to deliver a certified copy of this Resolution to the Texas Municipal Power Agency on or before September 30, 2016.

Section 4

That this resolution shall take effect immediately from and after its adoption.

PASSED AND APPROVED this the ____ day of _____, 2016.

Mayor

ATTEST:

By: _____
City Secretary



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

Agenda Item 8.

Meeting Date: September 6, 2016

Item Title: Sale of Certain Assets by TMPA

Summary of Request/Problem

The City Council is requested to adopt a resolution authorizing the sale of certain assets by Texas Municipal Power Agency. By law, TMPA must obtain the City Council's approval before it may sell any of its assets. Additionally, under its agreement with the City, TMPA is required to obtain the City's consent to refinancing TMPA debt obligations that would be necessary to close on the proposed sale of assets.

Recommendation/Action Requested and Justification

Council is requested to consider a resolution approving and authorizing the sales of certain assets by the Texas Municipal Power Agency and the refunding of certain agency financial obligations in connection with TMPA's sales of assets. The resolution will also authorize the Mayor to act on the City's behalf in executing amendments to several existing agreements involving TMPA in order to accommodate the proposed sales and the associated refunding.

Attachments

Resolution No. 10253

RESOLUTION NO. 10253

A RESOLUTION OF THE CITY OF GARLAND, TEXAS ("CITY") APPROVING AND AUTHORIZING THE SALES OF CERTAIN ASSETS BY THE TEXAS MUNICIPAL POWER AGENCY ("AGENCY") AND THE REFUNDING OF CERTAIN AGENCY FINANCIAL OBLIGATIONS IN CONNECTION WITH THE AGENCY'S SALES OF ASSETS; AUTHORIZING THE MAYOR TO ACT ON THE CITY'S BEHALF IN EXECUTING CERTAIN AMENDMENTS TO AGREEMENTS BY AND BETWEEN, AND AMONG THE AGENCY AND THE CITIES OF BRYAN, DENTON, GARLAND, AND GREENVILLE ("PARTICIPATING PUBLIC ENTITIES" [EACH A "PARTICIPATING PUBLIC ENTITY"]) NECESSARY TO EFFECTUATE THE AGENCY'S SALES OF ASSETS AND THE ASSOCIATED REFUNDING OF ITS FINANCIAL OBLIGATIONS; AND TO TAKE SUCH OTHER AND FURTHER ACTIONS AS ARE NECESSARY IN ORDER TO EFFECTUATE AND FINALIZE THE CITY'S APPROVAL OF SUCH SALES AND THE REFUNDING OF THE AGENCY'S RELATED INDEBTEDNESS; AUTHORIZING AND APPROVING OTHER MATTERS RELATED THERETO; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 163 of the Texas Utilities Code, Subchapter C-1 ("Act"), the City is a Participating Public Entity in the Agency and, pursuant to Section 163.080(c) of the Act, and agreements between the Agency and the City, the City's approval is required for sales of assets by the Agency, and

WHEREAS, the Board of Directors of the Agency has determined that the sales of certain generation and transmission assets is in the best interest of the Agency and its Participating Public Entities and has adopted a resolution recommending that the Participating Public Entities relinquish all rights to and approve the sales of those assets as generally described in Attachments A and B, and

WHEREAS, in connection with such sale of assets, the Board of Directors of the Agency may determine that it is necessary to refund certain outstanding bonds and commercial paper of the Agency to effectuate such sales, and to adopt new commercial paper programs, and seeks the City's approval of the issuance of refunding bonds and of the new commercial paper programs, according to the terms as described on Attachment C ("Refundings"), subject to and effective upon the closing of the sales, and

WHEREAS, the amendment of certain existing agreements between and among the Agency and the Participating Public Entities, namely the parties' Global Settlement Agreement and the Joint Operating Agreement, as shown in Attachments D and E are necessary for the approval of the sales of assets and the Refundings, and

WHEREAS, the "Effective Date" shall be, assuming the approval and execution of a resolution by each Participating Public Entity containing the following terms, the date of approval of such resolution by the last Participating Public Entity to approve the resolution;

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

1. The recitals in the preamble are true and correct.
2. The City of Garland hereby approves and authorizes the Agency to sell certain Agency generation assets as generally described in Attachment A, and upon such sale, relinquishes any and all interest in such assets.
3. The City of Garland hereby approves and authorizes the Agency to sell certain Agency transmission assets as generally described in Attachment B, and upon such sale, relinquishes any and all interest in such assets.
4. To effectuate the closing of the sale of the assets generally described in Attachments A and B, the City of Garland hereby approves and authorizes the Agency's issuance of refunding bonds and/or commercial paper as necessary to effect the sale of generation assets, and adoption of a new commercial paper program, on the terms and in substantially the form described in Attachment C.
5. To effectuate the closing of the sale of the assets generally described in Attachments A and B, the City of Garland hereby approves and authorizes the Agency's issuance of refunding bonds and/or commercial paper as necessary to effect the sale of certain transmission assets, and adoption of new commercial paper programs, on the terms and in substantially the form described in Attachment C.
6. The City of Garland hereby approves and authorizes the Mayor to execute amendments to the Global Settlement Agreement and the Joint Operating Agreement in substantially the form and substance shown in Attachments D and E.

This Resolution shall be and become effective upon the Effective Date.

PASSED AND APPROVED this the ____ day of September, 2016.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

ATTACHMENTS

ATTACHMENT A - AGENCY GENERATION ASSETS APPROVED TO BE SOLD

ATTACHMENT B - AGENCY TRANSMISSION ASSETS APPROVED TO BE SOLD

ATTACHMENT C - TERMS OF REFUNDING BONDS AND NEW COMMERCIAL PAPER PROGRAMS

Subpart A - Terms of refunding of generation debt

Subpart B - Terms of refunding of transmission debt

ATTACHMENT D - AMENDMENT TO GLOBAL SETTLEMENT AGREEMENT

ATTACHMENT E - AMENDMENT TO JOINT OPERATING AGREEMENT

ATTACHMENT A - AGENCY GENERATION ASSETS APPROVED TO BE SOLD

The Purchased Assets consist of real property, buildings, structures and fixtures, the personal property generally described as follows:

Real Property: That certain tract of land referred to as the plant site, to be more particularly described at closing by metes and bounds, together the following buildings, structures and fixtures, and associated easements, rights of way, privileges, other rights appurtenant:

- a. Gibbons Creek Steam Electric Station (including all buildings, structures, equipment, tools, piping, tanks, systems, wells, power cables, and related equipment and systems that comprise the Station)
- b. Gibbons Creek Reservoir and associated water rights.
- c. Ash handling complex.
- d. Ash Ponds.
- e. Scrubber Sludge Pond.
- f. Gypsum pile.
- g. Coal pile.
- h. Fly Ash Loading Area.
- i. Production Area.
- j. Maintenance Area.
- k. Facility Administrative and Technical Office Building.
- l. Warehouses, Laydown Storage Area.
- m. Switch Yard.
- n. Rail Spur to BNSF Line.
- o. Spur right of way and easements from Gibbons Creek Station suitable for construction of rail spur to UP Line.
- p. Hog Creek Substation.
- q. All generation-related on-road and off-road vehicles, equipment, and boats.
- r. Ash Disposal Landfills on properties being acquired in this Transaction.
- s. Main Transformer outside the Gibbons Creek Substation.
- t. Navasota River Pump Station.

Excluding:

1. Other than the Hog Creek Substation, all transmission facilities and lines within the defined real property, including all easements, rights of way, and licenses associated with such facilities and lines.
2. In the Hog Creek Substation, the 138kV motor operated switch off the 138 kV Bryan-East Line (138 kV Motor Operated Load Break Switch 1200 A 138 kV GCHC -8019 at Hog Creek).
3. The Gibbons Creek Substation.
4. Existing Atmos gas pipeline and third party electric facility easements.
5. All other reservations and exclusions or limitations necessary to operate the above excluded items.

ATTACHMENT B - AGENCY TRANSMISSION ASSETS APPROVED TO BE SOLD

A. Substations to be conveyed:

1. The Gibbons Creek Substation except for the 138kV facilities within the substation.
2. The Jack Creek Substation except for the 138kV facilities owned by the City of Bryan.

B. Transmission lines to be conveyed, together with those easements and crossing agreements identified herein:

1. Gibbons Creek to Singleton 345kV double-circuit transmission line.
2. Gibbons Creek to Jack Creek 345kV double-circuit transmission line.
3. Jack Creek to Twin Oak 345kV double-circuit transmission line.

C. Transmission Construction Projects

Certain planned capital investments (and related contract rights) in the Gibbons Creek Substation, including (i) the Reactive Support Unit consisting of two 345 kV, 100 MVA reactor banks, (ii) the replacement of the existing 300 MVA auto-transformer with a 600 MVA auto-transformer, including the Gibbons Creek Substation Expansion which will be transferred separately post-closing following the transfer of the Gibbons Creek Substation Expansion from Cross Texas to the City of Garland, and subsequently to TMPA, and (iii) the increase in capacity of the Singleton 345 kV transmission line at the time it is relocated out of the Gibbons Creek Substation.

ATTACHMENT C - TERMS OF REFUNDING BONDS AND NEW COMMERCIAL PAPER PROGRAMS

Subpart A - Terms of refunding of generation debt and commercial paper:

Maximum principal amount: \$225 Million Dollars

Maximum interest rate - bonds: 7%

Maximum interest rate - commercial paper: Maximum interest rate permitted by state law

Maturity date of bonds and commercial paper: On or before September 1, 2018

Subpart B - Terms of refunding of transmission debt and commercial paper:

Maximum principal amount: \$275 Million Dollars

Maximum interest rate - bonds: 7%

Maximum interest rate - commercial paper: Maximum interest rate permitted by state law

Maturity date of bonds and commercial paper: On or before September 1, 2040

ATTACHMENT D - AMENDMENT NO. 1 TO GLOBAL SETTLEMENT AGREEMENT

**AMENDMENT NO. 1 TO THE
GLOBAL COMPROMISE SETTLEMENT AGREEMENT**

BETWEEN

TEXAS MUNICIPAL POWER AGENCY

AND

CITY OF BRYAN, TEXAS

CITY OF DENTON, TEXAS

CITY OF GARLAND, TEXAS

CITY OF GREENVILLE, TEXAS

This Amendment No. 1 to the Global Compromise Settlement Agreement effective December 17, 2009, (the "Amendment") is made and entered into by and between the Texas Municipal Power Agency (the "Agency"), a municipal corporation and political subdivision of the State of Texas established pursuant to the provisions of Chapter 163 of the Texas Utilities Code, and the City of Bryan, the City of Denton, the City of Garland, and the City of Greenville, Texas, each of which cities is a municipal corporation of the State of Texas and a home rule city (herein collectively "Cities" or individually "City") (collectively, the "Parties"), to be effective as of the Effective Date set forth in the recitals below. Capitalized terms used in this Amendment not otherwise defined herein shall have the definition set forth in the Global Compromise Settlement Agreement.

WITNESSETH:

WHEREAS, the Parties have previously entered into the Global Compromise Settlement Agreement; and

WHEREAS, TMPA has issued a request for proposals related to the sales of certain assets of the Agency, as authorized by the TMPA Board by Resolution No. 2016-1-5; and

WHEREAS, TMPA received responses to such request that it wishes to accept, such responses being in the form of a proposed purchase of generation assets of the Agency and a proposed purchase of certain transmission assets of the Agency, pursuant to TMPA Board Resolution 2016-1-5; and

WHEREAS, the Parties desire to amend the Global Compromise Settlement Agreement to permit (i) these two sales of assets and (ii) to permit the issuance of certain refunding bonds and/or commercial paper and adoption of new commercial paper programs, by the Agency on terms agreed to by the Parties pursuant to the Joint Operating Agreement (as amended) between the Parties; and

WHEREAS, TMPA and the Cities have agreed to this Amendment of the Global Compromise Settlement Agreement to accomplish these purposes; and

WHEREAS, the “Effective Date” of this Amendment shall be, assuming the approval and execution of identical resolutions by each of the Parties, the date that this Amendment is approved and executed by the last Party to approve the Amendment;

NOW, THEREFORE, in consideration of the recitals set forth above, the mutual covenants, benefits, agreements and obligations of the Parties, as set forth herein, the Agency and each City, each intending to be legally bound, agree as follows:

Section 1. Section 2(B) of the Global Compromise Settlement Agreement is amended by adding the following subsections (11) and (12):

“(11) To effectuate the closing of the sale of Generation Assets as contemplated by TMPA Board by Resolution No. 2016-1-5, and to adopt a new commercial paper program, the Parties agree that, notwithstanding subsection (5), TMPA’s existing generation-related debt and/or commercial paper may be refunded on terms set forth in Amendment No. 1 to the Joint Operating Agreement between the Parties.

“(12) In the event of the closing of the sale of Generation Assets as contemplated by TMPA Board by Resolution No. 2016-1-5, and to effectuate the sale of Transmission Assets as contemplated by TMPA Board by Resolution No. 2016-1-5 and to adopt new commercial paper programs, the Parties agree that, notwithstanding subsection (5), TMPA’s existing transmission-related debt and/or commercial paper may be refunded on terms set forth in Amendment No. 1 to the Joint Operating Agreement between the Parties.

Section 2. OTHER AGREEMENTS.

(a) All other terms and conditions of the Global Compromise Settlement Agreement shall remain in full force and effect except as modified herein.

(b) This Amendment shall terminate on the same date the Global Compromise Settlement Agreement terminates.

(c) Each Party warrants that all necessary actions have been taken to make this a binding amendment, including Board or Council action, as applicable.

(d) This Amendment may be executed in multiple counterparts, each of which shall constitute an original but both or all of which, when taken together, shall constitute but one instrument. This Amendment may be delivered by the exchange of signed signature pages by facsimile transmission or by attaching a pdf copy to an email, and any printed or copied version of any signature page so delivered shall have the same force and effect as an originally signed version of such signature page.

Section 3. OTHER EVENTS. In the event that the proposed asset agreement for the sale of Generation Assets as authorized by the TMPA Board by Resolution No. 2016-1-5 is terminated or for any reason does not occur, this Amendment shall terminate and be of no force or effect.

IN WITNESS WHEREOF, the Parties have executed this Amendment Number One to the Global Compromise Settlement Agreement, to be effective on the Effective Date set forth in the Recitals.

TEXAS MUNICIPAL POWER AGENCY

By: _____

Name: _____

Title: _____

Date: _____

Attest: _____

Approved as to form: _____
Counsel for Texas Municipal Power Agency

CITY OF BRYAN, TEXAS

By: _____

Name: _____

Title: _____

Date: _____

Attest: _____

Approved as to form: _____
Counsel for the City of Bryan, Texas

CITY OF DENTON, TEXAS

By: _____

Name: _____

Title: _____

Date: _____

Attest: _____

Approved as to form: _____
Counsel for the City of Denton, Texas

CITY OF GARLAND, TEXAS

By: _____

Name: _____

Title: _____

Date: _____

Attest: _____

CITY OF GREENVILLE, TEXAS

By: _____

Name: _____

Title: _____

Date: _____

Attest: _____

GEUS, acting on behalf of the City of Greenville pursuant to its Charter

By: _____

Name: _____

Title: Chair of the Board of Trustees of the Electric Utility Board

Date: _____

Attest: _____

ATTACHMENT E - AMENDMENT NO. 1 TO JOINT OPERATING AGREEMENT

**AMENDMENT NO. 1 TO THE
JOINT OPERATING AGREEMENT
BETWEEN
TEXAS MUNICIPAL POWER AGENCY
AND
CITY OF BRYAN, TEXAS
CITY OF DENTON, TEXAS
CITY OF GARLAND, TEXAS
CITY OF GREENVILLE, TEXAS**

This Amendment No. 1 (the "Amendment") to the Joint Operating Agreement effective September 1, 2016 (the "JOA"), is made and entered into between the Texas Municipal Power Agency ("TMPA"), a municipal corporation and political subdivision of the State of Texas established pursuant to the provisions of Chapter 163 of the Texas Utilities Code, and the City of Bryan, the City of Denton, the City of Garland, and the City of Greenville, Texas (herein collectively "Cities" or individually "City"), each of which cities is a municipal corporation of the State of Texas, a home rule city, and a Participating Public Entity in TMPA (collectively, the "Parties"). Capitalized terms used in this Amendment not otherwise defined herein shall have the definition set forth in the JOA.

WITNESSETH:

WHEREAS, the Parties have previously entered into the JOA effective September 1, 2016; and

WHEREAS, TMPA has issued a request for proposals related to the sales of certain assets of TMPA, as authorized by TMPA Board by Resolution No. 2016-1-5; and

WHEREAS, TMPA received responses to such request that it wishes to accept, such responses being in the form of a proposed purchase of generation assets of TMPA and a proposed purchase of certain transmission assets of TMPA, pursuant to TMPA Board Resolution 2016-1-5; and

WHEREAS, the Parties desire to amend the JOA to permit (i) these two sales of assets by TMPA, (ii) to permit the issuance of certain refunding bonds and/or commercial paper by TMPA on terms agreed to by the Parties pursuant to JOA, as amended by this Amendment, and (iii) to provide for the security of Mine Reclamation Bonds; and

WHEREAS, the Parties have agreed to this Amendment of the JOA to accomplish these purposes; and

WHEREAS, this Amendment shall be deemed delivered and effective, assuming the approval and execution of an identical resolutions by each of the Parties, on the date that this Amendment is executed by the last Party to do so, being the “Effective Date” of this Amendment;

NOW, THEREFORE, in consideration of the recitals set forth above, the mutual covenants, benefits, agreements and obligations of the Parties, as set forth herein, the Parties, each intending to be legally bound, agree as follows:

Section 1. In the event the Generation Asset Sale is terminated, or for any reason does not close, this Amendment shall terminate and be of no force or effect.

Section 2. Article I of the JOA is hereby amended by adding the following definitions to be inserted alphabetically into their respective locations within the definitions contained in Section 1.2 of the JOA:

“Final Working Capital Proceeds” shall mean that portion of the proceeds of the sale of Generation Assets received for the sale of Working Capital as defined in the transaction documents associated with the Generation Asset Sale.

“Generation Asset Sale” shall mean and refer to sale of Generation Assets resulting from a request for proposal process authorized by TMPA Board by Resolution No. 2016-1-5.

“Generation Asset Sale Closing” shall mean the closing of the transaction selling the Generation Assets and transfer of certain Generation Assets pursuant to the Generation Asset Sale.

“Mine Reclamation Bonds” shall mean any Debt issued for the purpose of mine remediation or any obligations related thereto, including any “credit agreements” as defined in Section 1371.001(1), Texas Government Code.

“Refunding Debt” shall mean both the Refunding Generation Debt and the Refunding Transmission Debt.

“Refunding Generation Debt” shall mean Debt issued for the purpose of the refunding of TMPA’s outstanding bonds and commercial paper as required to effectuate the Generation Asset Sale.

“Refunding Transmission Debt” shall mean (i) Debt issued for the purpose of refunding of TMPA’s outstanding bonds and commercial paper as required to effectuate the Transmission Asset Sale, (ii) Debt issued for the purpose of long-term refinancing of a portion of TMPA’s outstanding commercial paper notes under its commercial paper program established prior to September 1, 2016 and related to Transmission System assets not subject to the Transmission Asset Sale, and (iii) new commercial paper programs (A) to refund of TMPA’s outstanding bonds and commercial

paper as required to effectuate the Transmission Asset Sale and (B) to support of the ongoing operations of the Transmission System.

“Total Proceeds” shall mean all proceeds received from the sale of Generation Assets including the Final Working Capital proceeds.

“Transmission Asset Sale” shall mean and refer to the sale of certain Transmission Assets resulting from a request for proposal process authorized by TMPA Board by Resolution No. 2016-1-5.

Section 3. The definitions of “Bond Resolution,” “Transmission Debt” and “Transmission Revenues” contained in Section 1.2(g), (t) and (v), respectively, of the JOA are deleted in their entirety and are hereby amended to read in their entirety:

“(g) “Bond Resolution” shall mean the following resolutions of TMPA adopted prior to the Effective Date of this Agreement authorizing an issue of Bonds or subordinated indebtedness: (i) the “Texas Municipal Power Agency Subordinate Lien Revenue Refunding Bonds, Series 2008,” (ii) “Texas Municipal Power Agency Junior Subordinate Lien Revenue Refunding Bonds, Series 2013,” (iii) the “Texas Municipal Power Agency Commercial Paper Notes, Series 2005,” (iv) the “Texas Municipal Power Agency Subordinate Lien Revenue/Transmission Revenue Converting Security Refunding Bonds, Series 2010,” (v) any commercial paper notes issued after the Effective Date of this Agreement to refund all or a portion of the commercial paper notes referenced in clause (iii), (vi) any resolution adopted after the Effective Date of this Agreement pursuant to which Refunding Generation Debt or Refunding Transmission Debt may be issued, and (vii) any resolution adopted after the Effective Date of this Agreement pursuant to which Transmission Debt or New Debt, each as defined herein, may be issued.”

“(t) “Transmission Debt” shall have the same meaning as the term “Transmission Debt” as stated in the Series 2010 Bond Resolution and, upon the defeasance of such debt, the substantially similar definition of such term in the Bond Resolution authorizing the Refunding Transmission Debt.”

“(v) “Transmission Revenues” shall have the same meaning as “Transmission Net Revenues” as defined in the Series 2010 Bond Resolution and, upon the defeasance of such debt, the substantially similar definition of such term in the Bond Resolution authorizing the Refunding Transmission Debt”, and shall include revenues from the charge permitted by Section 4.2 in connection with the Transmission Business category.

Section 4. Section 1.3 of the JOA is deleted in its entirety and is hereby amended to read in its entirety:

“SECTION 1.3. SCOPE OF THIS AGREEMENT. This Agreement is intended to provide terms of agreement for (1) TMPA operations outside the scope of the Power Sales Contract, (2)

matters relating to decommissioning of the power plant at such time as it may be removed from service, (3) disposition of TMPA assets, (4) matters related to the Generation Assets Sale, the Transmission Asset Sale and the issuance of related Refunding Debt, and (5) matters relating to dissolution of TMPA, at such time as it may be dissolved. This Agreement is not intended to require a Participating Public Entity to hold an election in order to exercise any right or to carry out any obligation under this Agreement.”

Section 5. Section 2.6.1.1 of the JOA is deleted in its entirety and is hereby amended to read in its entirety:

“2.6.1.1. FOR THE PERIOD FROM THE EFFECTIVE DATE AND ENDING SEPTEMBER 30, 2018. Except as provided by Section 2.6.1.4, for the period effective October 1, 2016, and annually thereafter to September 30, 2018, the TMPA Board shall adopt annual budgets, by business category. For periods prior to September 30, 2018, such Annual Budgets shall be for informational purposes only. Recovery of the costs of TMPA operations for this period shall be through the (i) Annual System Costs under the Power Sales Contract of the TMPA and (ii) Transmission Revenues. From the Effective Date through September 30, 2018, funds otherwise available to be returned to the Cities under Section 7(a)(3) of the Power Sales Contract shall be applied to the following uses: (i) first, to fund the Decommissioning Reserve Account up to the cap for that account as stated in Section 5.5, and (ii) then, to fund the Indemnity Reserve Account up to the cap for that account as stated in Section 6.5. Any net proceeds remaining after the obligations described in (i)-(ii) shall be apportioned to each Participating Public Entity based on the following percentages: Bryan - 21.7%; Denton - 21.3%; Garland - 47%; Greenville - 10%.”

Section 6. Section 2.6.1.2 of the JOA is deleted in its entirety and is hereby amended to read in its entirety:

“2.6.1.2. FOR PERIODS COMMENCING FROM AND AFTER OCTOBER 1, 2018. Except as provided by Section 2.6.1.4, for the fiscal year commencing October 1, 2018, and annually thereafter, the TMPA Board shall adopt annual budgets, by business category, and adopt charges for the recovery of the costs of operations by business category, according to the specific requirements in Articles III, IV, and V, respectively.”

Section 7. Article II of the JOA is hereby amended by adding the following Section 2.6.1.4 after Section 2.6.1.3:

“2.6.1.4 FOR PERIODS FOLLOWING GENERATION ASSET SALE: Notwithstanding anything to the contrary contained in Section 2.6.1.1 or 2.6.1.2, immediately upon the Generation Asset Sale Closing, and annually thereafter, the TMPA Board shall adopt annual budgets, by business category, and adopt charges for the recovery of the costs of operations by business category, according to the specific requirements in Articles III, IV, and V, respectively.”

Section 8. Section 2.6.2.5 of the JOA is deleted in its entirety and is hereby amended to read in its entirety:

“2.6.2.5. LIMITATIONS ON DEBT. From and after September 1, 2016, the Agency shall not incur any form of Debt other than Transmission Debt, whether bonds, notes, a new commercial paper program or increase in an existing commercial paper program, or obligation for borrowed money of any kind, unless such Debt is: (1) attributed to a single business category, (2) approved by a Super Majority Vote of the TMPA Board and by concurrent resolutions of each Participating Public Entity in the business category to which the debt is attributed, and (3) secured solely by assets or revenues or operations of the business category to which it is attributed. From and after September 1, 2016, the Agency shall not incur any form of Transmission Debt, whether bonds, notes, commercial paper or obligations of any kind, unless: (1) prior notice of at least 60 days has been given to each Participating Public Entity in the Transmission Business category of the proposed issuance of such Transmission Debt, which notice shall include the principal terms on which such Debt is proposed to be issued, and (2) such proposed Transmission Debt is: (i) after September 1, 2018, payable solely from Transmission Revenues, and (ii) approved by a Super Majority Vote of the TMPA Board. The restrictions in this Section relating to Debt shall not apply to Mine Reclamation Bonds, surety bonds, banking agreements, letters of credit, or other financial commitment related to providing financial security or assurance for the TMPA's mine remediation responsibilities. For clarification, Approval of the Participating Public Entities shall not be required for (1) the issuance by TMPA of Transmission Debt or (2) the issuance by TMPA of commercial paper notes under a commercial paper program established prior to September 1, 2016, that is: (A) payable in full on or before September 1, 2018 or (B) by its terms, to be converted to Transmission Debt on or before October 1, 2018.

Section 9. Section 2.6.2.6 of the JOA is deleted in its entirety and is hereby amended to read in its entirety:

“2.6.2.6. LIMITATIONS ON OTHER NEW LONG-TERM OR SIGNIFICANT OBLIGATIONS. In addition to the limitations on incurrence of Debt provided in Section 2.6.2.5, from and after September 1, 2016, the Agency shall not incur any other form of long-term obligation unless such obligation is: (1) attributed to a single business category, (2) approved by a Super Majority Vote of the TMPA Board and by concurrent resolutions of each Participating Public Entity in the business category to which the obligation is attributed, and (3) secured solely by assets and/or revenues of the business category to which it is attributed. For purposes of this paragraph 2.6.2.6, “long-term or significant obligation” shall mean any contract or other form of obligation (i) having a term in excess of twenty-four (24) months unless the contract may be cancelled by the Agency for convenience without penalty at any time after the giving of notice and the expiration of a contractual notice period not to exceed one hundred twenty (120) days, or (ii) in an amount in excess of ten million (\$10,000,000.00) dollars. The restrictions in this Section relating to long-term or significant obligations shall not apply to Mine Reclamation Bonds, surety bonds, banking agreements, letters of credit, or other financial commitment related to providing financial security or assurance for the TMPA's mine remediation responsibilities.”

Section 10. Article II of the JOA is hereby amended by adding the following Section 2.6.2.7 after Section 2.6.2.6:

“Section 2.6.2.7: APPROVALS OF REFUNDING DEBT AND CONCURRENT COMMERCIAL PAPER PROGRAMS

(1) Upon approval of the Generation Asset Sale by TMPA, notwithstanding any provision in Sections 2.6.1.1, 2.6.2.5 or 2.6.2.6 to the contrary, TMPA may refinance its outstanding indebtedness secured by revenues related to the Generation Assets being sold and defease any portion of such outstanding indebtedness with Refunding Generation Debt on terms that permit the consummation of the Generation Asset Sale, so long as the Refunding Generation Debt is approved by a Super Majority of the TMPA Board. Such Refunding Generation Debt shall mature on or before September 1, 2018, and shall not exceed the amount necessary, after application of the proceeds of the sale as provided in Section 2.13 to existing Debt, to consummate the Generation Asset Sale, but in no case shall the Refunding Generation Debt exceed a maximum aggregate principal amount of \$225,000,000. The maximum interest rate on such bonds shall not exceed seven percent (7%). The maximum interest rate on such commercial paper shall not exceed the maximum interest rate permitted by state law. Such Refunding Generation Debt shall be an obligation of TMPA, payable from payments from the Participating Public Entities under this Agreement, and each Participating Public Entity hereby agrees to be unconditionally obligated to pay TMPA, and in accordance with the covenants in Section 2.7, without offset or counterclaim and without regard to whether Power and/or Energy is delivered by TMPA to the respective Participating Public Entity or Entities, that percentage of the annual debt service requirements of such Refunding Generation Debt as shown in the following table, which payments shall be included in the Annual Budget of the TMPA for the Generation Business, and billed to each Participating Public Entity on a monthly basis:

City of Bryan, Texas: 21.7%

City of Denton, Texas: 21.3%

City of Garland, Texas: 47.0% and

City of Greenville, Texas: 10.0%.

(2) Upon approval of the Transmission Asset Sale by a Super Majority of the TMPA, notwithstanding any provision in Sections 2.6.1.1, 2.6.2.5 or 2.6.2.6 to the contrary, TMPA may issue Refunding Transmission Debt. Bonds and the commercial paper programs issued in connection with such Refunding Transmission Debt shall mature on or before September 1, 2040, and shall not exceed a maximum aggregate principal amount of \$275,000,000. The maximum interest rate on such bonds shall not exceed seven percent (7%). The maximum interest rate on such commercial paper shall not exceed the maximum interest rate permitted by state law. Such

Refunding Transmission Debt shall constitute Transmission Debt of TMPA payable from Transmission Revenues. In the event that Transmission Revenues are insufficient to pay the annual debt service on the Refunding Transmission Debt, each Participating Public Entity hereby agrees to be unconditionally obligated to pay TMPA, without offset or counterclaim and without regard to whether Power and/or Energy is delivered by TMPA to the respective Participating Public Entity or Entities, and in accordance with the covenants in Section 2.7, that percentage of the remaining annual debt service requirements of such Refunding Transmission Debt as shown in the following table, which payments shall be included in the Annual Budget of TMPA for the Transmission Business, and billed to each Participating Public Entity on a monthly basis:

City of Bryan, Texas: 21.7%

City of Denton, Texas: 21.3%

City of Garland, Texas: 47.0%

City of Greenville, Texas: 10.0%.”

Section 11. Article II of the JOA is hereby amended by adding the following Section 2.13 after Section 2.12:

“Section 2.13: PROCEEDS OF SALES OF CERTAIN ASSETS: Notwithstanding Sections 2.12, 4.4 and 5.4, the proceeds from the Generation Asset Sale and Transmission Asset Sale, shall be applied as may be determined by TMPA to meet the Internal Revenue Service (“IRS”) regulations governing use of such proceeds. Total Proceeds, excluding Final Working Capital Proceeds, from the Generation Asset Sale shall be allocated in accordance with IRS regulations (“IRS Allocation Amounts”). To the extent that such IRS Allocation Amounts vary from an allocation pursuant to the percentages shown below for each Participating Public Entity, the variance shall be reconciled through the allocation of the Final Working Capital proceeds such that, after the reconciliation, each Participating Public Entity shall have received an allocation of the Total Proceeds equal to the percentages below. For the purposes of determining the variance, it shall be assumed that the IRS Allocated Amounts allocated to TMPA’s generation debt are allocated based on the percentages below:

City of Bryan, Texas: 21.7%

City of Denton, Texas: 21.3%

City of Garland, Texas: 47.0%

City of Greenville, Texas: 10.0%.

TMPA shall establish an escrow account for each Participating Public Entity and deposit to or withdraw from that account that portion of each Participating Public Entity's allocation of Final Working Capital proceeds as allocated to it pursuant to the reconciliation process described above. The funds in each Participating Public Entity's escrow account shall be applied to charges assessed by TMPA at the direction of the Participating Public Entity. In the event that the allocation of Final Working Capital proceeds is not sufficient for each Participating Public Entity to receive an allocation of the Total Proceeds equal to its percentage above, TMPA shall assess a charge to each Participating Public Entity whose percentage of Total Proceeds exceeds its percentage above. Receipts from such charge shall be allocated to each Participating Public Entity such that, after the allocation, each Participating Public Entity shall have received an allocation of Total Proceeds equal to the percentages above."

Section 12. Section 3.2.1 of the JOA is deleted in its entirety and is hereby amended to read in its entirety:

"3.2.1. BUDGETING AND OPERATIONS. From and after October 1, 2018, or immediately upon the Generation Asset Sale Closing if the Generation Asset Sale Closing occurs prior to October 1, 2018, charges for recoupment of such costs as are included in the Annual Budget for the Mining Business category, including any debt service on any Mine Remediation Bonds and any other costs related to surety bonds, banking agreements, letters of credit, or other financial commitment related to providing financial security or assurance for the TMPA's mine remediation responsibilities, shall be assessed to each Participating Public Entity according to the following percentages: Bryan - 21.7%; Denton - 21.3%; Garland - 47%, Greenville - 10%, and billed to each Participating Public Entity on a monthly basis, unless a different schedule of charges shall be adopted by the unanimous approval of all of the Participating Public Entities in the Mining Business category. In the event a Participating Public Entity exits the Mining Business as permitted under Section 2.11.1, it shall remain responsible for the same percentage share of costs incurred after its exit as set forth above, such that the same percentages shall apply to each exited and remaining Participating Public Entity for any costs of the Mining Business category until all Mining Assets are sold."

Section 13. Section 4.2 of the JOA is deleted in its entirety and is hereby amended to read in its entirety:

"SECTION 4.2. APPLICATION OF PROCEEDS FROM ANNUAL OPERATIONS OF THE TRANSMISSION BUSINESS. From and after October 1, 2018, or immediately upon the Generation Asset Sale Closing if the Generation Asset Sale Closing occurs prior to October 1, 2018, all net proceeds from the annual operations of the Transmission Business category (after payment of the annual costs of the Transmission System and debt service on Transmission Debt) shall be used: (i) first, to fund the Decommissioning Reserve Account up to the cap for that account as stated in Section 5.5, and (ii) then, to the Indemnity Reserve Account up to the cap for that account as stated in Section 6.5. Any net proceeds remaining after the obligations described in (i)-(ii) shall be apportioned to each Participating Public Entity based on the following percentages:

Bryan - 21.7%; Denton - 21.3%; Garland - 47%; Greenville - 10%. In the event that Transmission Revenues are insufficient to pay the annual costs (including debt service on Transmission Debt, or Refunding Transmission Debt, including credit enhancement costs related to applicable commercial paper programs) of the Transmission Business category, then each Participating Public Entity having an interest in Transmission Assets shall fund the shortfall in the percentages stated above. From and after October 1, 2018, in the event that a Participating Public Entity exits the Transmission Business category, the percentage of net proceeds from the annual operations of the Transmission Business category held by the exiting entity shall be apportioned among the remaining Participating Public Entities in proportion to the percentages stated above for apportionment of net proceeds effective October 1, 2018.”

Section 14. Article IV of the JOA is hereby amended by adding the following Subsections 4.4.1(9) and 4.4.1(10) after Subsection 4.4.1(8):

“(9) EXCEPTIONS FOR SALE OF ASSETS PURSUANT TO THE GENERATION ASSET SALE AND TRANSMISSION ASSETS SALE: “Notwithstanding the provisions of this Section 4.4.1, the Parties agree that the Transmission Assets as identified in the Transmission Assets Sale may be sold upon the approvals and consents as required according to the terms of such transaction without the prior payment or defeasance of all outstanding Transmission Debt, provided that all proceeds of such a sale shall be applied to reduce the outstanding Transmission Debt or to pay costs of issuance associated with Refunding Transmission Debt. Upon closing of the sale contemplated by such transaction, TMPA shall amend Schedule C to remove all assets sold.

(10) A Participating Public Entity that has consented to the Transmission Asset Sale and thereafter fails to provide a required consent or takes any action causing its consent to be revoked, reversed, repealed, stayed, enjoined, set aside, annulled, suspended or no longer in full force and effect such that TMPA is required to pay a termination payment as a result, shall pay to TMPA within five (5) business days of the obligation becoming due and payable, an amount equal to the termination payment TMPA is required to pay. If more than one Participating Public Entity fails to provide a required consent or takes any action causing its consent to be revoked, reversed, repealed, stayed, enjoined, set aside, annulled, suspended or no longer in full force and effect, the Participating Public Entities having caused its consent to be revoked, reversed, repealed, stayed, enjoined, set aside, annulled, suspended or no longer in full force and effect shall together in shares proportionate to their percentage interest in transmission assets pay to TMPA within five (5) business days of the obligation becoming due and payable a termination payment amount equal to the termination payment TMPA is required to pay.”

Section 15. Article V of the JOA is hereby amended by adding the following Section 5.1.3 after Subsection 5.1.2:

“SECTION 5.1.3. TERMINATION UPON GENERATION ASSET SALE CLOSING. Notwithstanding anything to the contrary in Section 5.1 or 5.2, nothing in this JOA shall preclude

TMPA and each Participating Public Entity from terminating their Power Sales Contracts. Upon such termination, TMPA shall cease production of power and energy immediately, regardless of any action taken by a Participating Public Entity under Subsection 5.1 or 5.2 prior to such termination to extend the term of its Power Sales Contract.”

Section 16. Article V of the JOA is hereby amended by adding the following Section 5.3.4 after Subsection 5.3.3:

“SECTION 5.3.4. EXCEPTIONS IN THE EVENT OF THE SALE OF ASSETS PURSUANT TO THE GENERATION ASSET SALE: Notwithstanding the provisions of Section 5.3, within six months of the Generation Asset Sale Closing, the TMPA Board shall amend the Decommissioning Plan as might be deemed necessary and prudent in light of the sale and any remaining Generation Assets held by TMPA.”

Section 17. Article V of the JOA is hereby amended by adding the following Section 5.4.1 after Section 5.4:

“SECTION 5.4.1. EXCEPTIONS IN THE EVENT OF THE GENERATION ASSET SALE: In the event of the Generation Asset Sale Closing, TMPA shall amend Schedule A to remove all assets sold. Notwithstanding Section 5.4, in the event of such sale, the proceeds of such sale shall be applied in the manner provided in Section 2.13.”

Section 18. Article I of the JOA is hereby amended by adding the following Section 5.5.7 after Section 5.5.6:

“SECTION 5.5.7: EXCEPTIONS IN THE EVENT OF THE SALE OF ASSETS PURSUANT TO THE GENERATION ASSET SALE: In the event of the Generation Asset Sale Closing, the TMPA Board shall consider and determine the maximum account balance of the Decommissioning Reserve Account, and necessity for such an account, in light of the sale and attendant environmental agreements.”

Section 19. OTHER AGREEMENTS.

(a) All other terms and conditions of the Joint Operating Agreement shall remain in full force and effect except as modified herein.

(b) Except as provided in Section 1, this Amendment shall terminate on the same date the Joint Operating Agreement terminates.

(c) Each Party warrants that all necessary actions have been taken to make this a binding amendment, including TMPA Board or city council action, as applicable.

(d) This Amendment may be executed in multiple counterparts, each of which shall constitute an original but both or all of which, when taken together, shall constitute but one instrument. This Amendment may be delivered by the exchange of signed signature pages by facsimile transmission or by attaching a pdf copy to an email, and any printed or copied version of any signature page so delivered shall have the same force and effect as an originally signed version of such signature page.

IN WITNESS WHEREOF, the Parties have executed this Amendment Number One to Joint Operating Agreement, to be effective upon the Effective Date as set forth in the Recitals.

TEXAS MUNICIPAL POWER AGENCY

By: _____

Name: _____

Title: _____

Date: _____

Attest: _____

Approved as to form: _____
Counsel for Texas Municipal Power Agency

CITY OF BRYAN, TEXAS

By: _____

Name: _____

Title: _____

Date: _____

Attest: _____

Approved as to form: _____
Counsel for the City of Bryan, Texas

CITY OF DENTON, TEXAS

By: _____

Name: _____

Title: _____

Date: _____

Attest: _____

Approved as to form: _____
Counsel for the City of Denton, Texas

CITY OF GARLAND, TEXAS

By: _____

Name: _____

Title: _____

Date: _____

Attest: _____

CITY OF GREENVILLE, TEXAS

By: _____

Name: _____

Title: _____

Date: _____

Attest: _____

GEUS, acting on behalf of the City of Greenville pursuant to its Charter

By: _____

Name: _____

Title: Chair of the Board of Trustees of the Electric Utility Board

Date: _____

Attest: _____



GARLAND POLICY REPORT

City Council Regular Session Agenda

Agenda Item 9.

Meeting Date: September 6, 2016

Item Title: TM 16-01 R-Delta Engineers, Inc.

Submitted By: Will Guerin, Planning Director

ISSUE

Consider a request to waive a required payment to Tree Fund as outlined in the Garland Development Code Chapter 4: Article 4: Tree Preservation & Mitigation.

OPTIONS

1. Waive the required payment to the Tree Fund.
2. Grant partial relief from the required payment to the Tree Fund.
3. Deny the request.

BACKGROUND

The subject site is currently zoned Agricultural (AG) District and is the current location of the Buddhist Meditation Association Dao Quang Temple. The Temple conducts a variety of special events throughout the year. Each event typically has an attendance greater than 500 people. Historically, parking beyond the capacity of the site overflowed onto the adjacent Apollo Road. To relieve some of the overflow parking impacts, the applicant intends to develop a wooded portion of the site with 191 new parking spaces. Preservation and mitigation of trees applies to any tree that is removed from private or public property as part of a development or redevelopment. The applicant requests full relief from the required payment to the Tree Fund as outlined within the Garland Development Code (GDC).

CONSIDERATION

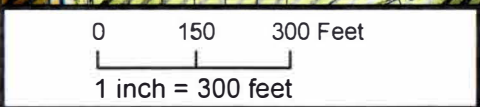
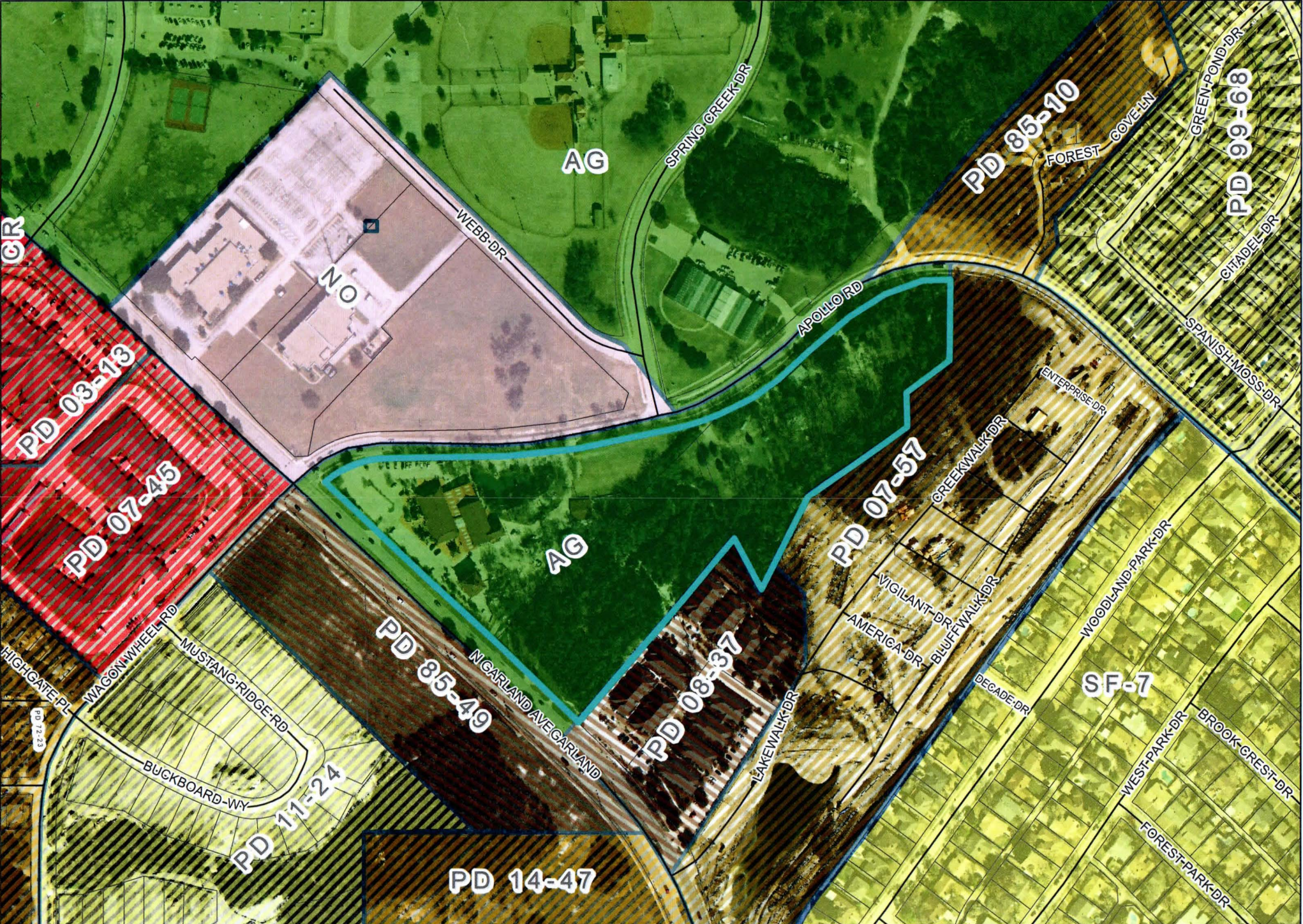
1. Table 4-9: *Existing Trees – Replacement Ratios* states that Large Canopy Trees with a caliper size between 6" and 18" must be replaced per a 1:1 ratio. Large Canopy Trees 18.1" or greater must be replaced per a 2:1 ratio. Other tree species of any caliper size must be replaced per a 0.25:1 ratio.
2. In lieu of tree replacement an applicant may make a payment to the City Reforestation and Tree Management Fund. The fee is of an amount equal to one-hundred percent of the cost of a replacement tree(s). This fee is based on the cost of three-inch caliper trees, totaling the mitigation caliper inches required, moved to and installed on the site. The fee is one hundred and fifty dollars (\$150) per caliper inch.
3. The applicant's tree survey reflects the removal of 331.01 caliper inches: 288.20 caliper

inches of large canopy trees with a caliper size between 6" and 18", and 42.81" of other tree species of any caliper size.

4. Rather than provide 331.01 caliper inches of replacement trees, the applicant intends to replace twelve (12) lost inches with four (4) 3" caliper trees to count toward the mitigation, decreasing the number of replacement inches to 319.01". The applicant asks for relief from due payment into the City Reforestation and Tree Management Fund. The total fee is \$47,851.50.


Attachments

TM 16-01 R-Delta Engineers, Inc. Attachments



**TREE PRESERVATION
VARIANCE**

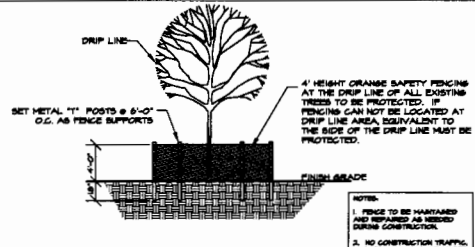
TM 16-01

 **INDICATES AREA
OF REQUEST**

Drawn by: S. Vengalala/CLE003 - Budded Temple - Coronal/JMS/CLE003/378.dwg Saved By: Station11 Date: 5/23/2016 10:26 AM
Printed by: S. Vengalala/CLE003 Plot Date: 5/23/2016 10:40 AM

TREE PROTECTION NOTES

- EXISTING TREES SHOWN TO REMAIN ARE TO BE PROTECTED DURING CONSTRUCTION. ORANGE COATED CHAINLINK FENCING (MIN 4'-0" HEIGHT) SHALL BE INSTALLED AT THE DRIP LINE OF ALL TREES OR TREE GROUPS TO REMAIN. PARKING OF VEHICLES OR PERFORMING WORK WITHIN THESE AREAS OTHER THAN SHOWN ON THE PLAN WILL NOT BE ALLOWED. THE TREE PROTECTION SHALL REMAIN DURING CONSTRUCTION. OTHER TREE PROTECTION MEASURES SHALL BE IN ACCORDANCE WITH THE CITY'S STANDARDS AND ORDINANCES.
- DISPOSAL OF ANY HAZARDOUS MATERIAL SUCH AS, BUT NOT LIMITED TO, PAINT, ASPHALT, OIL, SOLVENTS, CONCRETE, MORTAR, ETC. WITHIN THE CANOPY AREA OF THE EXISTING TREES SHALL NOT BE ALLOWED.
- NO ATTACHMENTS OR WIRES OF ANY KIND, OTHER THAN THOSE OF A PROTECTIVE NATURE, SHALL BE ATTACHED TO ANY TREE.
- NO FILL OR EXCAVATION OF ANY NATURE SHALL OCCUR WITHIN THE DRIP LINE OF A TREE TO BE PRESERVED UNLESS THERE IS A SPECIFIED HELL OR RETAINING WALL SHOWN ON THE GRADING PLAN.
- NO MATERIALS SHALL BE STORED WITHIN THE DRIPLINE AREA OF A TREE TO BE PRESERVED.



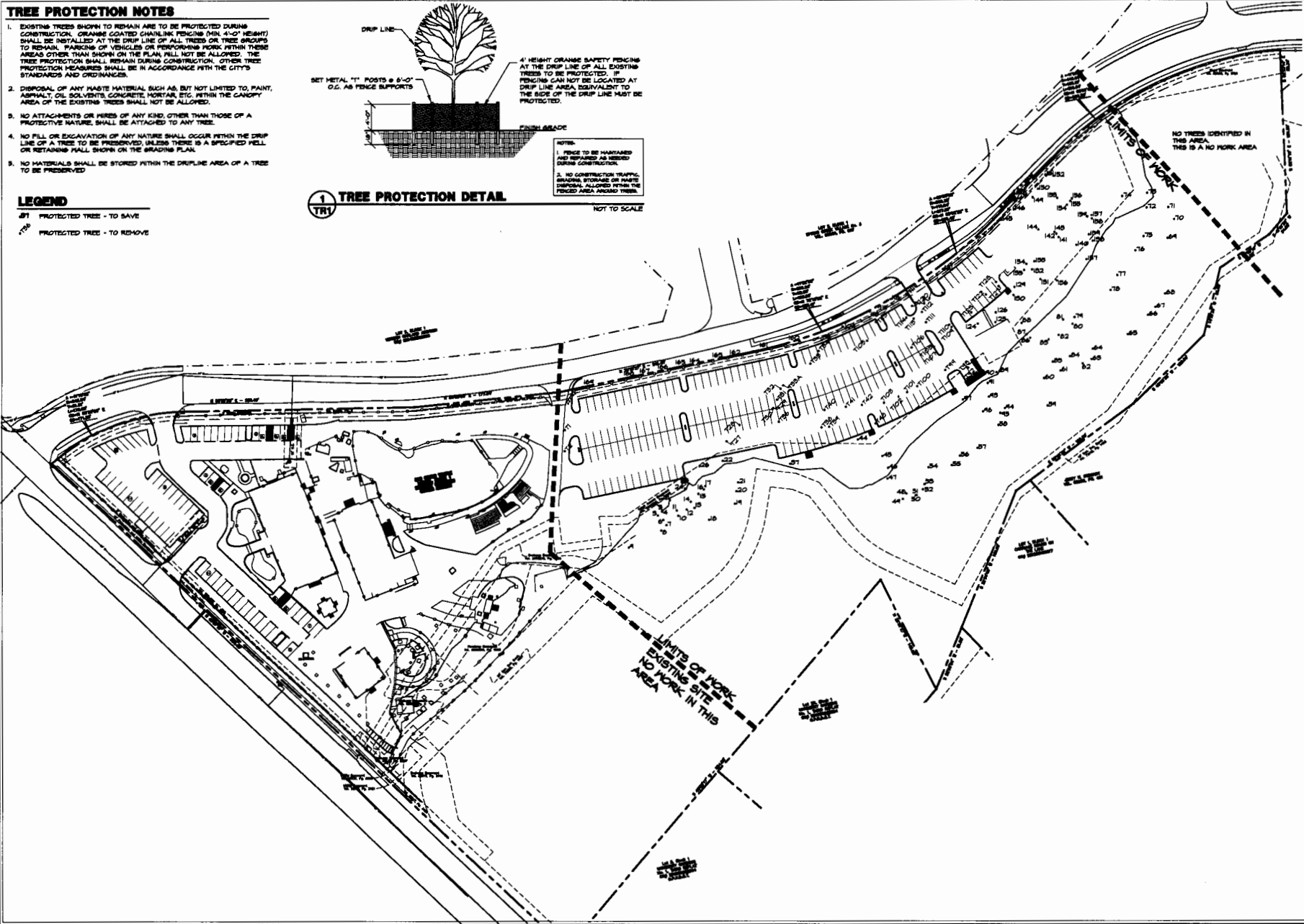
NOTES:
1. FENCE TO BE MAINTAINED AND REPAIRED AS NEEDED DURING CONSTRUCTION.
2. NO CONSTRUCTION TRAFFIC, MATERIALS STORAGE OR WASTE DISPOSAL ALLOWED WITHIN THE FENCED AREA AMONG TREES.

LEGEND

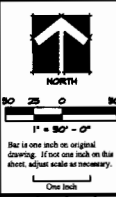
- DT PROTECTED TREE - TO SAVE
- DT PROTECTED TREE - TO REMOVE

TREE PROTECTION DETAIL

NOT TO SCALE



STUDIO 16
DESIGN GROUP
Studio 13 Design Group, PLLC
1010 N. Main Street
Lawton, Oklahoma 73507
(405) 924-1100
studio16.com

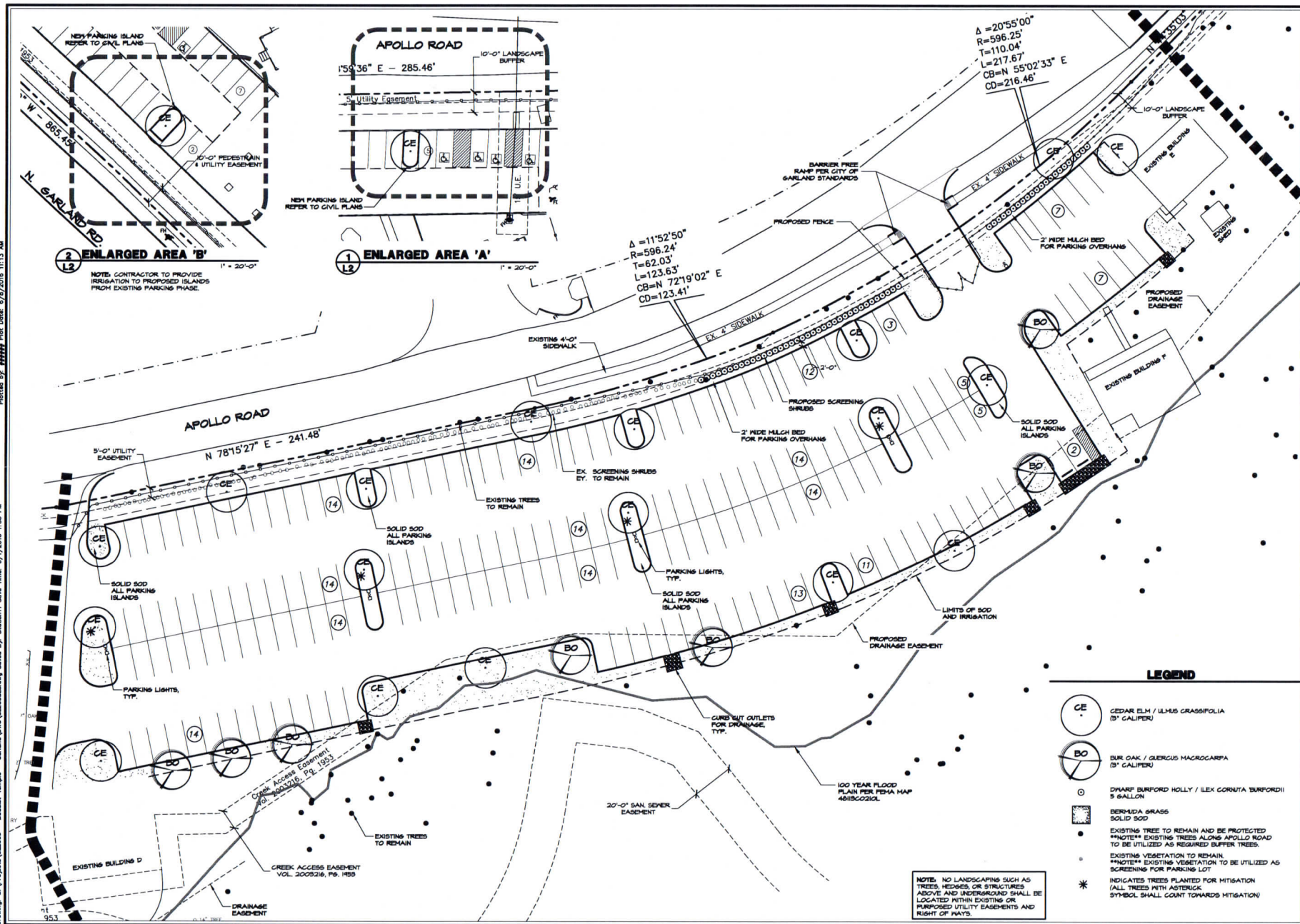


TREE SURVEY
BUDDHIST MEDITATION CENTER - LOT 1 RI, BLOCK 1
DAO QUANG TEMPLE
3522 N. Garland Ave., Garland, Texas

| PLAN REVIEW REVISIONS | DATE | BY |
|--|-----------|-----|
| 1. REVISION: TREE SURVEY PER CITY COMMENTS | 5-23-2016 | PHD |
| 2. REVISION: TREE SURVEY PER CITY COMMENTS | 5-23-2016 | PHD |

PROJECT
CLE003
SHEET
TR1 of 2

CITY CASE # 151210-1

[illegible]



GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda

Agenda Item 10.

Meeting Date: September 6, 2016

Item Title: Public Hearing - 2016-17 Proposed Budget

Submitted By: Ron Young, Budget Director

Summary of Request/Problem

Section 5, Article VII, of the City Charter requires that a Public Hearing be held on the Proposed Budget for the coming fiscal year. At the Public Hearing, all interested persons shall be given an opportunity to be heard for or against any proposed item in the Budget. The Proposed Budget for 2016-17 has been available for public inspection in the City libraries, in the City Secretary's Office, and on the City's website since August 3, 2016.

Previous Public Hearings were held on August 16 and August 25, 2016.

Recommendation/Action Requested and Justification

Open Public Hearing on Proposed Budget for 2016-17.

Take citizens' comments.

Close public hearing.



GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda

Agenda Item 11.

Meeting Date: September 6, 2016

Item Title: Public Hearing on 2016-17 Proposed Tax Rate

Submitted By: Ron Young, Budget Director

Summary of Request/Problem

The Texas Property Tax Code, Section 26.05 (d), provides that a governing body may not adopt a tax rate that exceeds the lower of the rollback tax rate or the effective rate until the governing body has held two public hearings on the proposed tax rate and has otherwise complied with Section 26.06 and Section 26.065. The 2016-17 Proposed Budget is based on a tax rate of 70.46 cents per \$100 of valuation, which does exceed the effective tax rate of 64.20 cents and the rollback rate of 69.83 cents due to a 10.6% increase in taxable values.

This budget will raise more total property taxes than last year's budget by \$7,458,690 or 9.44%, and of that amount, \$785,374 is tax revenue to be raised from new property added to the tax roll this year.

Previous public hearings were held on August 16 and August 25, 2016.

Proposed Tax Rate

(Cents per \$100 Value)

| | <u>Current</u> | <u>Change</u> | <u>Proposed</u> |
|----------------|-----------------------|----------------------|------------------------|
| O&M | 39.40 | 0.00 | 39.40 |
| Debt Service | <u>31.06</u> | <u>0.00</u> | <u>31.06</u> |
| Total Tax Rate | <u>70.46</u> | <u>0.00</u> | <u>70.46</u> |

Mayor should read the following:

The tax rate is scheduled for adoption this evening, Tuesday, September 6th, 2016.

Recommendation/Action Requested and Justification

Open public hearing.

Take public comments.

Close public hearing and Mayor read statement above.



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

Agenda Item 12.

Meeting Date: September 6, 2016

Item Title: Adoption of 2016-17 Budget

Submitted By: Ron Young, Budget Director

Summary of Request/Problem

Adoption of the Budget for 2016-17. In accordance with the City Charter, the City Manager presented his recommended Budget for fiscal year 2016-17 to the City Council on August 2, 2016. Copies were made available for public inspection at the City libraries, at the City Secretary's Office, and on the City's website. Public hearings were held on August 16, August 25, and September 6, 2016.

An ordinance reflecting final decisions regarding the Budget for 2016-17 and revised budgets will be prepared for the Mayor's signature upon final direction from the City Council.

Two votes are required. See Attachment (A) for process and wording.

Recommendation/Action Requested and Justification

Approve the Budget for the City of Garland for fiscal year 2016-17.

See specific process in Attachment (A) – two votes required.

Attachments

Proposal to Vote on Proposed Budget for 2016-17 (Attachment A)

**Proposal to Vote on Proposed Budget for 2016-17
Attachment (A)**

(1) Required Motion Wording

“Mayor, I move to ratify the property tax rate reflected in this budget.”

[VOTE]

“I move to approve the budget [as submitted] [as amended].”

[VOTE]

(2) Motion Seconded for Each Vote

(3) Council Votes



GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda

Agenda Item 13.

Meeting Date: September 6, 2016

Item Title: Adoption of 2016-17 Property Tax Rate

Submitted By: Ron Young, Budget Director

Summary of Request/Problem

The City Council has considered an Ad Valorem Tax Rate of 70.46 cents per \$100 of valuation for the fiscal year beginning October 1, 2016. All meetings, notices, and public hearing requirements related to the adoption of the Tax Rate have been met in accordance with State law.

Proposed Tax Rate

(Cents per \$100 Value)

| | <u>Current</u> | <u>Change</u> | <u>Proposed</u> |
|----------------|-----------------------|----------------------|------------------------|
| O&M | 39.40 | 0.00 | 39.40 |
| Debt Service | <u>31.06</u> | <u>0.00</u> | <u>31.06</u> |
| Total Tax Rate | <u>70.46</u> | <u>0.00</u> | <u>70.46</u> |

Public hearings were held on the Proposed Tax Rate on August 16, August 25, and September 6, 2016.

Recommendation/Action Requested and Justification

Approve an ordinance setting the Ad Valorem Tax Rate at 70.46 cents per \$100 of valuation for 2016-17. **(Required motion wording is included in Attachment B.)**

Vote on above motion.

Attachments

Proposal to Vote on Proposed Tax Rate for 2016-17 (Attachment B)

**Proposal to Vote on Proposed Tax Rate for 2016-17
Attachment (B)**

(1) Required Motion Wording

“Mayor, I move that the property tax rate be increased by the adoption of a tax rate of 70.46 cents per \$100 of valuation, which is effectively a 9.75 percent increase in the tax rate.”

“I move first that the rate for debt service be approved in the amount of thirty-one and six hundredths of a cent.”

[VOTE]

“I move now that the rate for maintenance and operations be approved in the amount of thirty-nine and forty hundredths of a cent.”

[VOTE]

(2) Motion Seconded for Each Vote

(3) Council Votes



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

Agenda Item 14.

Meeting Date: September 6, 2016

Item Title: Rate and Fee Changes for 2016-17

Submitted By: Ron Young, Budget Director

Summary of Request/Problem

In considering the 2016-17 Proposed Budget, the City Council reviewed the adjustments to existing rates and fees. Revenue estimates included in the 2016-17 Proposed Budget are based on these actions.

| Area | Fees Being Added or Adjusted | |
|---------------------|------------------------------|--|
| Building Inspection | Fees for Service | |
| Wastewater | Rates for Service | |
| Water | Rates for Service | |

An ordinance will be prepared for the Mayor's signature once final direction has been given by the City Council.

Recommendation/Action Requested and Justification

Approve an ordinance making certain fee and rate adjustments and establishing an effective date of October 1, 2016.



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

Agenda Item 15.

Meeting Date: September 6, 2016

Item Title: Civil Service Actions

Submitted By: Leslie Cloer, Director of Civil Service

Summary of Request/Problem

Pursuant to Chapter 143 of the Local Government Code of Texas, the City Council must establish the civil service classifications in the Police and Fire Departments, the number of positions in each classification, the base salary, and the types of incentive pays for each classification. The attached ordinance reflects the positions and compensation approved in the 2016-2017 budget.

The ordinance reflecting final decisions regarding the proposed salary schedule, incentive plans, and staffing levels will be signed by the Mayor upon final direction from the Council.

Recommendation/Action Requested and Justification

Approve an ordinance authorizing all civil service classifications, number of positions, base salary and types of incentive pay for classified positions.

Attachments

FY16-17 Civil Service Ordinance

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF GARLAND, TEXAS, ESTABLISHING CIVIL SERVICE CLASSIFICATIONS WITHIN THE POLICE AND FIRE DEPARTMENTS; PRESCRIBING THE NUMBER OF POSITIONS IN EACH CLASSIFICATION; PRESCRIBING THE BASE SALARY AND TYPES OF PAY FOR THOSE CLASSIFICATIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 143 of the Texas Local Government Code, the City Council shall establish certain classifications and shall prescribe the number of positions in each of these classifications by ordinance, and

WHEREAS, the City Council has reviewed and approved a budget for the City for the fiscal year beginning October 1, 2016, and ending September 30, 2017, and

WHEREAS, such budget contains a program of planned expenditures for the police and fire departments, including changes to the operations and human resources of those departments,

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

Section 1

That the City Council of the City of Garland, Texas, hereby establishes the classifications and number of authorized positions within each classification and the base salary and types of pay for those classifications as specified on "Exhibits A-1 through A-4" attached hereto and made a part hereof as if fully set forth herein.

Section 2

That this Ordinance shall take effect on October 1, 2016.

PASSED AND APPROVED this the _____ day of _____, 2016.

THE CITY OF GARLAND, TEXAS

By: _____
Douglas Athas,
Mayor

ATTEST:

Rene Dowl,
City Secretary

EXHIBIT "A-1"

CIVIL SERVICE

**2016/2017
Budgeted Positions**

POLICE

Total: 334

| Classification | Number of Positions Effective 10-01-2016 |
|----------------------------------|--|
| | |
| Police Officer | 285 |
| Police Supervisor | 36 |
| Police Captain | 8 |
| Assistant Chief | 4 |
| Police Chief (Managing Director) | 1 |
| | |
| Total | 334 |

FIRE

Total: 254

| Classification | Number of Positions Effective 10-01-2016 |
|--------------------------------|--|
| | |
| Firefighter* | 118 |
| Driver | 72 |
| Lieutenant* | 14 |
| Captain | 37 |
| Battalion Chief | 9 |
| Assistant Chief | 3 |
| Fire Chief (Managing Director) | 1 |
| | |
| Total | 254 |

*Revision as per City Council instruction on July 5th, 2016.

EXHIBIT “A-2”

Civil Service
2016-2017 Salary Schedules

Effective 1/1/2017

Police

| Years | Step | Classification | Hourly | Annual | Spread |
|--------------|-------------|-----------------------|---------------|---------------|---------------|
| Hire | 1 | Recruit | \$27.40 | \$56,989 | |
| 6 months | 2 | Officer 2 | \$28.08 | \$58,397 | 2% |
| 1 year | 3 | Officer 3 | \$29.51 | \$61,373 | 5% |
| 2 year | 4 | Officer 4 | \$31.10 | \$64,695 | 5% |
| 3 year | 5 | Officer 5 | \$32.64 | \$67,898 | 5% |
| 4 year | 6 | Officer 6 | \$33.86 | \$70,432 | 4% |
| 5 year | 7 | Officer 7 | \$35.30 | \$73,415 | 4% |
| 10 years | 8 | Officer 8 | \$37.09 | \$77,152 | 5% |
| 12 years | 9 | Officer 9 | \$38.06 | \$79,174 | 3% |
| Year 1 | 1 | Supervisor 1 | \$46.93 | \$97,618 | |
| Year 2 | 2 | Supervisor 2 | \$49.48 | \$102,920 | 5% |
| Year 1 | 1 | Captain 1 | \$54.99 | \$114,384 | |
| Year 2 | 2 | Captain 2 | \$57.86 | \$120,357 | 5% |
| Year 1 | 1 | Assistant Chief 1 | \$64.74 | \$134,652 | |
| Year 2 | 2 | Assistant Chief 2 | \$68.30 | \$142,058 | 5% |

Fire

| Years | Step | Classification | Staff* | Shift** | Annual | Spread |
|--------------|-------------|-----------------------|---------------|----------------|---------------|---------------|
| Hire | 1 | Recruit 1 | \$25.87 | \$18.48 | \$53,812 | |
| 6 months | 2 | Recruit 2 | \$27.11 | \$19.36 | \$56,382 | 5% |
| 1 year | 3 | Firefighter 3 | \$28.36 | \$20.26 | \$58,999 | 5% |
| 2 year | 4 | Firefighter 4 | \$29.96 | \$21.40 | \$62,325 | 6% |
| 3 year | 5 | Firefighter 5 | \$31.26 | \$22.33 | \$65,025 | 4% |
| 5 years | 6 | Firefighter 6 | \$33.61 | \$24.00 | \$69,900 | 7% |
| 7 years | 7 | Firefighter 7 | \$34.46 | \$24.61 | \$71,670 | 3% |
| 8.5 years | 8 | Firefighter 8 | \$35.44 | \$25.31 | \$73,710 | 3% |
| Year 1 | 1 | Fire Driver 1 | \$37.57 | \$26.83 | \$78,139 | |
| Year 2 | 2 | Fire Driver 2 | \$39.13 | \$27.95 | \$81,390 | 4% |
| Year 1 | 1 | Lieutenant 1 | \$41.81 | \$29.86 | \$86,961 | |
| Year 2 | 2 | Lieutenant 2 | \$43.69 | \$31.21 | \$90,873 | 4% |
| Year 1 | 1 | Captain 1 | \$46.09 | \$32.92 | \$95,868 | |
| Year 2 | 2 | Captain 2 | \$48.40 | \$34.57 | \$100,663 | 5% |
| Year 1 | 1 | Battalion Chief 1 | \$52.64 | \$37.60 | \$109,499 | |
| Year 2 | 2 | Battalion Chief 2 | \$55.53 | \$39.66 | \$115,501 | 5% |
| Year 1 | 1 | Assistant Chief 1 | \$64.34 | \$45.96 | \$133,832 | |
| Year 2 | 2 | Assistant Chief 2 | \$67.86 | \$48.47 | \$141,153 | 5% |

* Staff - hourly rate calculated from 2080 hours per year

** Shift - hourly rate calculated from 2912 hours per year

EXHIBIT "A-3"

POLICE DEPARTMENT

**2016/2017
INCENTIVE PAY PLANS**

ELIGIBILITY:

1. Must be a full time, paid, duly sworn peace officer in the Garland Police Department.
2. Must have more than one year of service as a peace officer in the department.

CERTIFICATION AND EDUCATIONAL INCENTIVE PAY:

1. Certification Incentive

| Description | Amount Per Month |
|------------------------|------------------|
| Advanced Certification | \$75 per month |
| Master Certification | \$95 per month |

2. Education Incentive

| Description | Amount Per Month |
|----------------------------|------------------|
| Bachelor Degree | \$125 per month |
| Masters or Doctoral Degree | \$150 per month |

ASSIGNMENT PAY:

| Description | Amount Per Month |
|--|------------------|
| Officers designated by the Chief of Police as Field Training Officers (FTO) shall receive FTO Pay in compensation for this job assignment. This job assignment is of a temporary nature and can be removed at the discretion of the Chief of Police. | \$250 per month |

BILINGUAL PAY:

| Description | Amount Per Month |
|---|------------------|
| a) Certification by the State of Texas indicating proficiency in verbal bilingual skills. | \$100 per month |
| b) Certification by the State of Texas indicating proficiency in verbal and written bilingual skills. | \$150 per month |

Note: The above is a synopsis of these special pay plans. Details of these plans are available from the Director of Civil Service or Chief of Police.

EXHIBIT "A-4"

FIRE DEPARTMENT

**2016/2017
INCENTIVE PAY PLANS**

ELIGIBILITY:

Must be a Certified Texas Firefighter

CERTIFICATION AND EDUCATIONAL INCENTIVE PAY:

1. Certification Incentive

- a) Per TCFP Rules
- b) Available to all ranks

| Description | Amount Per Month |
|-----------------|------------------|
| a) Intermediate | \$45 per month |
| b) Advanced | \$85 per month |
| c) Master | \$125 per month |

2. Education Incentive

- a) Per TCFP Rules
- b) Available to all ranks

| Description | Amount Per Month |
|---|------------------|
| 1. Bachelor or Master Degree + Intermediate Certification | \$50 per month |
| 2. Bachelor or Master Degree + Advanced Certification | \$100 per month |
| 3. Bachelor Degree + Master Certification | \$150 per month |
| 4. Master Degree + Master Certification | \$200 per month |

EXHIBIT "A-4" (Continued)

ASSIGNMENT PAY:

Assignment Pay Incentive - Available to Firefighter, Driver/Engineer, Lieutenant and Captain classifications.

| Description | Amount Per Month |
|--|------------------|
| a) Instructor II | \$25 per month |
| b) Instructor III Must be assigned full time to Training Division Not eligible for Intermediate Instructor incentive pay | \$100 per month |
| c) Paramedic Must be certified by the State, and be accepted by the City Medical Control Director and approved by the Fire Chief. | \$100 per month |
| d) Paramedic Paramedics who staff an ambulance receive an additional \$30 per shift. | \$30 per shift |
| e) Fire Inspector Must be certified and assigned to Inspection Section of Fire Prevention Bureau | \$100 per month |
| f) Fire/Arson Investigator Must be certified and assigned to the Investigation Section of Fire Prevention Bureau. | \$100 per month |

BILINGUAL PAY:

| Description | Amount Per Month |
|---|------------------|
| a) Certification by the State of Texas indicating proficiency in verbal bilingual skills. | \$100 per month |
| b) Certification by the State of Texas indicating proficiency in verbal and written bilingual skills. | \$150 per month |

Note: The above is a synopsis of these special pay plans. Details of these plans are available from the Director of Civil Service or Fire Chief.