City Council Agenda January 17, 2023 Page 1



#### AGENDA

#### **REGULAR MEETING OF THE CITY COUNCIL**

City of Garland Council Chambers, City Hall William E. Dollar Municipal Building 200 North Fifth Street Garland, Texas Tuesday, January 17, 2023 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.

Garland City Hall and Council Chambers is wheelchair accessible. Special parking is available on the east side of City Hall and on Austin & State Street west of City Hall. 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.

One or more members of the City Council may participate in the meeting remotely. A quorum, including the presiding officer, will be present at the aforementioned meeting location.

City Council Agenda January 17, 2023 Page 2



#### LEGISLATIVE PRAYER AND PLEDGE OF ALLEGIANCE

It is the custom and tradition of the members of the City Council to have an invocation and recital of the Pledge of Allegiance prior to the beginning of the meeting. Members of the audience are invited to participate. However, members of the audience are not required to participate. The decision to participate is strictly a matter of personal choice and has no bearing on matters to be considered by the City Council and will not affect the decisions to be made during the meeting.

#### 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 had the opportunity to review each of 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 January 10, 2023 Regular Meeting.
- 2. Consider approval of the following bids:
  - a. Dump Trucks

Bid No. 0338-23

**Freightliner of Austin** 

\$281,386.00

This request is for the purchase of two replacement dump trucks to be utilized by the Water Department.

b. Pickup Trucks for Various Departments

Bid No. 0344-23

#### Caldwell Country Ford

#### \$491,575.00

This request is for the purchase of five replacement pickup trucks to be utilized by various departments.

c. Generators

Bid No. 0345-23

Generac Power Systems, Inc.

\$313,333.00

This request is for the purchase of two new generators to be utilized at City recreation centers in the event that the recreation center(s) are activated as temporary shelters.

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 22-63, Quiddity Engineering, LLC (District 1)

Consider an ordinance amending the Garland Development Code of the City of Garland, Texas, by approving 1) an amendment to Planned Development (PD) District 21-34 for Community Retail Uses; 2) a Specific Use Provision for a Restaurant, Drive-Through Use and 3) a Detail Plan for a Restaurant, Drive-Through on a 0.784-acre tract of land located at 5200 North Garland Avenue; 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, Texas; providing a Notice of Conditions of Compliance Clause; providing a Savings Clause and a Severability Clause; and providing an effective date.

#### b. Zoning File No. Z 22-64, Matt Moore (District 7)

Consider an ordinance amending the Garland Development Code of the City of Garland, Texas, by approving 1) a Specific Use Provision for a Restaurant, Drive-Through Use and 2) a Detail Plan for a Restaurant, Drive-Through Use on a 1.152-acre tract of land located at 4680 North Shiloh Road zoned Planned Development (PD) District 20-35 for Neighborhood Office Uses; 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, Texas; providing a Notice of Conditions of Compliance Cause; providing a Savings Clause and a Severability Clause; and providing an effective date. City Council Agenda January 17, 2023 Page 5

> 4. Consider an ordinance amending Chapters 10 and 50 of the Code of Ordinances of the City of Garland to (1) amend in part the Master Fee and Rate Schedule of Section 10.85(c) to include a deposit for the issuance of high velocity water meters for construction purposes and (2) remove the deposit amount enumerated in Section 50.34(c) of the Code of Ordinances and replace it with a reference and hyperlink to the Master Fee and Rate Schedule of Chapter 10; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Savings Clause and a Severability Clause; and providing an effective date.

> > At the December 5, 2022 Work Session, Council considered increasing the deposit amount from \$1,000 to \$2,000 for a high velocity water meter to cover the cost of replacing any damaged meters.

5. Consider an ordinance amending various sections of Article V, "Cross-Connection Control, Of Chapter 51, "General Utility Provisions," of the Code of Ordinances of the City of Garland, Texas; providing a Savings Clause; providing a penalty under the provisions of Section 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Severability Clause; and setting an effective date.

> At the December 5, 2022 Work Session, Council considered an ordinance amendment that would allow exceptions to the persons allowed to perform maintenance, repair or testing on fire protection systems as defined in Chapter 6003 of the Texas Insurance Code.

6. Consider an ordinance amending Chapter 33, "Transportation" of the Code of Ordinances of the City of Garland, Texas; providing a penalty clause, a savings clause, and a severability clause; and providing an effective date.

At the January 9, 2023 Work Session, Council considered an ordinance amendment to restrict parking at all times on Greenbelt Parkway between Duck Creek Drive and IH 30.

#### 7. Consider an ordinance amending Chapter 33, "Transportation" of the Code of Ordinances of the City of Garland, Texas; providing a penalty clause, a savings clause, and a severability clause; and providing an effective date.

At the January 9, 2023 Work Session, Council considered an ordinance amendment that would restrict parking at all times on both sides of Purdue Drive in between Walnut Street and Princeton Drive.

## 8. Approve by minute action the proposed Neighborhood Vitality Matching Grant Fall 2022 Applications.

At the January 9, 2023 Work Session, Council considered the approval of the Neighborhood Vitality Matching Grant Fall 2022 Applications.

9. Consider a resolution providing for the redemption of the outstanding City of Garland, Texas, Tax Notes, Series 2022; and resolving other matters incident and related to the redemption of such obligations.

*Council is requested to approve a resolution to call \$36,980,000 of the Tax Notes, Series 2022.* 

#### 10. Appointment of City Manager

Consider a resolution appointing Judson Rex the City Manager of the City of Garland, Texas and providing an effective date.

## 11. Approve by minute action the attached Interlocal Agreement, and authorize the City Manager to execute the Interlocal Agreement with DART.

On November 15, 2022, the DART Board approved an Interlocal Agreement (ILA) with DART Service Area Cities for public transportation improvements, which includes information about the City of Garland's obligations, project eligibility, and terms for accepting the money. DART has requested that this ILA be executed by January 31, 2023.

#### 12. Consider appointments to Boards and Commissions.

Board members are selected for two-year terms by the City Council in August. Terms are usually staggered whereby at least half of the membership has board experience. Board members are appointed based on qualifications.

#### Mayor Pro Tem Deborah Morris

• Tamara Aquino - Parks and Recreation Board

#### 13. 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.

#### 14. Adjourn.

All Regular Council meetings are broadcast live on CGTV, Time Warner Cable Channel 16, and Frontier 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 <u>www.garlandtx.gov</u>. 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 ITEM SUMMARY SHEET

City Council Regular Session Agenda Meeting Date: 01/17/2023 Item Title: January 10, 2023 Submitted By: Rene Dowl, City Secretary

Summary of Request/Problem Consider approval of the minutes of the January 10, 2023 Regular Meeting.

**Recommendation/Action Requested and Justification** 

Attachments

January 10, 2023 Minutes

1.





GARLAND

#### **MINUTES**

The City Council of the City of Garland convened in regular session at 7:00 p.m. on Tuesday, January 10, 2023, in the Council Chambers at the William E. Dollar Municipal Building, 200 North Fifth Street, Garland, Texas, with the following members present:

Present:Mayor Scott LeMayMayor Pro Tem Deborah MorrisDeputy Mayor Pro Tem Robert John SmithCouncil Member Jeff BassCouncil Member Ed MooreCouncil Member B.J. WilliamsCouncil Member Margaret LuchtCouncil Member Robert VeraCouncil Member Dylan HedrickStaff Present:City Manager Bryan BradfordDeputy City Manager Mitch BatesAssistant City Manager Judson RexCity Attorney Brian EnglandCity Secretary Eloyce René Dowl

#### LEGISLATIVE PRAYER AND PLEDGE OF ALLEGIANCE

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#### 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.

Crystal Lazo, Adoption Specialist, Animal Service, presented the Pet of the Month.

#### CONSENT AGENDA

All items under this section are recommended for approval by a single motion of Council, without discussion. Council has had the opportunity to review each of 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.

The motion was made by Council Member Bass to approve the Consent Agenda, seconded by Mayor Pro Tem Morris. Motion carried:

Vote: 9 ayes, 0 nays

1. APPROVED Consider approval of the minutes of the December 12, 2022 Regular Meeting. 2. Consider approval of the following bids: a. APPROVED **GP&L** Generation Plant Motor Bid No. 0063-23 Maintenance & Repair \$1,000,000.00 Brandon and Clark, Inc. This request is to provide maintenance and repair services for Olinger, Spencer and Hydro Plant motors on an as-needed basis. This approval is for a Term Agreement with four optional renewals. b. APPROVED TMPA Nevada to Shelby Tap 138kV Bid No. 0293-23 **Transmission Line Engineering Services Burns & McDonnell** \$269,200.00 **Optional Contingency** 40,400.00 TOTAL: \$309,600.00

This request is to obtain geotechnical, design, and civil engineering services to support the construction of the TMPA Shelby to Nevada Tap 138kV Transmission Line. An Optional Contingency is included for any additional services that may be required.

#### c. APPROVED **Term Contract for Thermoplastic** Bid No. 0204-23 Installation Linear Traffic Markings LLC \$343,635.00 This request is to provide thermoplastic pavement markings installation of various sizes throughout the city. This approval is for a Term Agreement with four optional renewals. d. APPROVED Bid No. 0088-23 **First Street Wastewater Mains** Replacement Trinity Miller Utility & Construction, LLC \$1,428,831.75 **Optional Contingency** 230,000.00 TOTAL: \$1,658,831.75 This request is to install approximately 5,690 linear feet of 8-inch wastewater mains including manholes and service laterals. An Optional Contingency is included for any additional work that may be required. e. APPROVED Bid No. 0127-23

#### GP&L Air Break & Disconnect Switches

#### **Hubbell Power Systems** \$500,000.00

This request is to provide air break and disconnect switches for use in GP&L and TMPA substations on an as-needed basis. This approval is for a Term Agreement with four optional renewals.

f. APPROVED Bid No. 0045-22 **Body Armor and Rifle Plates** Galls, LLC \$43,870.00

> This request is to approve a Change Order for the Body Armor and Rifle Plates Term Contract used by the Garland Police Department.

#### g. APPROVED Print and Mailing of the Garland City Press Bid No. 0392-19

#### **Midway Press**

\$17,471.66

This request is to approve a Change Order to the final renewal of the Garland City Press Term Contract due to increasing paper costs.

#### R & A Legacy Construction, LLC \$3,000,000.00

This request is for the 2022 Residential Concrete Repair Contract. This project consists of removing and replacing areas of failed concrete pavement and related repairs on various residential streets within the city of Garland. This approval is for a Term Agreement with four optional renewals.

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. APPROVED Zoning File No. Z 22-44, Golden Franchising Corporation (District 7)

**Ordinance No.** amending the Garland Development Code of the City of Garland, Texas, by approving a Specific Use Provision for a Restaurant, Drive-Through on a 0.415–acre tract of land located at 6102 North Jupiter Road; 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, Texas; providing a Notice of Conditions of Compliance Clause; providing a Savings Clause and a Severability Clause; and providing an effective date.

#### b. APPROVED Zoning File No. Z 22-51, Winkelmann & Associates, Inc. (District 4)

**Ordinance No.** amending the Garland Development Code of the City of Garland, Texas, by approving a Detail Plan for Multi-family / Mixed-use development on an approximate 10.37-acre tract of land zoned Planned Development (PD) District 22-25 and located at 6302 Greenbelt Parkway; 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, Texas; providing a Notice of Conditions of Compliance Clause; providing a Savings Clause and a Severability Clause; and providing an effective date.

#### c. APPROVED Zoning File No. Z 22-52, Hanan Salman (District 6)

**Ordinance No.** amending the Garland Development Code of the City of Garland, Texas, by approving 1) an amendment to Planned Development (PD) District 03-47 for Community Retail Uses and 2) a Detail Plan for a Contractor's Office/Warehouse (indoors only) Use on a 1.0276-acre tract of land located at 3065 Forest Lane; 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, Texas; providing a Notice of Conditions of Compliance Clause; providing a Savings Clause and a Severability Clause; and providing an effective date.

### 4. APPROVED Minute action approving the attached 2022 Council Rules of Order and Policies.

The City Council deliberated this item at the December 5, 2022, Work Session and requested that the attached version be placed on the Consent Agenda.

# 5. APPROVED Minute action approving the employment agreements, or amendments to existing employment agreements, with John Sholden (Municipal Court Judge), Natalie Banuelos (Associate Municipal Court Judge), Jedson Johnson (City Auditor), Bryan L. Bradford (City Manager Emeritus), Judson Rex (City Manager), and Brian England (City Attorney) consistent with the terms and conditions previously discussed and agreed upon in Executive Session of the Council Work Session.

Council approved by minute action the employment agreements, or amendments to existing employment agreements, with John Sholden (Municipal Court Judge), Natalie Banuelos (Associate Municipal Court Judge), Jedson Johnson (City Auditor), Bryan L. Bradford (City Manager Emeritus), Judson Rex (City Manager), and Brian England (City Attorney) consistent with the terms and conditions previously discussed and agreed upon in Executive Session of the Council Work Session.

## 6. APPROVED Minute action approving the request from the Police Department to allow the Mayor to execute an Amendment to the Memorandum of Understanding for Criminal Justice Information Sharing via Dallas County Prosecutor and an Amendment to the Memorandum of Understanding to participate in the Dallas County Juvenile Case Management System.

At the January 9, 2023 Work Session, Council considered a request from the Police Department to allow the Mayor to execute an Amendment to the Memorandum of Understanding for Criminal Justice Information Sharing via Dallas County Prosecutor and an Amendment to the Memorandum of Understanding to participate in the Dallas County Juvenile Case Management System.

## 7. APPROVED Resolution No. 10572 of the City Council of the City of Garland, Texas adopting the Federal Emergency Management (FEMA) approved and revised Hazard Mitigation Action Plan; and providing an effective date.

At the January 9, 2023, Work Session, Council considered adoption of the City of Garland updated and revised Hazard Mitigation Action Plan (HazMap) to meet the planning requirements set forth by the Texas Division of Emergency Management (TDEM) and the planning requirements set forth by the Federal Emergency Management Agency (FEMA).

## 8. APPROVED Resolution No. 10573 authorizing the submission of a grant application to the Office of the Governor of the State of Texas for certain public safety, law enforcement, and homeland security projects; and providing an effective date.

At the January 9, 2023, Work Session, Council considered a resolution that will assist the City with acquiring funding to help support public safety. The funding will be used to purchase resources to support the Garland Police Department Bomb Squad and SWAT Team, Garland Office of Emergency Management, and Garland Fire Department Swiftwater Search and Rescue Team.

#### 9. APPROVED Approve an Interlocal Agreement allowing the Garland Housing Agency to perform Housing Quality Standards (HQS) inspections on an as-needed basis for the Plano Housing Authority's public housing program units.

At the December 12, 2022, Work Session, Council considered an Interlocal Agreement allowing the Garland Housing Agency to perform Housing Quality Standards (HQS) inspections on an as-needed basis for the Plano Housing Authority's public housing program units.

#### 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.

10.

#### Hold public hearings on:

a. POSTPONED Consider a Zoning request by Claudia Rodriguez to allow a Guest House. The site is located at 2112 Brookhollow Drive in District 5. (The applicant requests postponement to the February 7, 2022 Regular City Council Meeting.)

Consideration of the application of Claudia Rodriguez, requesting approval of 1) a Change in Zoning from Single-Family-7 (SF-7) District to a Planned Development (PD) District for Single-Family-7 (SF-7) Uses and 2) approval of a Specific Use Provision for a Guest House. This property is located at 2112 Brookhollow Drive. (File Z 22-17, District 5)

The motion was made by Council Member Lucht to postpone the Zoning request (Item 10a) and Detail Plan (Item 10b) to the February 7, Regular Session, seconded by Council Member Vera. Motion carried:

Vote: 9 ayes, 0 nays

#### b. POSTPONED Consider a Detail Plan request by Claudia Rodriguez to allow a Guest House. The site is located at 2112 Brookhollow Drive in District 5. (The applicant requests postponement to the February 7, 2022 Regular City Council Meeting.)

Consideration of the application of Claudia Rodriguez, requesting approval of a Detail Plan for a Guest House. This property is located at 2112 Brookhollow Drive. (File Z 22-17, District 5)

## c. APPROVED Consider a Zoning request by Quiddity Engineering, LLC to allow a restaurant with a drive-through (Salad and Go). The site is located at 5200 North Garland Avenue in District 1.

Consideration of the application of Quiddity Engineering, LLC., requesting approval of 1) an Amendment to Planned Development (PD) District 21-34 for Community Retail Uses and 2) a Specific Use Provision for a Restaurant, Drive-Through Use. This property is located at 5200 North Garland Avenue. (File Z 22-63, District 1)

The staff report was presented William Guerin, Director of Planning. The speaker on this item was Aaron Hawkins, applicant.

The motion was made by Council Member Bass to approve the Zoning request (Item 10c) and the Detail Plan (Item 10d), seconded by Mayor Pro Tem Morris. Motion carried:

Vote: 9 ayes, 0 nays

## d. APPROVED Consider a Detail Plan request by Quiddity Engineering, LLC to allow a restaurant with a drive-through (Salad and Go). The site is located at 5200 North Garland Avenue in District 1.

Consideration of the application of Quiddity Engineering, LLC., requesting approval of a Detail Plan for a Restaurant, Drive-Through. This property is located at 5200 North Garland Avenue. (File Z 22-63, District 1)

## e. APPROVED Consider a Specific Use Provision request by Matt Moore to allow a coffee shop with a drive-through (Dutch Bros). The site is located at 4680 North Shiloh Road in District 7.

Consideration of the application of Matt Moore, requesting approval of a Specific Use Provision for a Restaurant, Drive-Through Use on a property zoned Planned Development (PD) District 20-35 for Neighborhood Office Uses. This property is located at 4680 North Shiloh Road. (File Z 22-64, District 7)

The staff report was presented by William Guerin, Director of Planning. The speaker on this item was Drew Donosky.

Council Member B. J. Williams presented a question to the applicant.

The motion was made by Council Member Hedrick to approve the Specific Use Provision (Item 10e) and Detail Plan (Item 10f), seconded by Deputy Mayor Pro Tem Smith. Motion carried:

Vote: 9 ayes, 0 nays

#### f. APPROVED Consider a Detail Plan request by Matt Moore to allow a coffee shop with a drive-through (Dutch Bros). The site is located at 4680 North Shiloh Road in District 7.

Consideration of the application of Matt Moore, requesting approval of a Detail Plan for a Restaurant, Drive-Through. This property is located at 4680 North Shiloh Road. (File Z 22-64, District 7)

#### 11. Consider appointments to Boards and Commissions.

Board members are selected for two-year terms by the City Council in August. Terms are usually staggered whereby at least half of the membership has board experience. Board members are appointed based on qualifications.

#### **Council Member Margaret Lucht**

• Paola Sanchez - Community Multicultural Commission

Council Member Lucht presented her nomination. A vote was cast with the following result:

Vote: 9 ayes, 0 nays

- **12. Citizen comments:** There were no speakers on this item.
- **13. Adjourn:** There being no further business to come before the City Council, Mayor LeMay adjourned the meeting at 7:24 p.m.

Submitted By:

Scott LeMay, Mayor

Eloyce René Dowl, City Secretary



#### GARLAND PURCHASING REPORT

City Council Regular Session AgendaMeeting Date:01/17/2023Item Title:Dump TrucksSubmitted By:Garth Sanich, Director of Fleet<br/>ServicesBid Number:0338-23

#### **Purchase Justification:**

This request is for the purchase of two (2) replacement dump trucks to be utilized by the Water Department.

#### **Evaluation:**

The dump trucks are available from Freightliner of Austin through the TIPS Purchasing Cooperative Contract 200206.

#### Award Recommendation:

	Vendor	ltem	Amount
Freightliner of Austin		All	\$281,386.00

TOTAL: \$281,386.00

Basis for Award:	Cooperative Purchase
Purchase Requisition #:	48572

	Fiscal Impact		
Total Project/Account:	\$601,114		
Expended/Encumbered to Date:	82,978		
Balance:	\$518,136		
This Item:	281,386		
Proposed Balance:	\$236,750		
Account #:	444-4032-9009		
Fund/Dept/Project – Description and Comments:			

2. a.

#### Equipment Replacement Fund / Water Department Replacement of Units #400-0504 and #400-0507 - \$140,693 / each

Attachments						
Bid Recap						
Fiscal Reference:						
Budget Type:	Operating Budget					
Fiscal Year:	2022-23					
Document Location:	Page 285					
Budget Director Approval:	Allyson Bell Steadman	Approval Date: 01/07/2023				
Purchasing Director Approva	al: Gary L. Holcomb	Approval Date: 01/05/2023				

CITY OF GARLAND - BID RECAP SHEET OPENED: N/A REQ. NO. PR 48572 BID NO. 0338-23 PAGE: 1 of 1 BUYER: Teresa Smith		Freightiner	of Austin								
I		U									
T E		N I									
М	QTY		DESCRIPTION		TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	2	ea.	2024 Freightliner M2-106 chassis, Warren 12-yard dump body,	\$140,693.00	\$281,386.00						
			Cummins L9 330HP engine, Allison								
			RDS automatic transmission								
TOTAL GROSS PRICE			\$281,386.00								
CASH DISCOUNT											
TOTAL NET PRICE			\$281,386.00								
F.O.B.		DELIV	ERED	DELIV	'ERED	DELIV	/ERED	DELIV	'ERED		
			DELIVERY								
N	NEXT LOW: n/a       n/a # lonWave Notifications         LOW: n/a       n/a # lonWave HUBS         SAVINGS: n/a       n/a # Direct Contact HUBS         n/a # HUBS Responded       n/a # HUBS Responded				n bid or as any ful bidder upon						



#### GARLAND PURCHASING REPORT

City Council Regular Session Agenda2Meeting Date:01/17/2023Item Title:Pickup Trucks for Various DepartmentsSubmitted By:Garth Sanich, Director of Fleet<br/>ServicesBid Number:0344-23

#### **Purchase Justification:**

This request is for the purchase of five (5) replacement pickup trucks to be utilized by various departments.

#### **Evaluation:**

The pickup trucks are available from Caldwell Country Ford through the BuyBoard Purchasing Cooperative Contract 601-19.

#### Award Recommendation:

	Vendor		ltem	Amount
Caldwell Country Ford			All	\$491,575.00
			TOTAL:	\$491,575.00
Basis for Award:	Cooperative Purchase			
Purchase Requisition #	: 48566			
	Fiscal Im	pact		
Total Project/Account:		\$1,570,349		
Expended/Encumbere	d to Date:	1,078,774		
Balance:		\$491,575		
This Item:	491,575			
Proposed Balance:		\$0		
Account #:		Various		
Fund/Dept/Project – De	escription and Commen	ts:		
-				

2. b.

Equipment Replacement Fund (ERF)	Account No.	Unit No.	Amount (\$)
ERF / Electric Misc. Distribution	444-3523-9009	350-1220	\$ 99,875
ERF / Water Distribution	444-4032-9009	400-1353	118,375
ERF / Water Metering Services	444-4033-9009	400-1355	118,375
ERF / Street Maintenance (\$77,275 / each)	444-4692-9009	469-1215 and 469-1217	154,550
ERF / Street Maintenance	444-4692-9009	BuyBoard Fee	400
Total			\$491,575

Attachments						
Bid Recap						
Fiscal Reference:						
Budget Type:	Operating Budget					
Fiscal Year:	2022-23					
Document Location:	Page 285					
Budget Director Approval:	Allyson Bell Steadman	Approval Date: 01/07/2023				
Purchasing Director Approv	al: Gary L. Holcomb	Approval Date: 01/05/2023				

CITY OF GARLAND - BID RECAP SHEET OPENED: N/A REQ. NO. PR 48566 BID NO. 0344-23 PAGE: 1 of 1 BUYER: Teresa Smith		Caldwell Co	untry Ford								
I T E M	QTY	U N I T	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	1	ea.	2023 Ford F-450, Crew cab,	\$99,875.00	\$99,875.00	`					
			DRW, 4x4, 60 CA, white exterior								
2	2	ea.	2023 Ford, F-450, Super cab, DRW, 4x2, 60 CA, white exterior	\$118,375.00	\$236,750.00						
3	2	ea.	2023 Ford F-350, Crew cab, DRW, 4x2, 60 CA, white exterior	\$77,275.00	\$154,550.00						
4	1	ea.	BuyBoard Fee	\$400.00	\$400.00						
			TOTAL GROSS PRICE	\$491,575.00		<u> </u>		1		<u> </u>	
CASH DISCOUNT		¢.0.,070.00			1						
			\$491,575.00								
		DELIVE	ERED	DELIV	ERED	DELIV	'ERED	DELIV	'ERED		
DELIVERY         NEXT LOW: n/a       n/a # lonWave Notifications         LOW: n/a       n/a # lonWave HUBS         SAVINGS: n/a       n/a # Direct Contact HUBS         n/a # HUBS Responded       n/a # HUBS Responded			n bid or as any ful bidder upon								



#### GARLAND PURCHASING REPORT

City Council Regular Session AgendaMeeting Date:01/17/2023Item Title:GeneratorsSubmitted By:Garth Sanich, Director of Fleet<br/>ServicesBid Number:0345-23

#### **Purchase Justification:**

This request is for the purchase of two (2) new generators to be utilized at City recreation centers in the event that the recreation center(s) are activated as temporary shelters.

#### **Evaluation:**

The generators are available from Generac Power Systems, Inc., through the Sourcewell Cooperative Purchasing Contract 041719-GEN.

#### Award Recommendation:

Vendor	ltem	Amount
Generac Power Systems, Inc.	All	\$313,333.00

TOTAL: \$313,333.00

Basis for Award:	<b>Cooperative Purchase</b>
Purchase Requisition #:	48590

	Fiscal Impact			
Total Project/Account:	\$650,000 *			
Expended/Encumbered to Dat	<b>e:</b> 0			
Balance:	\$650,000			
This Item:	313,333			
Proposed Balance:	\$336,667			
Account #:	100-7777-9007			
Fund/Dept/Project – Description and Comments:				

2. c.

#### General Fund / Non-Departmental Two Mobile Electric Generators (455kW) for \$313,333 - \$156,666/each

\* The purchase of two (2) mobile electric generators was funded in the FY 2021-22 Operating Budget. The upcoming FY 2022-23 Operating Budget Amendment will include the re-appropriation of the budget for the purchase of mobile electric generators and installation of retrofitted electrical hook-ups at various recreation centers. The funding for this project was not spent prior to the end of FY 2021-22. A Budget Amendment is required due to the timing of the expenditures only. There is no additional financial impact.

	Attachments	
Bid Recap		
Fiscal Reference:		
Budget Type:	Operating Budget	
Fiscal Year:	2022-23	
Document Location:	Page 44	
Budget Director Approval:	Allyson Bell Steadman	Approval Date: 01/07/2023
Purchasing Director Approva	al: Gary L. Holcomb	Approval Date: 01/05/2023

OPE REQ BID PAG	NED: . NO. NO. E:	N/A PR 4 0345 1 of	5-23	Generac Pow Inc	ver Systems, c.						
I T		U N									
E M	QTY	l T	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	1	ea.	New Generac Mobile diesel	\$107,765.00	\$107,765.00						
			engine-driven generator set,								
			MDG250DF-4, trailered unit,								
			25 OKVA rating, 60 Hz								
				<b>1</b> 005 500 00	<b>*</b> 225 522 22						
2	1	ea.	New Generac Mobile diesel	\$205,568.00	\$205,568.00						
			engine-driven generator set, MDE570, trailered unit, 570 KVA,								
			rating, Prime Duty Rating								
		-									
			TOTAL GROSS PRICE		\$313,333.00						
					<b>\$</b> 040,000,00						
			TOTAL NET PRICE		\$313,333.00						
			F.O.B.	DELIV	ERED	DELIN	/ERED	DELIV	'ERED	DELIV	ERED
L			DELIVERY								
N	IEXT L L SAVII	LOW:	n/a	n/a :	# IonWave Notifica # IonWave HUBS # Direct Contact H # HUBS Responde	itions bid on this indication UBS <u>award of t</u>	s sheet should not l that the city accep	signated project are be construed as a c ts such bid as respo ccording to the law,	omment on the responsive. <u>The City wil</u>	oonsiveness of such I notify the success	n bid or as any ful bidder upon



#### GARLAND CITY COUNCIL ITEM SUMMARY SHEET

## City Council Regular Session AgendaMeeting Date:01/17/2023Item Title:Z 22-63 Quiddity Engineering, LLC (District 1)Submitted By:Will Guerin, Planning Director

#### Summary of Request/Problem

Zoning Ordinance Z 22-63 Quiddity Engineering, LLC

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

Consider adoption of the attached ordinance.

#### Attachments

Z 22-63 Ordinance Z 22-63 Exhibit A Z 22-63 Exhibit B Z 22-63 Exhibits C-E 3. a.

#### ORDINANCE NO.

AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING 1) AN AMENDMENT TO PLANNED DEVELOPMENT (PD) DISTRICT 21-34 FOR COMMUNITY RETAIL USES; 2) A SPECIFIC USE PROVISION FOR A RESTAURANT, DRIVE-THROUGH USE AND 3) A DETAIL PLAN FOR A RESTAURANT, DRIVE-THROUGH ON A 0.784-ACRE TRACT OF LAND LOCATED AT 5200 NORTH GARLAND AVENUE ; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF CITY OF GARLAND, TEXAS; PROVIDING A NOTICE THE OF CONDITIONS OF COMPLIANCE CLAUSE; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on the 12th day of December, 2022, the Plan Commission did consider and make recommendations on a certain request for 1) an Amendment to Planned Development (PD) District 21-34 for Community Retail Uses; 2) a Specific Use Provision for a Restaurant, Drive-Through Use and 3) a Detail Plan for a Restaurant, Drive-Through by Quiddity Engineering, LLC.; 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

The Garland Development Code is hereby amended by approving 1) an Amendment to Planned Development (PD) District 21-34 for Community Retail Uses; 2) a Specific Use Provision for a Restaurant, Drive-Through Use and 3) a Detail Plan for a Restaurant, Drive-Through on a 0.784-acre tract of land located at 5200 North Garland Avenue and being more particularly described in Exhibit A, attached hereto and made a part hereof.

#### Section 2

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

#### Section 3

That a 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 4

NOTICE OF CONDITIONS OF COMPLIANCE: Notwithstanding the provisions of any other ordinance of the City, the full, continuing compliance with all complete, and the conditions, restrictions, and regulations of this Ordinance is a condition to the issuance and continuation of any permit, approval, authorization or consent by the City, including without limitation the issuance or continuation any certificate of occupancy for any building or of structure located on any portion of the property described in Exhibit A. All promises, representations, obligations and undertakings made or assumed by the applicant to the City Council at any public presentation in connection with the granting of this Ordinance are hereby incorporated into and made a part of this Ordinance as if expressly set forth herein at length. No substantial deviation from any material portion of the conditions, restrictions, and regulations contained within this Ordinance are allowed except as may be provided by the City Council after a public hearing.

#### Section 5

That the Garland Development Code, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

#### Section 6

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

#### Section 7

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

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

THE CITY OF GARLAND, TEXAS

By:

Mayor

ATTEST:

City Secretary

Published:

#### EXHIBIT A

#### LEGAL DESCRIPTION

#### Zoning File Z 22-63

BEING a 0.784-ACRE tract of land situated in the Onofre Alvarado Survey, A-2, Dallas County, Texas, being a portion of a Lot 2R, Block 1, TBCW Addition, Replat of Lot 2, Block 1, a subdivision plat of record in Instrument #201300236141, Dallas County Plat Records (DCPR), said 0.784 acre being more particularly described by metes and bounds as follows, basing bearings on the Texas Coordinate System of 1983, (NAD 83) North Central Zone, to wit:

BEGINNING at a cut "X" in concrete set for northeast corner, lying in the common line of said Lot 2R and south right of way (R-O-W) line of N Garland Avenue, from which a cut "X" in concrete found for a northeast corner of Lot 2R bears: N44°27'58"E, 492.18 feet;

THENCE departing N Garland Avenue, S45°25'03"E, 161.08 feet crossing said Lot 2R to a cut "X" in concrete set for southeast corner;

THENCE S44°34'57"W, 211.09 feet continuing across said tract to a cut "X" in concrete set for southwest corner;

THENCE N45°23'56"W, 162.08 feet continuing across said tract to a cut "X" in concrete set for northwest corner,

#### **EXHIBIT A**

lying in the common line of said Lot 2R and N Garland Avenue;

THENCE N44°34'57"E, 158.22 feet along the common line of said Lot 2R and N Garland Avenue to a cut "X" in concrete set;

THENCE S45°25'03"E, 1.00 feet continuing along said common line to a cut "X" in concrete set;

THENCE N44°34'57"E, 52.82 feet continuing along said common line to the PLACE OF BEGINNING, containing 0.784 acre, more or less.

#### PLANNED DEVELOPMENT CONDITIONS

#### ZONING FILE Z 22-63

#### 5200 North Garland Avenue

- I. Statement of Purpose: The purpose of this Planned Development (PD) is to allow and regulate the development of Restaurant, Drive-Through land use.
- II. Statement of Effect: This Planned Development (PD) 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 Community Retail (CR) District and Site Development Standards as set forth in Chapter 2 and 4 of the Garland Development Code, Ordinance 6773, are included by reference and shall apply, except as otherwise specified by this ordinance.

#### IV. Development Plans:

A. <u>Detail Plan:</u> Development is to be in conformance with the approved Detail Plan labeled Exhibit C. In the event of conflict between the conditions and Detail Plan, the conditions listed below are to apply.

#### V. Detail Plan:

- A. <u>Site Layout:</u> The site shall be in conformance to the site layout reflected on Exhibit C.
- B. <u>Screening and Landscaping</u>: Screening and landscaping shall be in conformance to the layout reflected on Exhibit D.
- C. <u>Building Elevations</u>: Building elevations shall be in conformance to the elevations as approved on Exhibit E.

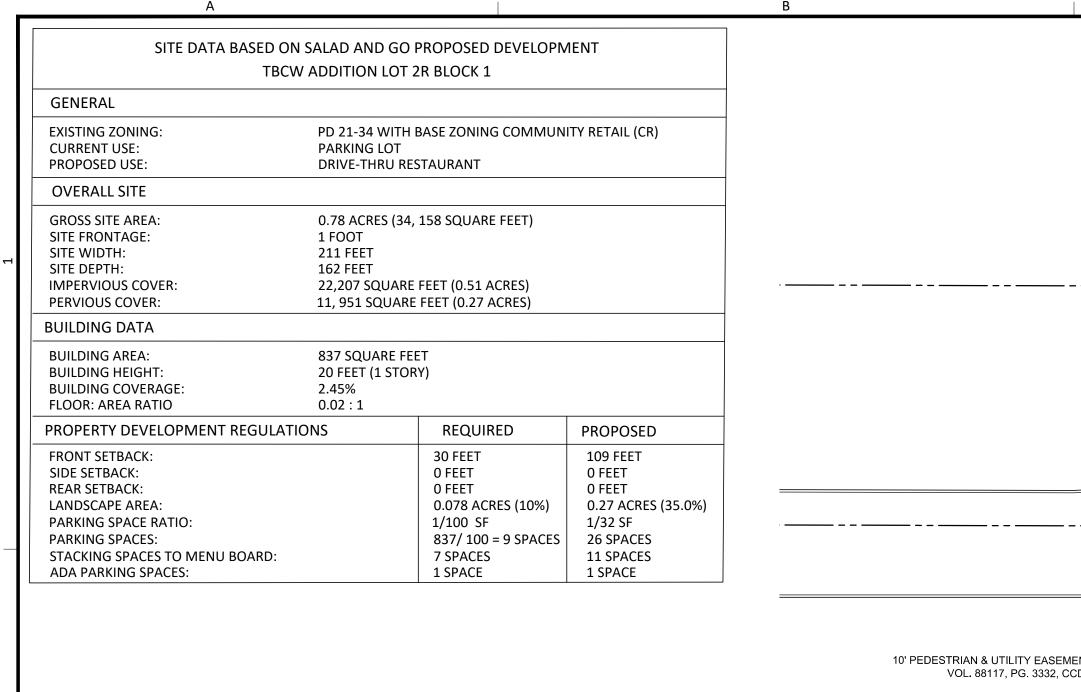
#### SPECIFIC USE PROVISION CONDITIONS

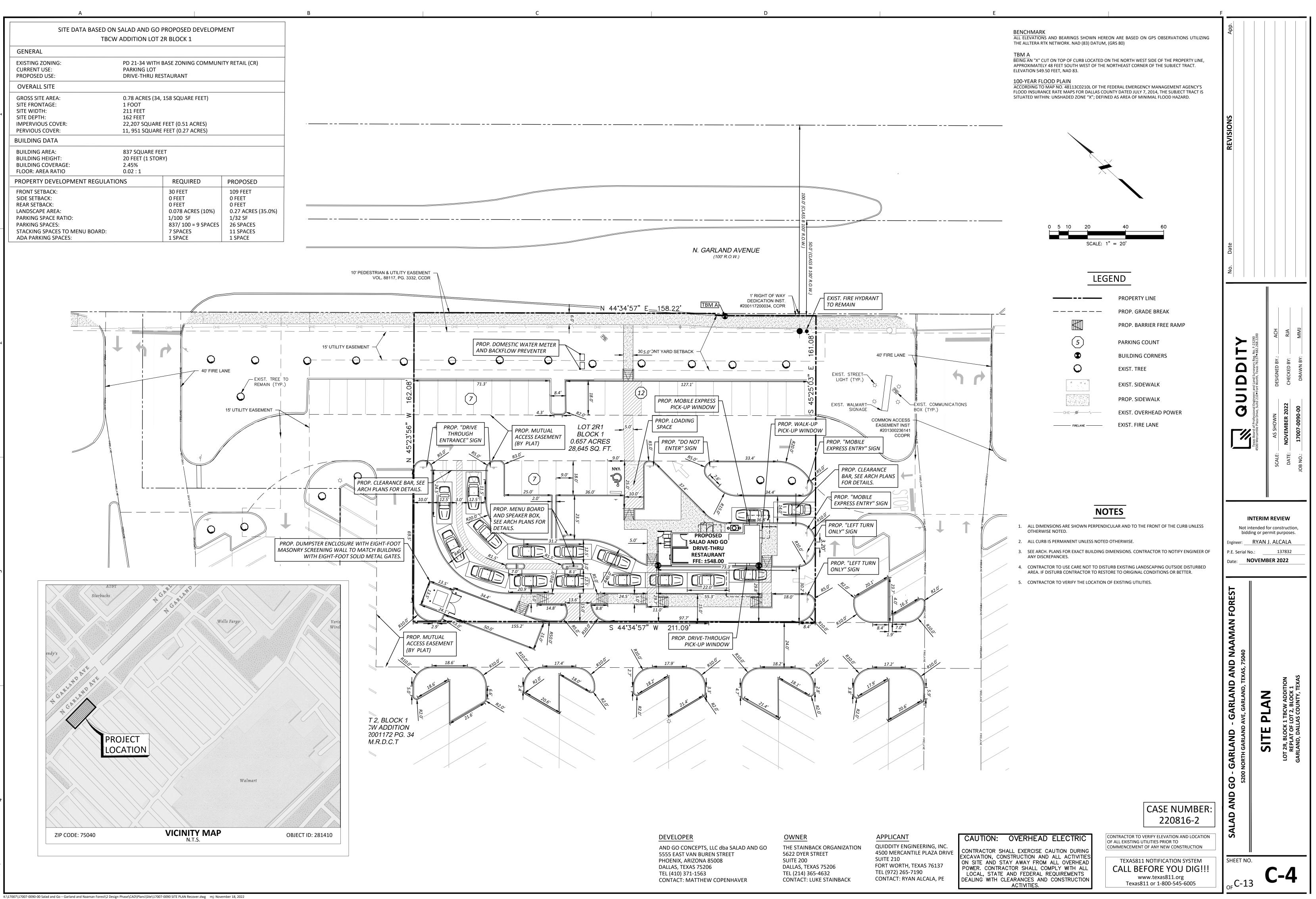
#### ZONING FILE Z 22-63

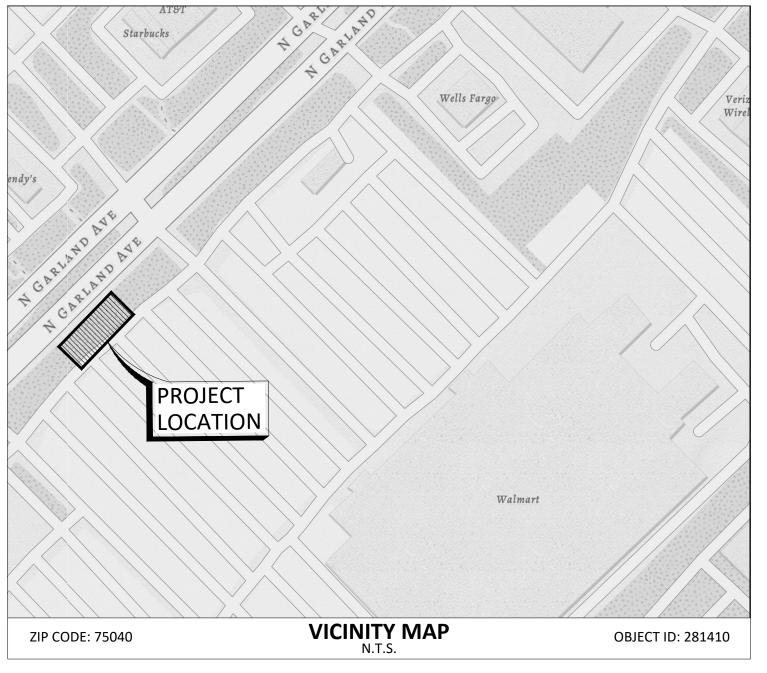
#### 5200 North Garland Avenue

- I. Statement of Purpose: The purpose of this Specific Use Provision is to allow a Restaurant, Drive-Through.
- II. Statement of Effect: This Specific Use Provision 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 Community Retail (CR) District as set forth in Chapter 2 of the Garland Development Code Ordinance 6773, are included by reference and shall apply, except as otherwise specified by this ordinance.
  - IV. Specific Regulations:

<u>Time Period</u>: The Specific Use Provision shall be a valid for time period of twenty-five (25) years.

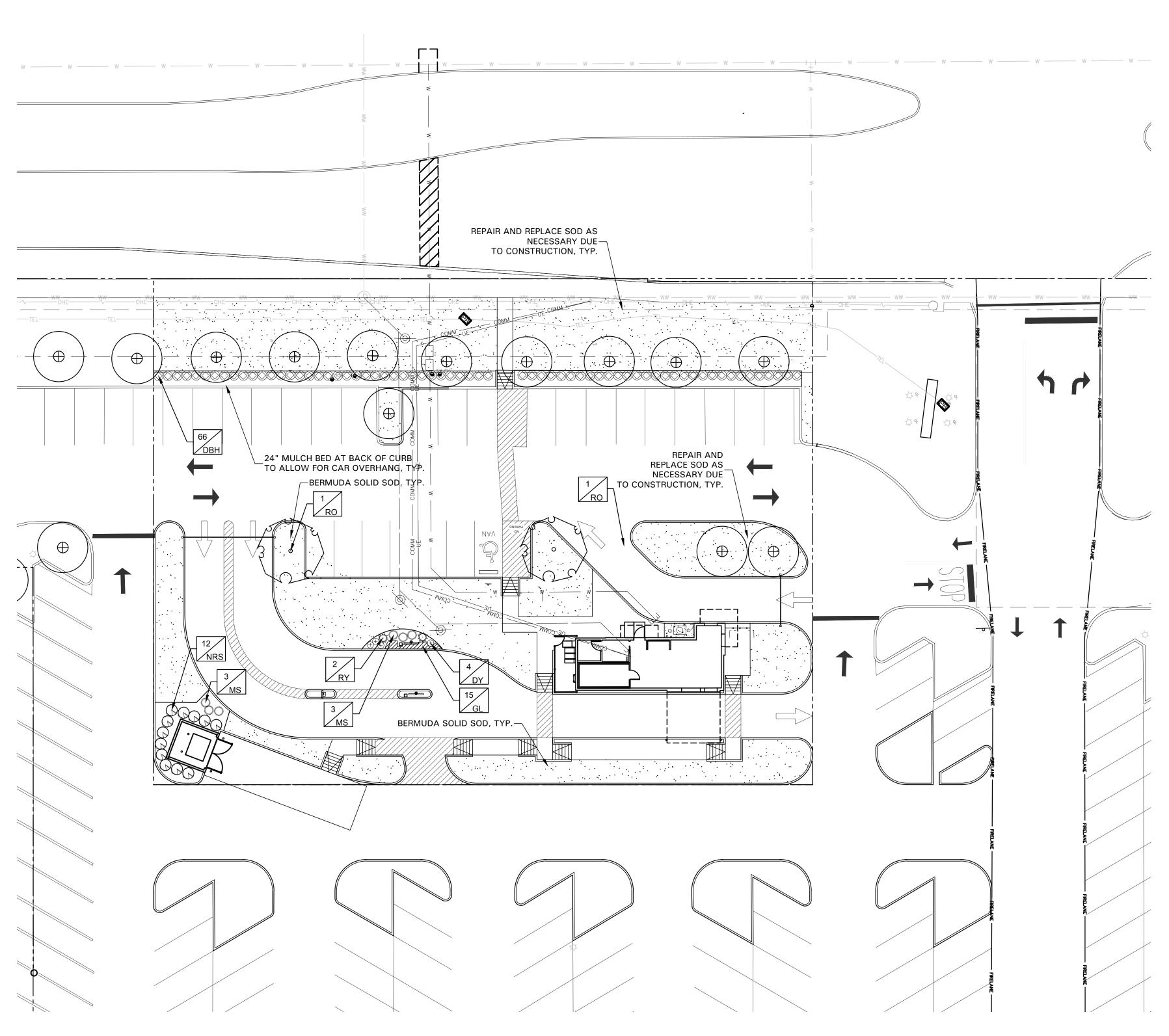




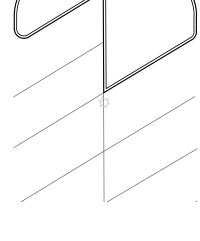


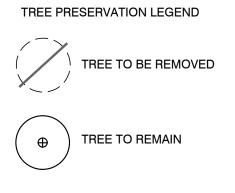
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EXISTING	G TREE				
NO.	CALIPER	TREE SPECIES	REMAIN/REMOVE	PROTECTED?	NOTES
1	10	RED OAK	TO REMAIN		
2	10	RED OAK	TO REMAIN		
3	10	RED OAK	TO REMAIN		
4	12	RED OAK	TO REMAIN		
5	10	RED OAK	TO REMAIN		
6	12	RED OAK	TO REMAIN		
7	6	RED OAK	TO REMAIN		
8	10	RED OAK	TO REMAIN		
9	6	ELM	TO REMAIN		
10	7	ELM	TO REMAIN		
11	6	ELM	TO BE REMOVED	Y - Mitigation = 1 tree	
12	6	ELM	TO BE REMOVED	Y - Mitigation = 1 tree	
13	6	ELM	TO BE REMOVED	Y - Mitigation = 1 tree	
14	6	ELM	TO BE REMOVED	Y - Mitigation = 1 tree	
<mark>1</mark> 5	6	ELM	TO BE REMOVED	Y - Mitigation = 1 tree	
<mark>1</mark> 6	6	ELM	TO BE REMOVED	Y - Mitigation = 1 tree	
17	10	ELM	TO REMAIN		





TREE PRESERVATION FENCING

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GENI	ERAL LAWN NOTES
1.	CONTRACTOR SHALL COORDINATE OPERATIONS AND AVAILABILITY OF EXISTING TOPSOIL WITH ON-SITE CONSTRUCTION MANAGER
2.	LAWN AREAS SHALL BE LEFT 1" BELOW FINAL FINISHED GRADE PRIOR TO TOPSOIL INSTALLATION.
3.	CONTRACTOR TO FIND GRADE AREAS TO ACHIEVE FINAL CONTOURS AS SHOWN ON CIVIL DRAWINGS. POSITIVE DRAINAGE SHALL BE PROVIDED AWAY FROM ALL BUILDINGS. ROUNDING AT TOP AND BOTTOM OF SLOPES SHALL BE PROVIDED AND IN OTHER BREAKS IN GRADE. CORRECT AREAS WHERE STANDING WATER MAY OCCUR.
4.	ALL LAWN AREAS SHALL BE FINE GRADED, IRRIGATION TRENCHES COMPLETELY SETTLED AND FINISH GRADE APPROVED BY THE OWNER' CONSTRUCTION MANAGER OR LANDSCAPE ARCHITECT PRIOR TO LAWI INSTALLATION.
5.	CONTRACTOR SHALL REMOVE ALL ROCKS 3/4" IN DIAMETER AND LARGER. REMOVE ALL DIRT CLODS, STICKS, CONCRETE SPOILS, TRASH ETC PRIOR TO PLACING TOPSOIL AND GRASS INSTALLATION.
6.	CONTRACTOR SHALL MAINTAIN ALL LAWN AREAS UNTIL FINAL ACCEPTANCE.
7.	CONTRACTOR SHALL GUARANTEE ESTABLISHMENT OF ACCEPTABLE TURF AREA AND SHALL PROVIDE REPLACEMENT IF NECESSARY.
1.	MINIMUM. THIS SHALL INCLUDE CURBS, WALKS, INLETS, MANHOLES AND PLANTING BED AREAS. SOD SHALL COVER OTHER AREAS COMPLETELY AS INDICATED BY PLAN.
2.	SOD SHALL BE STRONGLY ROOTED DROUGHT RESISTANT SOD, NOT LESS THAN 2 YEARS OLD, FREE OF WEEDS AND UNDESIRABLE NATIVE GRASS AND MACHINE CUT TO PAD THICKNESS OF 3/4" (+1/4"), EXCLUDING TOP GROWTH AND THATCH.
3.	LAY SOD BY HAND TO COVER INDICATED AREAS COMPLETELY, ENSURING EDGES ARE TOUCHING WITH TIGHTLY FITTING JOINTS, NO OVERLAPS WITH STAGGERED STRIPS TO OFFSET JOINTS.
4.	TOP DRESS JOINTS IN SOD BY HAND WITH TOPSOIL TO FILL VOIDS IF NECESSARY
5. 6.	SOD SHALL BE ROLLED TO CREATE A SMOOTH EVEN SURFACE. SOD SHOULD BE WATERED THOROUGHLY DURING INSTALLATION PROCESS SHOULD INSTALLATION OCCUR BETWEEN OCTOBER 1ST AND MARCH 1ST. OVERSEED BERMUDAGRASS SOD WITH WINTER RYEGRASS AT A
	RATE OF 4 POUNDS PER 1000 S.F.
<u>HYDF</u>	ROMULCH:
1.	SCARIFY AND LOOSEN ALL AREAS TO BE HYDROMULCHED TO A MINIMUM DEPTH OF 4" PRIOR TO TOPSOIL AND HYDROMULCH INSTALLATION.
2.	BERMUDA GRASS SEED SHALL BE EXTRA HULLED, TREATED LAWN TYPE. SEED SHALL BE DELIVERED TO THE SITE IN ITS ORIGINAL UNOPENED CONTAINER AND SHALL MEET ALL STATE/LOCAL LAW REQUIREMENTS.
3.	FIBER SHALL BE 100% WOOD CELLULOSE FIVER, DELIVERED TO THE SITE IN ITS ORIGINAL UNOPENED CONTAINER AS MANUFACTURED BY "CONWEB' OR EQUAL.
4.	FIBER TACK SHALL BE DELIVERED TO THE SITE IN ITS UNOPENED CONTAINER AND SHALL BE 'TERRO-TACK ONE', AS MANUFACTURED BY GROWERS, INC OR APPROVED EQUAL.
5.	HYDROMULCH WITH BERMUDA GRASS SEET AT A RATE OF 2 POUND PER 1000 S.F.
6.	USE A BATTER BOARD AGAINST ALL BED AREAS TO PREVENT OVER SPRAY.
7.	IF INADEQUATE MOISTURE IS PRESENT IN SOIL, APPLY WATER AS NECESSARY FOR OPTIMUM MOISTURE FOR SEED APPLICATION.
8.	IF INSTALLATION OCCURS BETWEEN SEPTEMBER 1ST AND MAY 1ST, ALL HYDORMULCH AREAS SHALL BE OVER-SEEDED WITH WINTER RYE GRASS AT A RATE OF FOUR POUNDS PER ONE THOUSAND SQUARE FEET. CONTRACTOR SHALL BE REQUIRED TO RE-HYDROMULCH WITH BERMUDA GRASS THE FOLLOWING
9.	GROWING SEASON AS PART OF THIS CONTRACT. AFTER APPLICATION, NO EQUIPMENT SHALL OPERATE OVER APPLIED AREAS. WATER SEEDED AREAS IMMEDIATELY AFTER
10.	INSTALLATION TO SATURATION. ALL LAWN AREAS TO BE HYDROMULCHED SHALL ACHIEVE 100% COVERAGE PRIOR TO FINAL ACCEPTANCE.

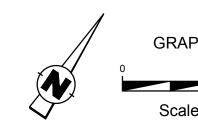
	PLA	NT SCH	IEDULE			
¥,	QTY	LABEL	COMMON NAME	SCIENTIFIC NAME	SIZE	NOTES
η			SHADE TREES			
·	- 2	RO	Texas Red Oak	Quercus buckleyi	3" cal.	12' ht., 5' spread
S			SHRUBS			
	- 66	DBH	Dwarf Burford Holly	llex cornuta ' Burford Nana'	5 gal.	full, 20" spread, 36" o.c.
, ······	— 4	DY	Dwarf Yaupon Holly	llex vomitoria 'Condeaux'	5 gal.	full, 24" sprd, 24" o.c.
	- 6	MS	Morning Light Miscanthus	Miscanthus sinensis 'Morning Light'	5 gal.	full, 20" spread, 36" o.c.
	- 12	NRS	Nellie R Stevens Holly	Illex x 'Nellie R. Stevens'	7 gal.	full, 42" o.c.
A A A A A A A A A A A A A A A A A A A	- 2	RY	Red Yucca	Hesperaloe parvifolia	5 gal.	full, 24" sprd, 30" o.c.
777			GROUNDCOVER/VINES/G	GRASS		
////	- 15	GL	Giant Lirope	Liriope gigantea	1 gal.	full, 18" o.c.
			<ul> <li>Bermuda Solid Sod</li> </ul>	Cynodon dactylon		
			<ul> <li>Decomposed Granite</li> </ul>			

Plant list is an aid to bidders only. Contractor shall verify all quantities on plan. All heights and spreads are minimums. Trees shall have a strong central leader and be of matching specimens. All plant material shall meet or exceed remarks as indicated.

PUBLIC RIGHT OF WAY, EASEMENTS AND COMMON AREAS MUST BE STABILIZED WITH PERENNIAL VEGETATION COVER, FULLY ESTABLISHED WITH 100% COVERAGE, OR OTHER APPROVED STABILIZATION

METHOD.

NO LANDSCAPING SUCH AS TREES, HEDGES, ABOVE AND UNDERGROUND STRUCTURES SHALL BE LOCATED WITHIN EXISTING OR PROPOSED UTILITY EASEMENTS AND RIGHT OF WAY WITHOUT APPROVED CITY'S REAL PROPERTY IMPROVEMENT AUTHORIZATION FORM OR CITY'S LICENSE AGREEMENT.



#### AND AVAILABILITY OF I MANAGER ISHED GRADE PRIOR

#### E FINAL CONTOURS AGE SHALL BE G AT TOP AND

OTHER BREAKS IN TER MAY OCCUR. ATION TRENCHES OVED BY THE OWNER'S ITECT PRIOR TO LAWN

DIAMETER AND CRETE SPOILS, TRASH TALLATION. UNTIL FINAL

S MANUFACTURED BY E IN ITS UNOPENED , AS MANUFACTURED

A RATE OF 2 POUNDS

LANDSCAPE NOTES 1. CONTRACTOR TO VERIFY AND LOCATE ALL PROPOSED AND EXISTING ELEMENTS. NOTIFY LANDSCAPE ARCHITECT OR DESIGNATED REPRESENTATIVE FOR ANY LAYOUT DISCREPANCIES OR ANY CONDITION

- THAT WOULD PROHIBIT THE INSTALLATION AS SHOWN. SURVEY DATA OF EXISTING CONDITIONS WAS SUPPLIED BY OTHERS 2. CONTRACTOR SHALL CALL 811 TO VERIFY AND LOCATE ANY AND ALL UTILITIES ON SITE PRIOR TO COMMENCING WORK. LANDSCAPE ARCHITECT SHOULD BE NOTIFIED OF ANY CONFLICTS. CONTRACTOR TO EXERCISE EXTREME CAUTION WHEN WORKING NEAR UNDERGROUND
- UTILITIES. 3. A MINIMUM OF 2% SLOPE SHALL BE PROVIDED AWAY FROM ALL STRUCTURES. 4. CONTRACTOR SHALL FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS
- AS INDICATED. LEAVE AREAS TO RECEIVE TOPSOIL 3" BELOW FINAL FINISHED GRADE IN PLANTING AREAS AND 1" BELOW FINAL FINISHED GRADE IN LAWN AREAS. 5. LANDSCAPE ISLANDS SHALL BE CROWNED, AND UNIFORM THROUGHOUT
- THE SITE. 6. PLANTING AREAS AND SOD TO BE SEPARATED BY STEEL EDGING. NO STEEL EDGING SHALL BE INSTALLED ADJACENT TO BUILDINGS, WALKS OR CURBS. EDGING NOT TO BE MORE THAN 1/2" ABOVE FINISHED GRADE. EDGING SHALL BE CUT AT 45 DEGREE ANGLE WHERE IT INTERSECTS
- WALKS AND/OR CURBS. 8. MULCH SHALL BE INSTALLED AT 1/2" BELOW THE TOPS OF SIDEWALKS AND CURBING. 9. QUANTITIES ON THESE PLANS ARE FOR REFERENCE ONLY. THE SPACING
- OF PLANTS SHOULD BE AS INDICATED ON PLANS OR OTHERWISE NOTED. ALL TREES AND SHRUBS SHALL BE PLANTED PER DETAILS. 10. CONTAINER GROWN PLANT MATERIAL IS PREFERRED HOWEVER BALL AND BURLAP PLANT MATERIAL CAN BE SUBSTITUTED IF NEED BE AND IS APPROPRIATE TO THE SIZE AND QUALITY INDICATED ON THE PLANT
- MATERIAL LIST. 11. TREES SHALL BE PLANTED AT A MINIMUM OF 5' FROM ANY UTILITY LINE, SIDEWALK OR CURB. TREES SHALL ALSO BE 10' CLEAR FROM FIRE HYDRANTS.
- 12. 4" OF SHREDDED HARDWOOD MULCH (2" SETTLED THICKNESS) SHALL BE PLACED OVER WEED BARRIER FABRIC. MULCH SHALL BE SHREDDED HARDWOOD MULCH OR APPROVED EQUAL, PINE STRAW MULCH IS PROHIBITED.
- 13. WEED BARRIER FABRIC SHALL BE USED IN PLANT BEDS AND AROUND ALL TREES AND SHALL BE MIRAFI 1405 WEED BARRIER OR APPROVED EQUAL. 14. CONTRACTOR TO PROVIDE UNIT PRICING OF LANDSCAPE MATERIALS AND BE RESPONSIBLE FOR OBTAINING ALL LANDSCAPE AND IRRIGATION PERMITS.

IRRIGATION:

- 1. ALL REQUIRED LANDSCAPE AREAS SHALL HAVE AN AUTOMATIC IRRIGATION SYSTEM WITH A FREEZE/RAIN SENSOR. SYSTEM SHALL ALSO HAVE AN ET WEATHER BASED CONTROLLER AND BE DESIGNED AND INSTALLED BY A LICENSED IRRIGATOR.
- MAINTENANCE REQUIREMENTS: 1. VEGETATION SHOULD BE INSPECTED REGULARLY TO ENSURE THAT PLANT MATERIAL IS ESTABLISHING PROPERLY AND REMAINS IN A HEALTHY GROWING CONDITION APPROPRIATE FOR THE SEASON. IF DAMAGED OR REMOVED, PLANTS MUST BE REPLACED BY A SIMILAR VARIETY AND SIZE.
- 2. MOWING, TRIMMING, EDGING AND SUPERVISION OF WATER APPLICATIONS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR UNTIL THE OWNER OR OWNER'S REPRESENTATIVE ACCEPTS AND ASSUMES REGULAR MAINTENANCE. 3. ALL LANDSCAPE AREAS SHOULD BE CLEANED AND KEPT FREE OF
- TRASH, DEBRIS, WEEDS AND OTHER MATERIAL.

MISCELLANEOUS MATERIALS: 1. STEEL EDGING SHALL BE 3/16" X 4 X 16' DARK GREEN DURAEDGE STEEL LANDSCAPE EDGING UNLESS NOTED OTHERWISE ON PLANS/DETAILS.

SITE AREA	34,215 s.f.
	SCREENING
1. A minimum of 10% of the	lot shall be landscaped.
	scape buffer shall be provided adjacent to
	shall be maintained as permanent green
space.	
3. For every 30 l.f. one large	
	landscape buffer shall be grass
REQUIRED	PROVIDED
3422 s.f. (10%)	11825 s.f. (34%)
10' buffer	10' buffer
N. Garland Ave = 211 I.f.	
7 trees, 3" cal.	8 existing trees
P	ARKING AREA
	otal parking area shall be landscaped.
2. One large tree shall be pr	ovided for each 10 parking spaces. No
parking space shall be furth	er than 65 from a tree.
3. Parking areas shall be sc	reened from public streets.
Parking Spaces = 28	
REQUIRED	PROVIDED
514 s.f. (5%)	1537 s.f.
3 trees, 3" cal.	3 existing trees in islands, 2
	proposed trees
screening	screening

LANDSCAPE TABULATIONS for Garland, Texas

### CASE #: 220816-2



AWR Designs, LLC P.O. Box 1746 Aledo, Texas 76008 amanda@awr-designs.com c. 512.517.5589

OF

						F
OF	In the second second second - garland and naaman forest		ľ	No. Date	REVISIONS	App.
		A REGSTRA				
L		P MANO	Texas Board of Professional Engineers and Land Surveyors Reg. No. F-23290 4500 Mercantile Plaza Drive, Suite 210• Fort Worth, Texas 76137• 682.268.2200			
1.		27 27				
02						
)		Charles Strenger II				
		Anomited + Stand	DATE: OCTOBER 2022 CHECKED BY: RJA			
			JOB NO.: <b>17007-00-00</b> DRAWN BY: AHG			
	-					

GRAPHIC SCALE Scale 1"=20' - 0





- WORK COVERED BY THESE SECTIONS INCLUDES: FURNSH ALL SUPPRYSIONS, LABOR, MATERILLS, SERVICES, EOUIPMENT AND APPLIANCES REQUIRED TO COMPLETE THE WORK COVERED IN CONLINCTION WITH THE LANDSCAPING COVERED IN LANDSCAPE PLANS AND SPECIFICATIONS INCLUDING:

- PLANTING (TREES, SHRUBS, GRASSES)
- BED PREP AND FE
- NOTIFICATION OF SOLIDCES
- WATER AND MAINTENANCE UNTIL ACCEPTANCE GUARANTEE

SECTION 32 9300 - LANDSCAPE

PART 1 - GENERAL

1.7 SEQUENCING

MAINTENANCE

1.8 MAINTENANCE AND GUARANTEE

- 5. GUARANTEE S. GUARANTEE LAWR, CODES AND RESOLUTIONS IRCUIRED IN AUTHORITIES HAVING LAWR, CODES AND RESOLUTIONS IRCUIRED IN AUTHORITIES IN PRIMIT'S REQUERTS OF FEDERAL STATE AND LOCAL AUTHORITIES IN SUPKY, TANASIPORTAZIONA NO INSTILLATION OF MALE AND RESOLUTION IN EL LANDECHE CONTINUED IN STATE AND LOCAL AUTHORITIES IN LARGENCIALAD UTLITY LINES (MATER, SEVER) ELECTRICAL, RELEPINGE, Call, CARLE, TLENGEN, TEL', MICHTO, INE STATE OF ANY NORK.
- 1.4 REFERENCES
- HEFERIOLGS MARKED FOR NURSERY STOCK PUBLISHED BY AMERICAN ASSOCIATION OF AURISERIMEN, 27 OCTOBER 1880, EDITION, 97 AMERICAN ANTIONAL STANDARDS INSTUTIED (2001) FLATM MATERIAL AMERICAN, SONT COMMITTEE ON HONTICALTURE NOMENCALTURE; 1942 EDITAL SEGNETION OF BUILDERSHER, GENERAL MORENCALTURE; 1942 EDITAL SEGNETION OF BUILDERSHER, GENERAL MORENCALTURE; 1942

- VATION OF NURSERYMEN, GRADES AND STA
- 1.5 SUBMITTALS

- SUBITITALS A PROVIDE REPRESENTATIVE OUANTITIES OF EACH SOL, MULCH, BED MIX, ORAVEL AND STONE BEFORE INSTALLATION. SAMILES TO BE APPROVED BY VOINERS REPRESENTATIVE BEFORE USE: 8. SOL, MENDAMENTS AND FERTILIZER'S SHOULD BE RESEARCHED AND BASED ON THE SOLS IN THE AREA.
- BEFORE DISTALLATION, SUBMIT DOCUMENTATION THAT PLANT MATERIALS ARE AVAILABLE AND HAVE BEEN RESERVED. FOR ANY PLANT MATERIAL NOT AVAILABLE, SUBMIT REQUEST FOR SUBSTITUTION.

CONTINUCTION TO COMMENCE. B ALL IPUNITION EDB APRAS SAVIL BE LEFT THREE INCHES BELDW FINAL GIAUE OF SEDWARKE, RIVES AND CURRER ALL MEAS TO HECKNE SALID AND CURRES CONTINUCTION DEPRES SHALL BE REMOVED FINON TO LANDBOLHE CONTINUCTION DERINA AND GUINE RE REMOVED FINON TO LANDBOLHE CONTINUCTION THE REMOVED FINON TO REMOVED AND THE THIS AND BOLHMANT AT THE JOS STE WILL BE ATTHE RESTORMER FOR THEFT ON DAWARE.

THE LANDSCAPE CONTRACTOR SHALL BE HELD RESPONSIBLE FOR THE MAINTENANCE OF ALL WORK FROM THE TWE OF PLANTING UNTER FINAL ACCEPTACES OF OWNER.
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 NO THESE, GHASS, GHOUNDOVER OF GROUPS CONTINUE.

MAINTENANCE SHALL INCLUDE WATERING OF TREES AND PLANTS, CULTIVATION, WED STRATING, EDGING, PRUNING OF TREES, MONING OF GRASS, CLEANING UP AND ALL OTHER WORK NECESSARY FOR MAINTENANCE

D. A WRITTEN NOTICE REQUESTING FINAL INSPECTION AND ACCEPTANCE

SET TREE IN PLANTING PIT
 PLACE ANCHOR WITH RING SIDE DOWN AGAINST TOP OF ROOT

2 0

1 TREE PLANTING

INNER RING(S) AROUND TRUNK OF TREE

i jake K

- 1.5 JOB CONDITIONS, DELIVERY, STORAGE AND HANDLING A GENERAL CONTRACTOR TO COMPLETE WORK BEFORE LANDSCAP CONTRACTOR TO COMMENCE.

PLANTING HOLE

GUARANTEE

1.9 QUALITY ASSURANCE

DRIVE ROD

DETAIL A

15

DRIVE ANCHOR STRAIGHT DOWN INTO UNDISTURBED SUBBASE SOL

Phone: 281-778-1400 Mobile: 903-676-6143 Fax: 281-778-1425

SEE CHART F PER TREE SU

TREE STAKE SOLUTIONS, LLC.

Rosharon, Texas 77583

- A THEES, SHRUBS, GROUNDCYDER SHALL BE GLARANTEED (IN WRITING) FOR A 12 MONTH PERCO (IRO DAYS FOR ANNUAL FLATING OR AT THE IRO OF THE SEARCHAL COLOR GHOMMG SEARCHAN, WHICHVER FOR COMES SOONER) APTER FINAL ACCEPTANCE. THE CONTINCTOR SHALL REFLACE ALL DEAD MATERIALS AS SOON AS WEATHER FIRMING SHAD LIPON DIVICICATION OF MATERIALS AS SOON AS WEATHER FIRMING SHAD LIPON DIVICICATION OF
- PLANTS INCLUDING TREES, WHICH HAVE PARTIALLY DIED SO THAT SHAPE, SIZE OR SYMMETRY HAVE BEEN DAMAGED SHALL BE CONSIDERED SUBJECT TO REPLACEMENT. IN SUCH CASES, THE OPINION OF THE OWNER SHALL BE

IMMEDIATELY REPARED. ON SOME AND REPARED TO SHALL BE D. WHEN FLAT REPLACEMENTS BE MADE, PARTS SOL MK, FERTUZER D. WHEN FLAT, REPLACING BE URLIGED & AS ORIGINALLY SPECIFIC AND RE-REPERTING FOR FULL COMPLIANCE WITH THE CONTINUET REQUIREMENTS. ALL REPLACEMENTS ARE INCLUDED UNDER YORK: OF THIS SECTION.

THE OWNER AGREES THAT FOR THE ONE YEAR WARRANTY PERIOD TO BE EFFECTIVE, HE WILL WATER PLANTS AT LEAST TWICE A WEEK DURING DRY PERIODS.

THE ABOVE GUARANTEE SHALL NOT APPLY WHERE PLANTS DE AFTER ACCEPTANCE BECAUSE OF DAMAGE DUE TO ACTS OF GOD, VANDALISM, INBECTS, DISEASE, INJURY BY HUMANS, MACHINES, THEFT OR NEGLIGENCE BY CIMINE

G. ACCEPTANCE FOR ALL LANDSCAPE WORK SHALL BE GIVEN AFTER FINAL INSPECTION BY THE OWNER MPOUNDED THE JOB IS IN A COMPLETE, UNDMANGED CONDITION AND THEME IS A STAND OF GRAVES IN ALL LAWN AREAS, AT THAT TIME, THE OWNER WILL ASSUME MAINTENANCE ON THE ACCEPTED WORK.

A. COMPLY WITH ALL FEDERAL, STATE, COUNTY AND LOCAL REGULATIONS GOVERNING LANDSCAPE IMATERIALS AND WORK. B. EMPLOY PERSONNEL EXPERIENCED AND FAMILIAR WITH THE REQUIRED WORK AND SUPERVISION BY A FOREMAN.

C. MAKE CONTACT WITH SUPPLIERS IMMEDIATELY UPON OBTAINING NOTICE OF CONTRACT ACCEPTANCE TO SELECT AND BOOK MATERIALS.

Ľ

PULL STRAP UP VERTICALLY UNTIL ROOT ANCHOR RINGS BITE INTO THE TOP OF THE ROOT BALL AND U-BRACKETS ARE SETTING FLUSH ON TOP OF

THE ROOT BALL THE EXCESS STRAP OFF TO THE U-BRACKET ALLOWING ENOUGH REMAINING STRAP TO ADJUST TREE, IF NECESSARY

STEP 3:

SHOLLD BE SUBMITTED TO THE OWNER AT LEAST 7 DAYS PROR TO COMPLETION. AN ON SITE INSPECTION BY THE OWNERS AUTHORIZED REPRESENTATIVE WILL BE COMPLETED PROR TO WRITEN ACCEPTANCE. E. NOTRY OWNER OR OWNER'S REPRESENTATIVE SEVEN DAYS PROR TO THE EXPRATION OF THE WARMATTY PERIOD.

F. REMOVE DEAD, UNHEALTHY AND UNSIGHTLY PLANTS DURING WARRANTY

PENCID REMOVE GLYING AND STAKING MATERIALS AFTER ONE YEAR ALL LANDSCAPE MJST BE MAINTAINED AND GRASS MOWED/EDGED ON A WERKY SCHEDULE UNTE. ACCEPTAICE BY OWNER. REMOVE CLIPPINGS AND DEBRE FROM STE PROVMITLY.

AND CORENT FROM STEP INCOMENTS IN AN ADDRESS AND ADDRE

REAPPLY MULCH TO BARE AND THIN AREAS.

NEWTY VIEW. Control to Mex. 20. The Mex.

D. DEVELOP & PROGRAM OF MAINTENANCE (PRUNING AND FERTILIZATION) WHICH WILL ENSURE THE PURCHASED MATERIALS WILL MEET AND/OR EXCEED PROJECT SPECIFICATIONS.

E DO NOT MAKE PRIVATE MATERIAL SUBSTITUTIONS. IF THE LANDSCAPE MATERIAL SPECIFIED IN TO TREASLY AVAILABLE, SUBMIT PROOF TO LANDSCAPE ARCHITECT ALONG WITH THE PROPOSED MATERIAL TO BE USED IN LEU OF THE SPECIFIED ON ANY

SPECCHED. C. OWNERS REPRESENTATIVE SHALL INDPECT ALL PLANT MATERIAL AND RETAYS THE RIGHT TO NEGRECT WATERIALS BYDON ARRIVAL TO THE SITE REPECT AND MATERIALS REPORT FEELS TO BE UNASTRYFACTORY OR REPECT AND ALL PLANTS DAMAGED IN THANGT OR AT THE JOB SITE FANLE REPLECTED.

1. BALLED AND BURLAPPED B38 PLANTS): DIG AND PREPARE SHIPMENT IN A MANNER THAT WILL NOT DAMAGE ROOTS, BRANCHES, SHAPE AND PUTURE DEVELOPMENT.

2. CONTAINER GROWN PLANTS: DELIVER PLANTS IN RIGID CONTAINER TO HOLD BALL SHAPE AND PROTECT ROOT MASS.

WEIGHT, ANALYSIS AND NAME OF MANUFACTURER. PROTECT MATERIALS FROM DETERIORATION DURING DELIVERY AND WHILE STORED ON SITE. ... HOW DELEMENTION DURING DELIVERY AND WHILE STORED ON SITE 2. DELIVER ONLY PLANT MATERIALS THAT CAN BE PLANTED IN ONE DAY UNLESS ADEQUATE STORAGE AND WATERING FACILITIES ARE AVAILABLE ON SITE

ON STE 3. PROTECT ROOT BALLS BY HEELING IN WITH SAWDUST OR OTHER APPROVED MOISTURE RETAINING MATERIAL IF NOT PLANTED WITHIN 24 HOURS OF DELIVERY.

4. PROTECT PLANTS DURING DELIVERY TO PREVENT DAMAGE TO ROOT BALL OR DESICCATION OF LEAVES.

5. KEEP PLANTS MOIST AT ALL TIMES. COVER ALL MATERIALS DURING TRANSPORT.

TRANSPORT. 6. NOTIFY OWNERS REPRESENTATIVE OF DELIVERY 72 HOURS PROR TO DELIVERY OF INANT INSTERNAL AT JOB STIE. 7. REUKOF REACTED FANT INSTERNAL INSTERNEL INFORMATION B. TO AVOID DAMAGE OR STRESS, DOWNER FUNCTION FUNCE, ON STEMS. PLANG, OR OTHERWISE INANTIPLICATE FUNCTION STEMS.

11 AuXIMERIAL I DIREEN DI 1 GUAL DE SETTE NARGEN DOND STOCK LIERE PARI HEIDIS AN ENDITOS OF NOT BALE TO NOTION. TORS OF NATE RANTE BORDA REFERE TO NORMAL CUTE NOTION OF LEART BOTT DE CONTENTION OF NOTIONAL DE SET NOTION OF LEART BOTT DE CONTENTION OF NOTIONAL DE SET DE CONTENTION OF NATE SETTE DE SETTE DE SETTE DE SET DE CONTENTION DE SETTE DE SETTE DE SETTE DE SET DE CONTENTION DE SETTE DE SETTE DE SETTE DE SET DE CONTENTION DE SETTE DE SETTE DE SET DE CONTENTION DE SETTE DE SETTE DE SET DE CONTENTION DE SETTE DE SET DE SET DE CONTENTION DE SETTE DE SET DE CONTENTION DE SETTE DE SET DE CONTENTION DE SET DE

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PRUNING: ALL PRUNING OF TREES AND SHRUBS SHALL BE EXECUTED BY THE LANDSCAPE CONTRACTOR AT NO ADDITIONAL COST TO THE OWNER, PROR TO FINAL ACCEPTANCE.

PHONITIO INNA ACCEPTANCE. 0. PLANTS BALL CONFORM TO THE MEASUREMENTS SPECIFIED, EXCEPT THE PLANTS LANGEN THAN THOSE SPECIFIED MAY BE USED. USE OF LANGEN PLANTS BALL NOT INCREASE THE CONTINCT PRICE. H. WHERE MATERIAL ARE PLANTED IN MASSES, PROVIDE PLANTS OF UNFORM SZE.

ROOT SYSTEMS SHALL BE HEALTHY, DENSELY BRANCHED, FIBROUS ROOT SYSTEMS, NON-POT-BOUND, FREE FROM ENCIRCUNG AND/OR GROUNG

AT MINIMUM, 1/2" BEL WALK OR CURP

2 SHRUB PLANTING

a start and

4 STEEL EDGING DETAIL

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1.10 PRODUCT DELIVERY, STORAGE AND HANDLING

PART 2 - PRODUCTS

2.1 PLANT MATERIALS

GED IN DEUG OF THE SPELIFIED FORM. AT THE TIME BIDS ARE SUBMITTED, THE CONTRACTOR IS ASSUMED TO HAVE LOCATED THE MATERIALS NECESSARY TO COMPLETE THE JOB AS SPECIFIED.

ROOTS, AND FREE FROM ANY OTHER ROOT DEFECTS (SUCH AS J-SHAPED ROOTS).

THEE TRUNKS TO BE STURDY, EXHIBIT HARDENED SYSTEMS AND VIGOROUS AND FIBROUS ROOT SYSTEMS, NOT ROOT OR POT BOUND.

I ALL TREES SHALL BE STANDARD IN FORM, UNLESS OTHERWISE SPECIFIED. TREES WITH CENTRAL LEADERS WILL NOT BE ACCEPTED IF LEADER IS DAMAGED OR REMOVED. PRUNE ALL DAMAGED TWIGS AFTER PLANTING

L TREES WITH DAMAGED OR CROOKED LEADERS, BARK ABRASIONS SUNSCALD, DISFIGURING KNOTS, OR INSECT DAMAGE WILL BE REJECTED.

CALIPER MEASUREMENTS FOR STANDARD (SINGLE TRUNK) TREES SHALL BE AS FOLLOWS: SX INCHES ABOVE THE ROOT FLARE FOR TREES UP TO AND INCLUDING FOUR INCHES IN CALIPER, AND TVELVE INCHES ABOVE THE ROOT FLARE FOR TREES EXCEEDING FOUR INCHES IN CALIPER

ANY TREE OR SHRUB SHOWN TO HAVE EXCESS SOLL PLACED ON TOP OF THE ROOT BALL, SO THAT THE ROOT FLARE HAS BEEN COMPLETELY COVERED, SHALL BE REJECTED.

E. PREPARATION NATERIALS SARDY LOAM 1. FRIABLE, FERTLE, DARK, LOAMY SOLL, FREE OF CLAY LUMPS, SUBSOL, STORES AND OTHER EXTRANEOUS MATERIAL AND REASONABLY FREE OF WEEDS AND POREION GRASSES. LOAM CONTAINING DALLASGRASS NUTGRASS SHALL BE REJECTED. 2. PHYSICAL PROPERTES AS FOLLOWS:

SAND – LESS THAN 52%
 ORGANIC MATTER SHALL BE 3%-10% OF TOTAL DRY

Bender, K. M. Harris Haul, E. S. H. Du, D. H. Du, La M. Barris, M. B. Barris, M. Barris, B. Bar

D. SHARP SAND: SHARP SAND MUST BE FREE OF SEEDS, SOIL PARTICLES AND WEEDS.

AND WEEDS. E. MULCH: BOURDED HARDWOOD MULCH, PARTIALLY DECOMPOSED, DARK BROWN. F. ORANGE STATUS, PARTIALLY DECOMPOSED, DARK BROWN. F. ORANGE STATUS, F. FRITLZER: FRITLARD, SUSTANE, OR OREEN SINGE OF EQUAL AS RECOMMENDED FOR RECURED AFRICATIONS, FERTUZER SHALL BE EURYRED TO THE STE IN ORGANIAL UNOPHNED CONTAINERS, EACH BEAVING THE MANUFACTURER'S GUARANTEED STATEMENT OF ANALYSIS.

COMMERCIAL FERTILIZE: 10.20.10 OR SIMILAR ANALYSIS. NITROGEN SOURCE TO BE A MINIMUM 50% SLOW RELEASE ORGANIC NITROGEN SCU OR UP WITH A MINIMUM 5% SLEFUR AND 4%. IRON, PLUS MICRONUTRIENTS.

PEAT: COMMERCIAL SPHAGNUM PEAT MOSS OR PARTIALLY DECOMPOSED SHREDDED PINE BARK OR OTHER APPROVED ORGANIC MATERIAL.

MECELLAROUS MUTHINES A STEEL ECODA SHILL BE STOT X, 4" X YT LAMK OPEN LANDSOME B. THEE STANDA SHILL BE STOT X, 4" X YT LAMK OPEN LANDSOME REFER TO CERTAIN C. PLICE FLAND, THE STANDA SOLUTIONS ON AMPORED SUBSTITUTE AVAILABLE X TO LES TAMPONICES (C. ROSS 3044) D. SAND-UNFORMACY GAMED MARKED ALCENS TO 1" D. SAND-UNFORMACY CAMED MARKED ALCENS TO 1" D. SAND-UNFORMACY ALCENS TO 1" D.

E. DRAVEL WARED HAVE FOR SHARE, GRADELY TO TA
 F. DECOMPOSED GRANTE - BASE MATERIAL OF NATURAL MATERIAL MX OF GRANTE AGGREGATE NOT TO EXCEPT 18" IN DUMETER COMPOSED OF VIAPOUS STAGES OF DECOMPOSED EARTH BASE.

G. RIVER ROCK - LOCALLY AVAILABLE NATIVE RIVER ROCK BETWEEN 2"-4" IN DIAMETER.

PRE-EMERGENT HERBICIDES: ANY GRANULAR, NON-STAINING

WEED BARRER FABRIC

DISTURBED SUBGRADE / NATIVE SOL

PHYSICAL PHOPERTIES AS F.
 CLAY – BETWEEN 7-27%
 SILT – BETWEEN 15-25%

2.2 SOIL PREPARATION MATERIALS

2.3 MISCELLANEOLIS MATERIALS

224 ada w Los We construct the second second

REF. LANDSCAPE PLAN FOR SPACING

SHRUBS AND GROUNDCOVE REFER TO PLANS FOR PLAN PREPARED SOIL MIX

16" X 4" X 16" STEEL EDGING WITH

NOTE: NO STEEL EDGING TO BE INSTALLED ALONG

NULTI-TRUNK TREES SHALL BE MEASURED BY THEIR OVERALL HEIGHT, MEASURED FROM THE TOP OF THE ROOT BALL.

SOC. PROVIDE WELL-ROOTED SOD OF THE VARIETY NOTED ON THE PLANS. SOD SHALL BE CUT FROM HEALTHY, MATURE TURE WITH SOL THEONESS OF 344 TO 11. EACH PALLET OF SOD SHALL BE ACCOMPANED BY A CENTRICATE FROM SUPPLIES TAXING THE CAMPONING ATLAS OF

IPIE-EMERGENT HERBICIDE THAT IS LABELED FOR THE SPECIFIC ORNAMENTALS OR TURF ON WHICH IT WILL BE UTILIZED. IPIE-EMERGENT HERBICIDES SHALL BE APPLIED PER THE MANUFACTURERS LABELED RATES

I REPARATION A LANGESLAFE CONTRACTOR TO BURGET ALL EXEMPTION CONDITIONS AL LANGESLAFE CONTRACTOR TO BURGET ALL EXEMPTION BURGET AND A REAS SHALL E CONDITIONED AS FOLLOWS: 1. PREPARE NOR ARRAS SHALL E CONDITIONED AS FOLLOWS: 1. PREPARE NOR ARRAS SHALL E CONDITIONED AS FOLLOWS: 1. PREPARE NOR ARRAS SHALL E CONDITIONED AS FOLLOWS: 1. PREPARE NOR ARRAS SHALL E CONDITIONED AS FOLLOWS: 1. PREPARE NOR ARRAS SHALL E CONDITIONED AS FOLLOWS: 1. PREPARE NOR ARRAS SHALL E CONDITIONED AS FOLLOWS: 1. PREPARE NOR ARRAS SHALL E CONDITIONED AS FOLLOWS: 1. PREPARE NOR ARRAS SHALL E CONDITIONED AS FOLLOWS: 1. PREPARE NOR ARRAS SHALL E CONDITIONED AS FOLLOWS: 1. PREPARE NOR ARRAS SHALL E CONDITIONED AS FOLLOWS: 1. PREPARE NO ARRAS SHALL E CONDITIONED AS FOLLOWS: 1. PREPARE SHALL E CONTRACTORS AND THE SHALL E CONDITIONED AS FOLLOWS: 1. PREPARE SHALL E CONTRACTORS AND THE SHALL E CONTRACTORS AND THE PREPARE SHALL E CONTRACTORS AND THE SHALL E CONTRACTORS AND THE PREPARE SHALL E CONTRACTORS AND THE SHALL E CONTRACT AND THE THE CONTRACTORS AND THE SHALL E CONTRACTORS AND THE THE CONTRACT FOLLOWS AND THE SHALL E CONTRACT AND THE THE CONTRACT FOLLOWS AND THE SHALL E CONTRACT AND THE THE CONTRACT FOLLOWS AND THE SHALL E CONTRACT AND THE THE CONTRACT FOLLOWS AND THE SHALL E CONTRACT AND THE THE CONTRACT FOLLOWS AND THE SHALL E CONTRACT AND THE SHALL E CONTRACT AND THE THE CONTRACT FOLLOWS AND THE SHALL E CONTRACT AND THE

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3.2 INSTALLATION A. MAINTENANCE OF PLANT MATERIALS SHALL BEGIN IMMEDIATELY AFTER EACH PLANT IS DELIVERED TO THE SITE AND SHALL CONTINUE UNTE, ALL CONSTRUCTION HAS BEEN SATISFACTORILY ACCOMPLISHED.

Martin ALL, CONSTRUCTION IN AN EVEN XAMPA-CIONY ALL ALL MATERIA SCHLER DESURFACE TO THE PTI OLD XAMPA-CIONY B HART MATERIAS SCHLER DESURFACE TO THE PTI OLD XAMPA THE BERNETS OF NEWERY MATERIAS SUAL BETHER ADD YT ON OWNER AND THE ADD THE ADD THE ADD YT ON OWNER ADD THE ADD THE ADD THE ADD YT ON OWNER ADD THE ADD THE ADD THE ADD YT ON OWNER ADD THE ADD YT ON OWNER ADD THE ADD THE ADD YT ON OWNER ADD THE ADD THE ADD YT ON OWNER ADD T

Barton A, The Test Sett C, Martin S, Paula AM, Paula S, Paula L, Paula L, San L,

K. REMOVE NURSERY TAGS AND STAKES FROM ALL PLANTS L. REMOVE BOTTOM OF PLANT BOXES PHOR TO PLACING PLANTS. REMOVE SIDES ATTER PLACEMENT AND PARTIAL BOXFOLLING. M. REMOVE UIPPER THIRD OF BURLAP FROM BALLED AND BURLAPPED TREES AFTER PLACEMENT.

N. PLACE PLANT UPRIGHT AND PLUMB IN CENTER OF HOLE. ORIENT PLANTS FOR BEST APPEARANCE.

MULCH THE TOP OF THE BALL. DO NOT PLANT GRASS ALL THE WAY TO THE TRUNK OF THE TREE. LEAVE THE AREA ABOVE THE TOP OF

PLANTING AREA, REFERENCE LANDSCAPE PLAN

NURALMANNALMAN

5 DECOMPOSED GRANITE / RIVER ROCK

DO NOT WRAP TREES. DO NOT OVER PRUNE.

3.1 PREPARATION

THE BALL AND MULCH WITH AT LEAST TWO (2\*) INCHES OF SPECIFIED MULCH

ALL PLANT BEDS AND TREES TO BE MULCHED WITH A MINIMUM SETTLED THICKNESS OF TWO (2") INCHES OVER THE ENTIRE BED OR PT

PT. Settlemention introve sources in the invert inter tools of settlementions introve sources and the invertible of the intervention of the intervention of the invertible of the intervention of the invertible of the settlemention of the intervention of the intervention of the intervention of the settlemention of the settlement

CONTINUE AND LARGE SHRUBS SHALL BE STAKED AS SITE CONDITIONS REQUIRE. POSITION STAKES TO SECURE TREES AGAINST SEASONAL PREVALING WINDS.

PREVALING WINDS. PRUNING AND MULCHING: PRUNING SHALL BE DIRECTED BY THE LANDSCAFE ARCHITECT AND SHALL BE PRUNED IN ACCORDANCE WITH STANDARD HORTICULTURAL PRACTICE FOLLOWING FINE PRUNING, CLASS FRUINING STANDARDS PROVIDED BY THE NATIONAL ARBORIST ASSOCIATION.

VIEDNIST ASSOCIATION. 1. DEAD WOOD, SUCKERS, BROKEN AND BADLY BRUISED BRANCHES SHALL BE REMOVED. GENERAL TIPPING OF THE BRANCHES IS NOT PERMITTED. DO NOT CUT TERMINAL BRANCHES. 2. PRUNING SHALL BE DONE WITH CLEAN, SHARP TOOLS.

3. IMMEDIATELY AFTER PLANTING OPERATIONS ARE COMPLETE ALL THEE PITS SHALL BE COVERED WITH A LAYER OF ORGANIC MATERIAL TWO (2') INCHES IN DEPTH. THIS LIMIT OF THE ORGAN MATERIAL FOR THEES SHALL BE THE DIAMETER OF THE PLANT PIT

STEEL EDGE INSTALLATION: EDGE SHALL BE ALIGNED AS INDICATED ON FLANS. STAKE OUT LIMITS OF STEEL CURBING AND OBTAIN OWNERS APPROVAL PROVID TO INSTALLATION.
 ALL STEEL CURBING SHALL BE FREE OF KINKS AND ABRUPT BENDS.

DRIVES (10) OF EDDING SHALL BE X\* MAXIMUM HEIGHT ABOVE FINAL VINSHED GRADE. 3. STAKES ARE TO BE INSTALLED ON THE PLANTING BED SIDE OF THE CURREN, AS OPPOSED TO THE GRASS SIDE. 4. DO NOT INSTALL STEEL EDGING ALONG SIDEWALKS OR CURRES.

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DESIGNED BY:

OCTOBER 2022 17007-00-00

SCALE: DATE

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LANDSCAPE

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FOREST

AND GO - GARLAND - GARLAND AND NAAMAN 2230NORTH GARLAND AVE, GARLAND, TEXAS, 75040

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HEET NO L1.03

5. CUT STEEL EDGING AT 45 DEGREE ANGLE WHERE EDGING MEETS SIDEWALKS OR CURBS.

3.3 CLEARUP AND ACCEPTANCE A. CLEARUP. DURING THE WORK. THE PREMISES SHALL BE KEPT NEAT AND ORDERLY AT ALL TIMES. STORAGE AREAS FOR ALL MATERIAS. SHALL BE SO ORDARIZED SO THAT THEY, TOO, ARE NEAT AND ORDERLY. ALL TIMESA BOUNDES SHALL BE REAVED FROM THE SWEEPING ON HOSING THEM AT END OF FACH WORK DAY. SWEEPING ON HOSING THEM AT END OF FACH WORK DAY.

B. REPAIR RUTS, HOLES AND SCARES IN GROUND SURFACES. C. ENSURE THAT WORK IS COMPLETE AND PLANT MATERIALS ARE IN VIGOROUS AND HEALTHY GROWING CONDITION.

IPON COMPLETION OF THE WORK. THE LANDSCAPE CONTRACTOR SHALL PROMOE THE SITE CLEAN, FREE OF DERIS AND TRASH, AND SUITABLE FOR USE AS INTENDED. THE LANDSCAPE CONTRACTOR SHALL THEN REDLEST AN INSPECTION BY THE OWNER TO DETERMINE FINAL ACCEPTABILITY.

END OF SECTION

BACK OF CURE

RIVER ROCK TO BE

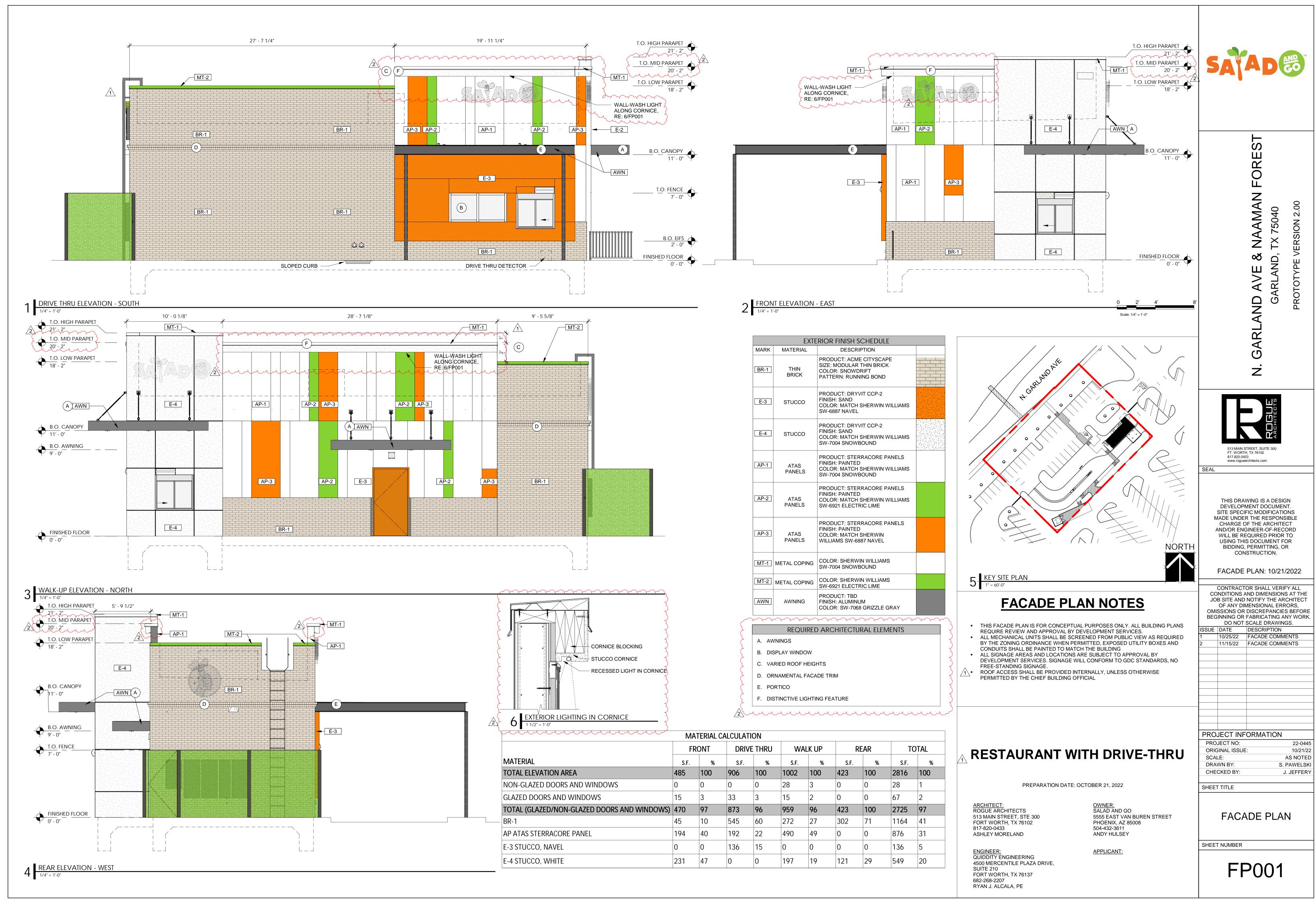
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CASE #: 220816-2

AWR R AWR Resigns, LLC P.O. Box 1746 Alcho, Texas 76008 ammundakjower-design

3 SHRUB SPACING AND PLANTING AT B.O.C.

- FANL PLANTS USED FOR REPLACEMENT SHALL BE OF THE SAME SZE AND KIND AS THOSE ORIGINALLY PLANTED OR SPECIFICD, ALL WORK INCLUEND MITERIALS, JACIGN AND ECUMPANT USED IN REPLACEMENTS SHALL CARRY A 12 MONTH GUARANTEE, ANY DAMAGE INCLUEND RUTS IN LAWN OR BED MIMPHATER VERTICE.



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MATERIAL	S.F.	%	S.F.	%	S.F.	%	S.F.	%	S.F.
TOTAL ELEVATION AREA	485	100	906	100	1002	100	423	100	2816
NON-GLAZED DOORS AND WINDOWS	0	0	0	0	28	3	0	0	28
GLAZED DOORS AND WINDOWS	15	3	33	3	15	2	0	0	67
TOTAL (GLAZED/NON-GLAZED DOORS AND WINDOWS)	470	97	873	96	959	96	423	100	2725
 BR-1	45	10	545	60	272	27	302	71	1164
AP ATAS STERRACORE PANEL	194	40	192	22	490	49	0	0	876
E-3 STUCCO, NAVEL	0	0	136	15	0	0	0	0	136
E-4 STUCCO, WHITE	231	47	0	0	197	19	121	29	549



# GARLAND CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session AgendaMeeting Date:01/17/2023Item Title:Z 22-64 Matt Moore (District 7)Submitted By:Will Guerin, Planning Director

# Summary of Request/Problem

Zoning Ordinance Z 22-64 Matt Moore

# **Recommendation/Action Requested and Justification**

Consider adoption of the attached ordinance.

## Attachments

Z 22-64 Ordinance Z 22-64 Exhibit A Z 22-64 Exhibit B Z 22-64 Exhibits C-E 3. b.

#### ORDINANCE NO.

AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING 1) A SPECIFIC USE PROVISION FOR A RESTAURANT, DRIVE-THROUGH USE AND 2) A DETAIL PLAN FOR A RESTAURANT, DRIVE-THROUGH USE ON A 1.152-ACRE TRACT OF LAND LOCATED AT 4680 NORTH SHILOH ROAD ZONED PLANNED DEVELOPMENT (PD) DISTRICT 20-35 FOR NEIGHBORHOOD OFFICE USES; 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, TEXAS; PROVIDING A NOTICE OF CONDITIONS OF COMPLIANCE CLAUSE; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on the 12th day of December, 2022, the Plan Commission did consider and make recommendations on a certain request for 1) a Specific Use Provision for a Restaurant, Drive-Through Use and 2) a Detail Plan for a Restaurant, Drive-Through Use on a property zoned Planned Development (PD) District 20-35 for Neighborhood Office Uses by Matt Moore; 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

The Garland Development Code is hereby amended by approving 1) a Specific Use Provision for a Restaurant, Drive-Through Use and 2) a Detail Plan for a Restaurant, Drive-Through Use on a property zoned Planned Development (PD) District 20-35 for Neighborhood Office Uses and being more particularly described in Exhibit A, attached hereto and made a part hereof.

#### Section 2

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

That a 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 4

NOTICE OF CONDITIONS OF COMPLIANCE: Notwithstanding the provisions of any other ordinance of the City, the full, complete, and continuing compliance with all the conditions, restrictions, and regulations of this Ordinance is a condition to the issuance and continuation of any permit, approval, authorization or consent by the City, including without limitation the issuance or continuation of any certificate of occupancy for any building or structure located on any portion of the property described in Exhibit A. All promises, representations, obligations and undertakings made or assumed by the applicant to the City Council at any public presentation in connection with the granting of this Ordinance are hereby incorporated into and made a part of this Ordinance as if expressly set forth herein at length. No substantial deviation from any material portion of the conditions, restrictions, and regulations contained within this Ordinance are allowed except as may be provided by the City Council after a public hearing.

#### Section 5

That the Garland Development Code, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

#### Section 6

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

#### Section 7

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

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

THE CITY OF GARLAND, TEXAS

By:

Mayor

\_\_\_\_\_

ATTEST:

City Secretary

Published:

#### EXHIBIT A

#### LEGAL DESCRIPTION

#### Zoning File Z 22-64

Being a 1.152 acre tract of land situated in the TG Montgomery Survey, Abstract Number 962, Dallas County, Texas and being part of a tract of land described to Bryant and Fannie M. Bryant by deed recorded in Volume 67197, Page 1530, being a part of Lot 2, Block 1 of Garland Shiloh Addition, an addition to the City of Garland, as recorded in Instrument Number 202100186093, Official Public Records, Dallas County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING at an "X" Cut found for the southwest corner of said Lot 2, lying on the east right-of-way line of Shiloh Road, and being the northwest corner of Lot 16, Block 1 of Camelot No. 19, an addition to the City of Garland, as recorded in Volume 92093, Page 4740, Plat Records, Dallas County, Texas;

THENCE North 05 degrees 24 minutes 52 seconds East, with the east right-of-way line of said Shiloh Road, a distance of 100.63 feet to a 1/2 inch rebar capped "WINDROSE" found for corner;

THENCE North 00 degrees 51 minutes 41 seconds West, with the east right-of-way line of said Shiloh Road, a distance of 269.98 feet to a point for corner and said point being THE POINT OF BEGINNING;

THENCE North 00 degrees 51 minutes 41 seconds West, with the east right-of-way line of said Shiloh Road, a distance of 106.91 feet to a 1/2 inch rebar capped "WINDROSE" found for corner;

THENCE North 04 degrees 13 minutes 05 seconds East, with the east right-of-way line of said Shiloh Road, a distance of 43.18 feet to a 1/2 inch rebar capped "WINDROSE" found for the southwest corner of Lot 1, Block 1 of said Garland Shiloh Addition;

#### EXHIBIT A

ZONING FILE NUMBER Z 22-64

THENCE North 89 degrees 18 minutes 09 seconds East, departing the east right-of-way line of said Shiloh Road, with the south line of said Lot 1, a distance of 205.18 feet to a 1/2 inch rebar capped "WINDROSE" found for corner;

THENCE North 00 degrees 51 minutes 41 seconds West, with the east line of said Lot 1, a distance of 229.00 feet to a 1/2 inch rebar capped "WINDROSE" found for corner and lying on the south right-of-way line of Arapaho Road (Variable width right-of-way);

THENCE North 89 degrees 18 minutes 09 seconds East, a distance of 3.04 feet to a 1/2 inch rebar capped "WINDROSE" found for corner and being the beginning of a curve to the right with a radius of 845.55 feet, a central angle of 03 degrees 10 minutes 44 seconds and a chord bearing and distance of South 89 degrees 07 minutes 24 seconds East, a distance of 46.91 feet;

THENCE with said curve to the right, with the south rightof-way line of said Arapaho Road, an arc length of 46.91 feet to a 1/2 inch rebar capped "WINDROSE" found for corner;

THENCE South 00 degrees 51 minutes 22 seconds East, departing the south right-of-way line of said Arapaho Road, with the east line of said Lot 2, a distance of 377.86 feet to a point for corner;

THENCE South 89 degrees 21 minutes 20 seconds West, over, across and upon said Lot 2, a distance of 258.90 feet to THE POINT OF BEGINNING and containing 50175 square feet or 1.152 acres of land, more or less.

#### PLANNED DEVELOPMENT CONDITIONS

#### ZONING FILE Z 22-64

#### 4680 North Shiloh Road

- I. Statement of Purpose: The purpose of this Planned Development (PD) is to allow and regulate the development of a Restaurant, Drive-Through land use.
- II. Statement of Effect: This Planned Development (PD) 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) District 20-35 and Neighborhood Office (NO) District and Site Development Standards as set forth in Chapter 2 and 4 of the Garland Development Code, Ordinance 6773, are included by reference and shall apply, except as otherwise specified by this ordinance.

#### IV. Development Plans:

A. Detail Plan: Development is to be in conformance with the approved Detail Plan labeled Exhibit C to Exhibit E. In the event of conflict between the conditions and Detail Plan, the conditions listed below are to apply.

#### V. Detail Plan:

- A. <u>Site Layout:</u> The site shall be in conformance to the site layout reflected on Exhibit C.
- B. <u>Screening and Landscaping</u>: Screening and landscaping shall be in conformance to the layout reflected on Exhibit D.
- C. <u>Building Elevations</u>: Building elevations shall be in conformance to the elevations as approved on Exhibit E.

#### EXHIBIT B

#### SPECIFIC USE PROVISION CONDITIONS

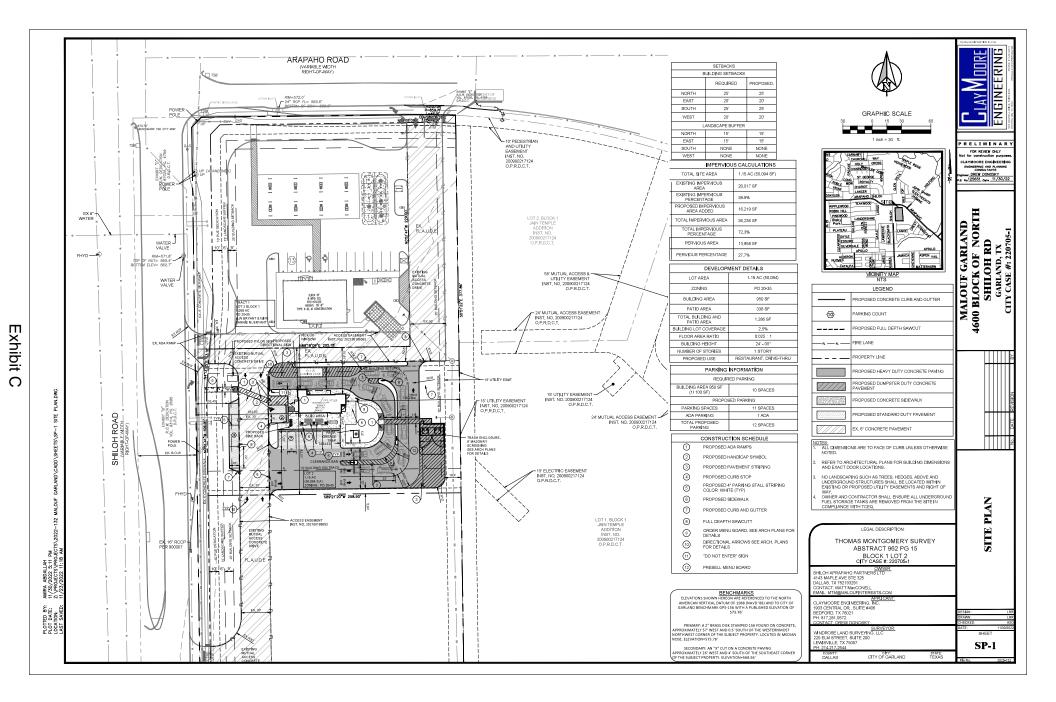
#### ZONING FILE Z 22-64

#### 4680 North Shiloh Road

- **II. Statement of Purpose:** The purpose of this Specific Use Provision is to allow a Restaurant, Drive-Through.
- II. Statement of Effect: This Specific Use Provision 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) District 20-35 and Neighborhood Office (NO) District and Site Development Standards as set forth in Chapter 2 and 4 of the Garland Development Code, Ordinance 6773, are included by reference and shall apply, except as otherwise specified by this ordinance.

#### IV. Specific Regulations:

A. <u>Time Period</u>: The Specific Use Provision shall have a twenty-five year time period.



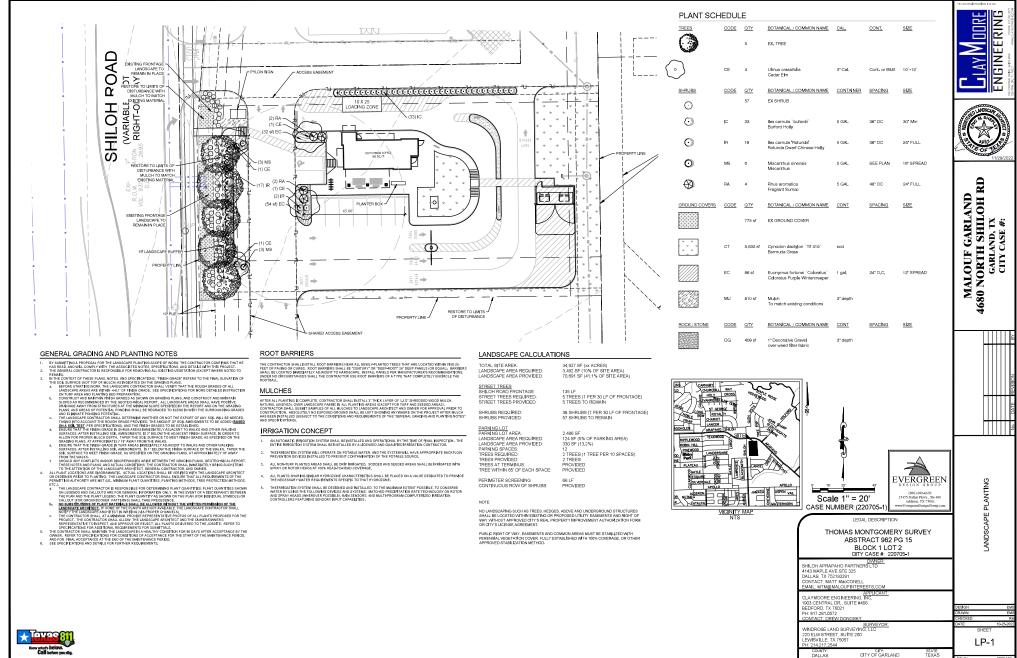


Exhibit D

#### PLANTING SPECIFICATIONS

#### UNLIFICATIONS OF LANDSCAPE CONTRACTOR 1. ALL LANDSCAPE WORK SHOWN ON THESE PLANS SHALL BE PERFORMED BY A SINGLE FIRM SPECIALIZING IN LANDSCAPE

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#### METHODS

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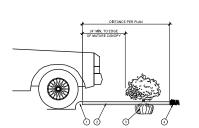
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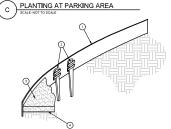
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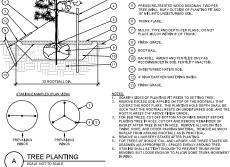
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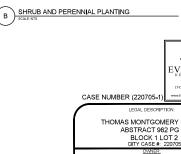
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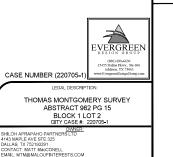
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NTACT: DREW DONOSK WINDROSE LAND SURVEYING, LLC

220 ELM STREET, SUITE 200 .EWISVILLE, TX 75057

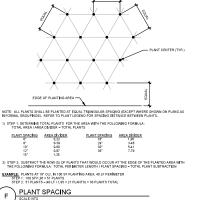
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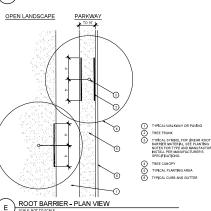


CITY OF GARLAND

STATE: TEXAS



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# GARLAND CITY COUNCIL ITEM SUMMARY SHEET

# **City Council Regular Session Agenda**

Meeting Date:01/17/2023Item Title:Ordinance Amendment - Construction Water Meter DepositSubmitted By:Wes Kucera, Managing Director

# Summary of Request/Problem

At the December 5, 2022 Work Session, Garland Water Utilities staff presented a possible ordinance amendment to Council that would increase the deposit for a high velocity water meter for construction purposes in order to cover the cost of replacing damaged meters. Council directed staff to prepare an amendment to the ordinance to increase the deposit for a high velocity water meter for construction purposes to \$2,000.

# **Recommendation/Action Requested and Justification**

Approve or deny the ordinance amendment.

## Attachments

Ordinance Amendment - Water Meter Deposit

4.

#### ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTERS 10 AND 50 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND TO (1) AMEND IN PART THE MASTER FEE AND RATE SCHEDULE OF SECTION 10.85(C) TO INCLUDE A DEPOSIT FOR THE ISSUANCE OF HIGH VELOCITY WATER METERS FOR CONSTRUCTION PURPOSES AND (2) REMOVE THE DEPOSIT AMOUNT ENUMERATED IN SECTION 50.34(c) OF THE CODE OF ORDINANCES AND REPLACE IT WITH A REFERENCE AND HYPERLINK TO THE MASTER FEE AND RATE SCHEDULE OF CHAPTER 10; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

#### Section 1

That Chapter 10, "Administration," of the Code of Ordinances of the City of Garland, Texas, is hereby amended *in part* to amend the Master Fee and Rate Schedule of Section 10.85(c) to include a deposit for the issuance of high velocity water meters for construction purposes as more fully described within Section 50.34(c) of the Code of Ordinances and to read as follows:

#### "ARTILCE VII. MASTER FEE AND RATE SCHEDULE

#### Sec. 10.85 Fees and rates

- •
  - (C) Schedule of Fees and Rates:

WATER SERVICE RATES						
High velocity water Meter - construction	\$2,000.00 deposit	50.34(C)				

#### Section 2

That Chapter 50, "Utility Rates and Fees," of the Code of Ordinances of the City of Garland, Texas, is hereby amended *in part* to (1) remove the express reference to a high velocity water meter deposit amount and (2) replace it with a reference and hyperlink to the newly created Master Fee and Rate Schedule of Chapter 10 within the following Sections of Chapter 50 to read as indicated in quotations below:

#### "Sec. 50.34 Water service rates established

• • •

Construction and irrigation rates. When necessary to (C) measure water usage with a high velocity water meter for construction purposes and at the customer's request, the water rate for that service shall be the same as the applicable commercial/industrial rate, including the prevailing monthly base charge based on a 3-inch meter size, plus the commercial/industrial volume charge per 1,000 gallons of use. A deposit in the amount set forth in the Master Fee and Rate Schedule of Chapter 10 of the Code of Ordinances shall be collected when the water meter is issued, which deposit shall be refunded less the cost of damage, if any, to the meter when the meter is returned. A meter that serves only an irrigation system (without an associated wastewater account) will be billed a base charge based on the meter size for the account, and a volume charge based on the class of service for the account.

. . .″

#### Section 3

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

#### Section 4

That Chapter 32, "Property Sanitation and Housing Services," of the Code of Ordinances of the City of Garland, Texas, as amended,

shall be and remain in full force and effect save and except as amended by this Ordinance.

#### Section 5

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

#### Section 6

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

PASSED AND APPROVED this the \_\_\_\_ day of \_\_\_\_\_, 2022.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

PUBLISHED:



# GARLAND CITY COUNCIL ITEM SUMMARY SHEET

# **City Council Regular Session Agenda**

Meeting Date:01/17/2023Item Title:Ordinance Amendment - Cross-Connection ControlSubmitted By:Wes Kucera, Managing Director

## Summary of Request/Problem

At the December 5, 2022 Work Session, Garland Water Utilities staff presented a possible ordinance amendment to Council that would better align the City's cross-connection control ordinance with the rules laid out in the Texas Insurance Code. The proposed amendment would allow exceptions to the persons allowed to perform maintenance, repair or testing on fire protection systems as defined in Chapter 6003 of the Texas Insurance Code. Council directed staff to prepare such ordinance amendment.

# **Recommendation/Action Requested and Justification**

Approve or deny the ordinance amendment.

# Attachments

Ordinance Amendment - Cross-Connection Control

5.

#### ORDINANCE NO.

AN ORDINANCE AMENDING VARIOUS SECTIONS OF ARTICLE V, "CROSS-CONNECTION CONTROL, OF CHAPTER 51, "GENERAL UTILITY PROVISIONS," OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY UNDER THE PROVISIONS OF SECTION 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A SEVERABILITY CLAUSE; AND SETTING AN EFFECTIVE DATE.

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

#### Section 1

That Section 51.60, "Definitions," of Article V, "CROSS-CONNECTION CONTROL," of Chapter 51, "General Utility Provisions," of the Code of Ordinances of the City of Garland, Texas, is hereby amended *in part* to read as follows:

#### "Sec. 51.60 Definitions

•••

Atmospheric vacuum breaker backflow prevention device or atmospheric vacuum breaker or AVB. A device used to prevent backsiphonage in non-health hazard conditions. This device cannot be tested and cannot prevent backpressure backflow.

Approved backflow prevention assembly or backflow assembly or assembly. An assembly to prevent backpressures or prevent backsiphonage and which is listed as an approved assembly by the University of Southern California (USC) Foundation for Cross-Connection Control and Hydraulic Research or similar rating or standards organization recognized by the Managing Director.

• • •

<u>Customer service inspection</u>. An inspection designed to inspect and detect any actual or potential cross-connection hazards and/or exceedance of the lead content levels in solder or flux, pipe or pipe fittings.

• • •

<u>Fire Line tester</u>. A tester who is employed by an Approved Fire Sprinkler Contractor and is qualified to test backflow prevention assemblies on fire lines.

<u>General tester or tester</u>. A tester who is qualified to test backflow prevention assemblies on any domestic, commercial, industrial or irrigation service except fire lines. Recognized backflow prevention assembly testers shall have completed a TCEQ Executive Director approved course on crossconnection control and backflow prevention assembly testing, pass an examination administered by the TCEQ Executive Director, and hold a current license as a backflow prevention assembly tester.

• • •

<u>Water use survey</u>. A survey conducted or caused to be conducted by the local authority designed to identify any possible sources of contamination to the potable water supply."

#### Section 2

That Section 51.61, "Backflow prevention assembly requirements," of Article V, "CROSS-CONNECTION CONTROL," of Chapter 51, "General Utility Provisions," of the Code of Ordinances of the City of Garland, Texas, is hereby amended *in part* to read as follows:

#### "Sec. 51.61 Backflow prevention assembly requirements

(A) With the approval of the Managing Director, a licensed cross-connection tester employed by or under contract or registered with the City shall determine the type and location of any backflow assembly to be installed within the City's water service area. The assembly shall be required in each of the following circumstances, but the inspector is in no way limited to the following circumstances:

. . .

(9) When an appropriate Cross-Connection Survey

Form (CCSI) has not been filed with the Managing Director.

. . . ″

#### Section 3

That Section 51.62 "Fire protection systems," of Article V, "CROSS-CONNECTION CONTROL," of Chapter 51, "General Utility Provisions," of the Code of Ordinances of the City of Garland, Texas, is hereby amended *in part* to read as follows:

#### "Sec. 51.62 Fire protection systems

(A) <u>Commercial</u>.

• • •

. . .

- (3) It is the responsibility of all property owners and persons in charge of anv premises to abide by the conditions of this article. In the event of any changes to the plumbing system, it is the responsibility of the property owners to notify the City in writing of the change. Notification shall be sent to the attention of the Managing Director. All costs associated with this article and the purchase, installation, testing and repair of a (RPDA) device (DCDA) or is the responsibility of the property owner and persons in charge of any premises. Only approved fire line testers registered with the City of Garland are authorized to test fire line devices.
- (4) Upon the approved installation of the DCDA or RPDA device, a cross-connection test report completed by a Fire Line Tester shall be sent to the attention of the Managing Director and include the information required by this article.
- (6) Except as provided in Texas Insurance Code Chapter 6003, any person performing

maintenance, repair, or testing on fire lines shall be a full-time employee of an Approved Fire Sprinkler Contractor. Approved Fire Sprinkler Contractors shall verify in writing that each tester is a full-time employee and that the company carries general liability insurance as required by state law.

- (B) Residential.
  - (3) It is the responsibility of all property owners and persons in charge of anv premises to abide by the conditions of this article. In the event of any changes to the plumbing system, it is the responsibility of the property owners to notify the City in writing of the change. Notification shall be sent to the attention of the Managing Director. All costs associated with this article and the purchase, installation, testing and repair of a DC or RP device is the responsibility of the property owner and persons in charge of any premises. Only approved Fire Line Testers registered with the City of Garland are authorized to test fire line devices.
  - (4) Upon the approved installation of the DC or RP device, a cross-connection test report completed by a Fire Line Tester shall be sent to the attention of the Managing Director and include the information required by this article.
- •••

. . .

(6) Except as provided in Texas Insurance Code Chapter 6003, any person performing maintenance, repair, or testing on fire lines shall be a full-time employee of an Approved Fire Sprinkler Contractor. Approved Fire Sprinkler Contractors shall verify in writing that each tester is a full-time employee and that the company carries general liability insurance as

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#### required by state law."

#### Section 4

That Section 51.74 "License backflow prevention assembly tester responsibilities," of Article V, "CROSS-CONNECTION CONTROL," of Chapter 51, "General Utility Provisions," of the Code of Ordinances of the City of Garland, Texas, is hereby amended *in part* to read as follows:

# "Sec. 51.74 Licensed backflow prevention assembly tester responsibilities

- . . .
- (D) An applicant for registration shall:
- • •
- (2) Provide evidence to the Managing Director that the applicant has successfully completed a TCEQ accredited 8-hour handson "permit confined-space entry training," as specified by the occupational safety and health administration (29 CFR 1910.146) within the past 5 years. Non-TCEQ accredited "confined space entry training" will need to be verified and approved by the managing director. Additionally, a TCEQ accredited 8 hours "online confined-space entry training," successfully completed within the previous twelve (12) months, will also need to be verified and approved by the managing director;

. . . "

#### Section 5

That Section 51.82 "Pressure vacuum breaker assembly," of Article V, "CROSS-CONNECTION CONTROL," of Chapter 51, "General Utility Provisions," of the Code of Ordinances of the City of Garland, Texas, is hereby amended *in part* to read as follows:

#### "Sec. 51.82 Pressure vacuum breaker assembly

(A) Pressure vacuum breaker ("PVB") assemblies may

be utilized at point-of-use protection only and only if a substance is handled at the premises where the assembly is installed that could be objectionable but not hazardous to health - if the substance introduced into the potable water system. PVBs protect against backsiphonage only and shall not be installed where there is potential for backpressure.

. . . ″

#### Section 6

That Section 51.83 "Atmospheric vacuum breaker," of Article V, "CROSS-CONNECTION CONTROL," of Chapter 51, "General Utility Provisions," of the Code of Ordinances of the City of Garland, Texas, is hereby amended *in part* to read as follows:

#### "Sec. 51.83 Atmospheric vacuum breaker

Atmospheric vacuum breakers ("AVB") provide minimal protection and are approved for very low hazard application only. AVBs protect against backsiphonage only and are prohibited where there is potential for backpressure. In addition to the provisions of section 51.76, an AVB shall be installed in accordance with the following requirements in order to ensure the proper operation of and accessibility to the assembly:

. . . ″

#### Section 7

That Section 51.89 "Enforcement," of Article V, "CROSS-CONNECTION CONTROL," of Chapter 51, "General Utility Provisions," of the Code of Ordinances of the City of Garland, Texas, is hereby amended *in part* to read as follows:

#### "Sec. 51.89 Enforcement

• • •

(C) Violations.

. . .

(11) A person commits an offense by testing fire line backflow devices without the proper

6

. . . ″

#### Section 8

That Chapter 51 of the Code of Ordinances for the City of Garland, Texas, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

#### Section 9

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

#### Section 10

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

#### Section 11

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

PASSED AND APPROVED this the \_\_\_\_ day of \_\_\_\_\_, 2022.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

PUBLISHED:

City Secretary



# GARLAND CITY COUNCIL ITEM SUMMARY SHEET

City Council Re	egular Session Agenda
Meeting Date:	01/17/2023
Item Title:	Greenbelt Parkway Parking Restrictions
Submitted By:	Paul Luedtke, Transportation Director

# Summary of Request/Problem

Parking on Greenbelt Parkway could create a hazard as there is only one lane in each direction.

# **Recommendation/Action Requested and Justification**

Restrict parking at all times on Greenbelt Parkway between Duck Creek Drive and IH 30.

Ordinance

Attachments

6.

#### ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 33, "TRANSPORTATION" OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A PENALTY CLAUSE, A SAVINGS CLAUSE, AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

#### SECTION 1

That Subsection (A) of Section 33.48, "Prohibited at all times", of Article IV, "Stopping, Standing, and Parking", of Chapter 33, "Transportation", of the Code of Ordinances, City of Garland, Texas, is hereby amended to read in pertinent part as follows:

#### "Section 33.48 Prohibited at all times.

(A) When signs are erected, or curbs painted giving notice thereof, no person shall park a vehicle at any time upon any of the street or sides of streets or portions thereof hereafter enumerated:

Street	Extent	Side
12th Street	From Main Street to Avenue B	West
Greenbelt Parkway	Duck Creek Drive to IH -30	Both
Purdue Road	From Walnut Street to Princeton Drive	Both
Zion Road "	Lake Ray Hubbard to Candlestick Drive	Both

#### SECTION 2

That a violation of the provisions of this Ordinance shall constitute a misdemeanor punishable in accordance with Section 10.05 of the Code of Ordinances of the City of Garland, Texas.

#### SECTION 3

That Chapter 33, "Transportation", of the Code of Ordinances of the City of Garland, Texas, as amended, shall remain in full force and effect, save and except as amended by this Ordinance.

#### SECTION 4

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

#### SECTION 5

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

**PASSED AND APPROVED** this the \_\_\_\_ day of January, 2023.

THE CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



# GARLAND CITY COUNCIL ITEM SUMMARY SHEET

# City Council Regular Session AgendaMeeting Date:01/17/2023Item Title:Purdue Drive Parking RestrictionsSubmitted By:Paul Luedtke, Transportation Director

# Summary of Request/Problem

Overflow parking from the adjacent apartment complex is intruding on available parking. Restrictions have been requested to ensure access to the neighborhood is not impeded.

# **Recommendation/Action Requested and Justification**

Adopt the attached ordinance to restrict parking at all times on both sides of Purdue Drive between Walnut Street and Princeton Drive.

Ordinance

Attachments

7.

#### ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 33, "TRANSPORTATION" OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A PENALTY CLAUSE, A SAVINGS CLAUSE, AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

#### SECTION 1

That Subsection (A) of Section 33.48, "Prohibited at all times", of Article IV, "Stopping, Standing, and Parking", of Chapter 33, "Transportation", of the Code of Ordinances, City of Garland, Texas, is hereby amended to read in pertinent part as follows:

#### "Section 33.48 Prohibited at all times.

(A) When signs are erected, or curbs painted giving notice thereof, no person shall park a vehicle at any time upon any of the street or sides of streets or portions thereof hereafter enumerated:

Street	Extent	Side
12th Street	From Main Street to Avenue B	West
Greenbelt Parkway	Duck Creek Drive to IH -30	Both
Purdue Road	From Walnut Street to Princeton Drive	Both
Zion Road "	Lake Ray Hubbard to Candlestick Drive	Both

#### SECTION 2

That a violation of the provisions of this Ordinance shall constitute a misdemeanor punishable in accordance with Section 10.05 of the Code of Ordinances of the City of Garland, Texas.

#### SECTION 3

That Chapter 33, "Transportation", of the Code of Ordinances of the City of Garland, Texas, as amended, shall remain in full force and effect, save and except as amended by this Ordinance.

#### SECTION 4

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

#### SECTION 5

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

**PASSED AND APPROVED** this the \_\_\_\_ day of January, 2023.

THE CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



# GARLAND CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda

Meeting Date:01/17/2023Item Title:Neighborhood Vitality Matching Grant Fall 2022 ApplicationsSubmitted By:Laura De La Vega, Sr. Planner

# Summary of Request/Problem

The City Council reviewed the Fall 2022 Neighborhood Vitality Matching Grant applications at the January 9, 2023, Work Session and recommended approval by minute action.

# **Recommendation/Action Requested and Justification**

Approve the applications as submitted.

Attachments

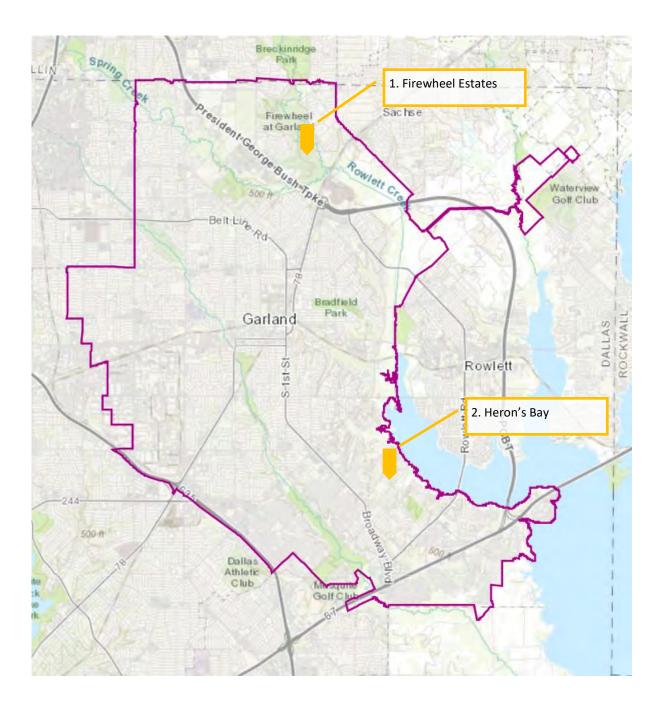
2022 Fall NVMG Projects

8.



# **NEIGHBORHOOD VITALITY MATCHING GRANT**

Proposed Project Locations for Fall 2022





# **NEIGHBORHOOD VITALITY MATCHING GRANT**

PROJECT SUMMARY

Neighborhood Association: Firewheel Estates HOA Project Name: Median Enhancement Project Project Location: Muirfield Median from Fall Creek Ct. to Palm Desert Dr.

<b>Total Project Cost:</b>	\$119,953
<b>Requesting Amount:</b>	\$89,965
Neighborhood Match	\$29,988
Match Percentage:	25%

## **Project Summary:**

• Enhance median by installing hardscaping with a variety of river rock, boulders and other materials.

### Maps & Current status of area:

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**Proposed Project Area Map & Photos:** 





# **Staff Comments**

### **Office of Neighborhood Vitality:**

- Common area or recreational improvements (new construction) are eligible projects under the matching grant program.
- As of August 2, 2021 City Council voted for that softscape is now an ineligible project in this program. Hardscaping is eligible.

### **Engineering:**

- The median is within the public Right of Way. There is a public wastewater main running under the majority of the median and there may be other utilities within the median in this area.
- Any landscaping improvements within the public Right of Way area would require a License Agreement from the Engineering Department since we do not have one on file. This can be done at the time of permitting.
- Large trees cannot be placed on top of our public utility lines.
- Do not install any objects that penetrate the ground more than 36-inches to avoid any damage to the wastewater main.

• Texas811 should be called to locate the wastewater main and any other utility lines in the median prior to construction.

# **Building Inspections:**

• If installing irrigation, a permit is required.



# **NEIGHBORHOOD VITALITY MATCHING GRANT**

**PROJECT SUMMARY** 

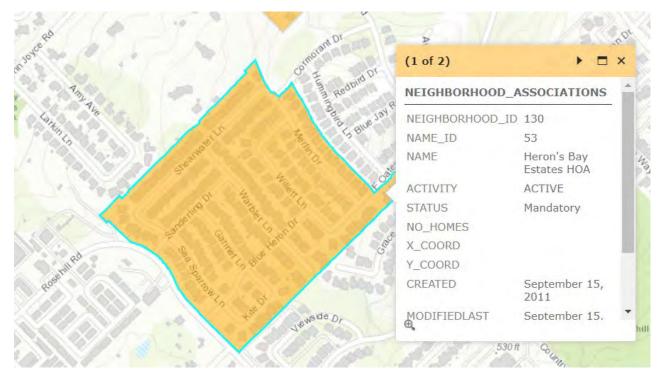
Neighborhood Association: Heron's Bay Estates HOA Project Name: Sanderling Dr. Lighting Enhancement Project Location: Sanderling Dr. Entrance

<b>Total Project Cost:</b>	\$10,800
<b>Requesting Amount:</b>	\$9,180
Neighborhood Match	\$1,620
Match Percentage:	15%

### **Project Summary:**

- Install new LED lighting at Sanderling entrance similar to lighting on Blue Heron
  - 1. Six (6) along the screening walls on Sanderling, three (3) on each side
  - 2. Two (2) on each entrance names on Sanderling.

### Maps & Current Status of Area:





# **Proposed Projects:**





### **Staff Comments**

### Office of Neighborhood Vitality (ONV):

- May 2022 began the new five (5) year grant period for Heron's Bay making them eligible to apply for up to \$100,000 throughout the next five (5) years.
- New lighting is eligible through the Matching Grant program.
- There is existing ground lighting illuminating the entry signs.

### **Building Inspections**

• If installing new electrical for lighting, and electrical permit is required.



# GARLAND CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda

Meeting Date:01/17/2023Item Title:Optional Redemption of Tax NotesSubmitted By:Matt Watson, Finance Director

# Summary of Request/Problem

When Council approved the issuance of \$36,980,000 Tax Notes, Series 2022 on September 9, 2022, it was contemplated that the City would exercise the call provision to redeem the notes prior to the scheduled maturity date of November 15, 2023. Staff requests Council consider approving a resolution to redeem the Tax Notes, Series 2022 as contemplated.

# **Recommendation/Action Requested and Justification**

Approve a resolution to call \$36,980,000 of Tax Notes, Series 2022.

Resolution

Attachments

9.

### RESOLUTION NO.

# A RESOLUTION PROVIDING FOR THE REDEMPTION OF THE OUTSTANDING CITY OF GARLAND, TEXAS, TAX NOTES, SERIES 2022; AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE REDEMPTION OF SUCH OBLIGATIONS

WHEREAS, pursuant to Ordinance No. 7359 (the "Ordinance") passed and adopted by the City Council (the "Council") of the City of Garland, Texas (the "City"), the following described obligations were duly authorized to be issued and are currently outstanding, to wit: City of Garland, Texas, Tax Notes, Series 2022, dated September 29, 2022, maturing on November 15, 2023, and aggregating in principal amount \$36,980,000; and

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

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

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

SECTION 1: The tax notes of the series known as "City of Garland, Texas, Tax Notes, Series 2022," dated September 29, 2022, maturing on November 15, 2023, and aggregating in principal amount \$36,980,000, shall be redeemed and the same are hereby called for redemption on February 15, 2023, at the price of par plus accrued interest to the date of redemption. The Mayor and the City Secretary are hereby authorized and directed to file a copy of this Resolution, together with a suggested form of notice of redemption to be sent to noteholders, with PNC Bank, National Association, the current paying agent/registrar for such obligations, in accordance with the redemption provisions applicable to such obligations; such suggested form of notice of redemption being attached hereto as **Exhibit A** and incorporated herein by reference as a part of this Resolution for all purposes.

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

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

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

PASSED AND ADOPTED, this January 17, 2023.

CITY OF GARLAND, TEXAS

ATTEST:

Mayor

City Secretary

(City Seal)

### EXHIBIT A

### **NOTICE OF REDEMPTION**

### **CITY OF GARLAND, TEXAS TAX NOTES, SERIES 2022**

### Dated September 29, 2022

NOTICE IS HEREBY GIVEN that all notes of the above series maturing on November 15, 2023 and aggregating in principal amount \$36,980,000, have been called for redemption on February 15, 2023 at the redemption price of par and accrued interest to the date of redemption.

ALL SUCH NOTES shall become due and payable on February 15, 2023, and interest thereon shall cease to accrue from and after said redemption date and payment of the redemption price of said obligations shall be paid to the registered owners of the obligations only upon presentation and surrender of such obligations to PNC Bank, National Association, 200 Crescent Court, Suite 400, Dallas, Texas 75201.

REDEMPTION of the notes is conditional upon the receipt of moneys sufficient to pay the principal of and interest on notes by the Paying Agent/Registrar on or prior to the date fixed for redemption, and, if sufficient moneys are not received, this notice shall be of no force and effect, the City shall not redeem the notes and the Paying Agent/Registrar shall give notice, in the manner in which this notice of redemption was given, to the effect that the notes have not been redeemed.

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

PNC Bank, National Association 200 Crescent Court, Suite 400 Dallas, Texas 75201



# GARLAND CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda Meeting Date: 01/17/2023 Item Title: Appointment of City Manager

Summary of Request/Problem

Consider a resolution appointing Judson Rex as City Manager of the City of Garland, Texas and conducting the oath of office ceremony related to same.

**Recommendation/Action Requested and Justification** 

Council approval.

# Attachments

City Manager Appointment Pack and Resolution

10.

#### RESOLUTION NO.

A RESOLUTION APPOINTING JUDSON REX THE CITY MANAGER OF THE CITY OF GARLAND, TEXAS AND PROVIDING AN EFFECTIVE DATE.

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

### Section 1

That Judson Rex is hereby appointed as City Manager of the City of Garland, Texas.

### Section 2

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

PASSED AND APPROVED this the \_\_\_\_ day of \_\_\_\_, 2023.

### CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

# STATEMENT OF ELECTED/APPOINTED OFFICER

I, Judson Rex, do solemnly swear (or affirm), that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God.

Judson Rex

SWORN TO and subscribed before me by Judson Rex on this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

[Seal]

Notary Public for the State of Texas

# In the name and by the authority of the State of Texas

# **OATH OF OFFICE**

I, Judson Rex, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of City Manager of the City of Garland, of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.

Judson Rex

SWORN TO and subscribed before me by Judson Rex on this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

[Seal]

Notary Public for the State of Texas



# GARLAND CITY COUNCIL ITEM SUMMARY SHEET

# **City Council Regular Session Agenda**

Meeting Date: 01/17/2023

Item Title: Interlocal Agreement with Dallas Area Rapid Transit (DART) for Public Transportation Improvements

Submitted By: Matt Watson, Finance Director

### Summary of Request/Problem

On September 27, 2022, the DART Board of Directors approved DART's Fiscal Year 2023 Budget, which included \$214.3 million in distribution of DART revenue to the Service Area Cities. Additionally, on October 25, 2022, the DART Board accepted \$19.7 million from the Regional Transportation Council (RTC) and the North Central Texas Council of Governments (NCTCOG). This additional funding allowed DART to maximize the benefit to each Service Area City by distributing the most advantageous allocation, whether sales tax or population. The City of Garlands allocation is calculated based on the 2020 census population and totals \$20,963,000.

On November 15, 2022, the DART Board approved an Interlocal Agreement (ILA) with DART Service Area Cities for public transportation improvements, which includes information about the City of Garlands obligations, project eligibility, and terms for accepting the money. DART has requested that this ILA be executed by January 31, 2023.

Based on the terms listed in the ILA, eligible project's must be submitted to DART for approval by January 31, 2024, and must be related to improvements of, or provide a benefit to, DART's Public Transportation System and/or provide Complementary Transportation Services. Complementary Transportation Services are defined in the ILA as (a) special transportation services for a person who is elderly or has a disability; (b) medical transportation services; (c) assistance in street modifications as necessary to accommodate the Public Transportation System, and (d) any other service that complements DART's Public Transportation System, including providing parking garages. For most projects, up to 10% of the project cost will be disbursed to the City of Garland upon approval of the project by DART with an additional 40% of the approved cost of the project disbursed after receipt of notice to proceed by the City to its contractor. The remainder of the funds will be disbursed at substantial completion of the project. Eligible projects must achieve substantial completion by January 30, 2026.

# **Recommendation/Action Requested and Justification**

11.

Approve by minute action the attached Interlocal Agreement, which authorizes the City Manager to execute the Interlocal Agreement with DART. Based on the terms and conditions of this agreement, staff will evaluate eligible projects and bring forward recommendations to City Council at a future meeting.

### Attachments

Interlocal Agreement with DART

### FORM OF

### INTERLOCAL AGREEMENT between DALLAS AREA RAPID TRANSIT and CITY OF GARLAND for PUBLIC TRANSPORTATION IMPROVEMENTS

This Interlocal Agreement ("Agreement") is made and entered into by and between DALLAS AREA RAPID TRANSIT ("DART"), a regional transportation authority organized and existing pursuant to Chapter 452 of the Texas Transportation Code (the "Act"), and CITY OF GARLAND ("CITY"). DART and CITY may be referred to herein individually as a "Party" or collectively as "Parties."

WHEREAS, pursuant to DART Board Resolution 220119, the DART Board of Directors directed the DART President & Chief Executive Officer to include \$214,250,000 in the Fiscal Year 2023 Budget for allocation to DART's service area cities for Public Transportation System or Complementary Transportation Service purposes, as those terms are defined herein, consistent with the Act, hereinafter referred to as "Funds"); and

WHEREAS, pursuant to DART Board Resolution 220153, the Regional Transportation Council will program \$19,674,000 in federal funds to DART, which will allow DART to make an additional \$19,674,000 in local funds available to DART's service area cities; and

WHEREAS, pursuant to DART Board Resolution 220154, each DART service area city is entitled to a receive a portion of the total funds available to the Service Area Cities, subject to the conditions contained in this Agreement; and

WHEREAS, the Parties are authorized to enter into this Agreement pursuant to Section 452.055(c) of the Act and Chapter 791 of the Texas Government Code; and

WHEREAS, CITY is a DART service area city that is entitled to receive \$20,963,000 in Funds if it uses such Funds to complete projects that will benefit DART's Public Transportation System or provide Complementary Transportation Services (each as defined below) and otherwise complies with the terms and conditions of this Agreement; and

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the Parties, the receipt and sufficiency which is hereby acknowledged, the Parties agree as follows:

### Section I. Definitions

1.1 Complementary Transportation Services means: (a) special transportation services for a person who is elderly or has a disability; (b) medical transportation services; (c) assistance in street modifications as necessary to accommodate the Public Transportation System; and

(d) any other service that complements DART's Public Transportation System, including providing parking garages. "Complementary Transportation Services" must be provided within the limits of DART's service area.

- 1.2 Eligible Project means a CITY project supporting DART's Public Transportation System or for Complementary Transportation Services that has been approved by DART in accordance with Section III of this Agreement.
- 1.3 Public Transportation means the conveyance of passengers and hand-carried packages or baggage of a passenger by any means of transportation.
- 1.4 Public Transportation System means (a) all property owned or held by DART for public transportation or complementary transportation service purposes, including vehicle parking areas and facilities and other facilities necessary or convenient for the beneficial use of, and the access of persons and vehicles to, public transportation; (b) real property, facilities, and equipment for the protection and environmental enhancement of all the facilities; and (c) property held in accordance with a contract with the owner making the property subject to the control of or regulation by DART and for public transportation or complementary transportation service purposes.
- 1.5 Effective Date means the date on which this Agreement was executed by a duly authorized representative of DART.

### Section II. CITY's Obligations

- 2.1 <u>Use of Funds</u>. CITY shall use Funds only for an Eligible Project approved by DART in accordance with Section III of this Agreement.
- 2.2 <u>Good Standing Requirement</u>. CITY understands and agrees CITY shall not be entitled to receive any Funds until and unless the following preconditions are met:
  - a. Any outstanding debt owed to DART pursuant to any Interlocal Agreement or other Agreement whereby CITY is obligated to pay DART for goods and services provided or for the reimbursement of goods and services provided shall be current or fully paid; and
  - b. CITY shall have timely acted upon and fully satisfied all applications or submittals by DART or DART's contractor for permits, requests for project design review comments and approvals, traffic control plans and requests for documents or other information or permissions necessary for DART to proceed with advancement of its planned capital construction projects within the city limits of CITY and shall have paid for all other delays or forfeited such delay amounts from CITY's funds. CITY shall certify to DART in its application for reimbursement of Funds that all such requests have been either fully satisfied or timely acted upon by CITY and revision, clarification, or other response from DART is necessary for the submittal to comply with CITY ordinances or other laws. Section 2.2(b) applies to project design review comments, approvals, and

other such requests, which CITY shall approve or provide written comments to within fourteen (14) calendar days from the date received. For the avoidance of doubt, this section 2.2 of the Agreement applies to DART applications and submittals submitted to CITY prior to the Effective Date. This requirement does not obligate CITY to approve a permit or perform any other action in violation of its ordinances or other law.

- c. CITY shall also have paid to DART, or forfeited from CITY's Funds, all costs and expenses resulting from any delays to the construction of DART's planned capital projects which are caused or attributable to CITY, for example (as illustration and not limitation) delayed actions by CITY officials or requests by CITY for betterments that are not required for the DART capital project to be constructed and operated in accordance with federal, state, or local laws in effect as of the Effective Date. Such costs caused by or attributed to CITY include but are not limited to delay damages claimed or incurred against DART or DART's contractor.
- 2.3 <u>Cooperation Requirement</u>. CITY agrees to work collaboratively with DART employees and contractors and employ its best efforts to assist DART in achieving its goals, including completion of any capital project located within the city limits of the CITY. DART, in its sole discretion, determines what constitutes "best efforts" which include, but are not limited to:
  - a. Expeditiously reviewing and responding to any request by DART or its contractors related to DART's planned capital construction projects within the city limits of CITY;
  - b. Promptly providing the basis for denial if CITY denies any DART or DART contractor's request and the particular actions necessary to garner approval;
  - c. Proposing and accepting reasonable solutions to expeditiously resolve design or construction conflicts or concerns;
  - d. Treating DART's requests reasonably and indiscriminately; and
  - e. Facilitating the expeditious progression of a dispute resolution through the dispute resolution process outlined in Section IX.
- 2.4 <u>Certification of CITY Meeting Requirements</u>. CITY shall have met the requirements of Section 2.2 and 2.3 before any project is approved and before funds are distributed to CITY. For any individual project submitted by CITY for approval or for any request by CITY for reimbursement, DART shall review the CITY's position under Section 2.2 and 2.3 and if CITY is in compliance, DART shall certify to the Board of Directors that CITY has met these requirements. If DART does not certify the CITY's compliance under Section 2.2 and 2.3, CITY will be informed within fourteen (14) calendar days of any deficiencies or matters requiring immediate action. In addition to Section 2.2.c, CITY expressly consents to DART subtracting from the Funds or CITY will pay upfront all costs incurred by DART that are associated with CITY's delayed actions or related to requests by CITY for betterments that are not required for or are unrelated to the DART project to be constructed

and operated in accordance with federal, state, or local laws in effect as of the Effective Date.

- 2.5 <u>Project Design, Construction, and Maintenance</u>. All activities associated with implementation and operation of an Eligible Project, including planning, design, construction, and maintenance, shall be the responsibility of CITY, unless otherwise agreed to by DART.
- 2.6 <u>Insurance.</u> CITY shall obtain and maintain, and shall require its contractors to obtain and maintain, adequate insurance or self-insurance coverage to effectively protect against the risks associated with each Eligible Project.

### Section III. DART Approval of Eligible Projects

- 3.1 <u>Allowable Projects and Activities</u>. A project proposed by CITY shall be related to improvement of, or provide a benefit to, DART's Public Transportation System or provide Complementary Transportation Services and be approved by DART in accordance with Section 3.2 of this Agreement. Eligible activities for which the Funds may be used include, but are not limited to, planning, environmental impact studies, engineering, final design, right-of-way acquisition, construction, testing, inspection, or surveying, and the cost of contracting with providers of Complementary Transportation Services.
- 3.2. <u>CITY Submittal of a Project</u>. CITY will submit to DART a description of a proposed project, a cost estimate, and a statement demonstrating how the proposed project will benefit DART's Public Transportation System or will provide Complementary Transportation Services.
- 3.3 <u>Future DART System Projects</u>. Section 3.2 notwithstanding, CITY may submit to DART a proposal to reserve some or all of its Funds for one or more future DART system projects, such as construction of an infill station on a rail line, provided the project has been identified in DART's approved Transit System Plan and adopted twenty-year financial plan as of January 1, 2024. However, if DART or CITY determines not to implement the future DART system project(s) identified by CITY, CITY may submit an alternative project provided it can satisfy the critical deadlines identified in Section 4.3. If the critical deadlines have passed, DART shall retain the reserved Funds and may, in its sole discretion, work with CITY to identify an alternative use of the Funds.
- 3.4 <u>DART Approvals</u>. DART staff will have fourteen (14) calendar days to review and respond to the proposed Project(s).
- 3.5 <u>Eligible Projects</u>. Only after a proposed project has been approved by DART in writing shall the proposed project be deemed an Eligible Project for the purposes of this Agreement.

### Section IV. Financial Considerations

- 4.1 <u>Eligibility for Reimbursement</u>. CITY's expenditure of funds for a proposed project prior to DART's approval of such project in accordance with Section 3 of this Agreement may render such expenditures ineligible for reimbursement by DART. DART shall have no obligation to reimburse CITY for any Eligible Project undertaken prior to DART's approval therefor and DART is not obligated to provide Funds for activities performed or costs incurred prior to the execution of this Agreement.
- 4.2 <u>Disbursement of Funds</u>. DART will disburse Funds to CITY only if CITY is in good standing per Section 2.2 or meets the cooperation requirement per Section 2.3, and has received certification under Section 2.4 for Eligible Projects approved by DART in accordance with the following terms:
  - a. <u>General</u>. DART will reimburse CITY for the actual cost of an Eligible Project up to the cost as approved by DART and/or up to the amount of remaining Funds available to CITY. DART shall have no obligation to pay to CITY an amount greater than the amount of Funds available to CITY if DART has approved more than one Eligible Project for CITY. Unless otherwise agreed by DART, DART shall not be responsible to pay the cost of cost overruns. To the extent permitted by law, CITY shall RELEASE AND HOLD DART HARMLESS from all claims or liabilities arising from the use of the Funds or implementation or operation of an Eligible Project.
  - b. <u>Eligible Projects Estimated to Cost \$250,000 or Less</u>. DART may, in its sole discretion, distribute up to 50% of the cost of an Eligible Project after project approval. DART will distribute the remainder of the Funds, up to an amount not to exceed the Eligible Project cost, upon substantial completion of the Eligible Project and receipt of a request for payment with supporting documentation of actual project costs incurred.
  - c. <u>Eligible Projects Estimated to Cost More than \$250,000</u>. DART may, in its sole discretion, distribute \$125,000 or up to 10% of the cost of an Eligible Project, whichever is greater, after project approval. DART may, in its sole discretion, further distribute up to 40% of the approved cost of the Project after receipt of notice to proceed by CITY to its contractor for an Eligible Project. The remainder of the Funds will be distributed after receipt of a request for Funds along with supporting documentation of achievement of substantial completion under CITY's contract documents and evidence of actual Project costs incurred.
  - d. <u>Eligible Projects under Section 3.3</u>. If requested by CITY in accordance with Section 3.3, DART will set aside in a reserve fund all or a portion of CITY's Funds to be used to implement a future DART system project that is included in DART's approved Transit System Plan and adopted twenty-year financial plan. These reserved Funds shall remain available until expended on the identified project or until project completion, whichever comes first, notwithstanding Section 4.3; provided, however, that if DART removes the project from its long-term capital plans, or if the amount of Funds held exceeds the amount needed for the project, the reserved Funds shall be

transferred to DART's reserve funds according to the Financial Standards in place at the time, and the reserve account for the Funds shall be closed.

- e. <u>Invoicing</u>. CITY may submit a single reimbursement request for all Eligible Projects; however, CITY may submit no more than one reimbursement request for Funds per month, inclusive of all Eligible Projects. DART will have fourteen (14) calendar days to review and respond to CITY reimbursement requests for Funds.
- f. <u>Payment</u>. DART's President & Chief Executive Officer or delegate must approve all Fund distributions. DART will distribute undisputed Funds no sooner than fourteen (14) calendar days after approval, and no later than thirty (30) calendar days after approval.
- 4.3 <u>Critical Deadlines</u>. Except as expressly provided herein, the Funds are available for a limited time. CITY must submit proposed projects to DART for approval by January 31, 2024. Contracts for Eligible Projects must be awarded by CITY by February 28, 2025. Eligible Projects must achieve substantial completion by January 30, 2026. Requests for Funds must be submitted by April 30, 2026. Funds not duly requested by CITY by April 30, 2026, shall be transferred to DART's reserve funds according to the Financial Standards in place at the time, and separate accounts in DART's accounting system for the purposes of this Agreement shall be closed.
- 4.4 <u>Audit Rights</u>. If a subsequent review of Eligible Project documentation reveals that Funds were expended in violation of this Agreement, CITY shall promptly reimburse such Funds to DART.

### Section V. Termination

- 5.1 <u>DART Termination</u>.
  - a. If CITY fails to timely meet any of the critical dates identified in Section 4.3 or otherwise comply with the terms of this Agreement, DART may terminate this Agreement by providing thirty calendar days' written notice. Upon termination of this Agreement by DART under this Section 5.1(a), CITY shall return to DART any Funds (a) advanced but not yet used for an Eligible Project; or (b) used for a non-qualifying activity or purpose in violation of this Agreement; and DART shall have no further obligation to CITY under this Agreement.
  - b. Additionally, DART shall have the right to terminate this Agreement under Section VI.
- 5.2 <u>Expiration of Agreement</u>. This Agreement shall terminate automatically upon the earlier of distribution or forfeiture of \$20,963,000 in Funds to CITY and April 26, 2026; provided, however, obligations identified in Section 3.3 and 10.7, shall survive termination. The total distribution of Funds to CITY shall by offset by deductions made pursuant to Section 2.2(c).

### Section VI. Withdrawal of Service Area City

If an eligible municipality calls an election to withdraw from DART, no new applications for funding will be considered, payments under existing agreements will be immediately suspended and no new or pending applications will be recommended for funding.

### Section VII. Legislative Activities of Service Area City

If the withdrawal election fails and the municipality remains in the DART Service Area, payments under existing agreements will resume. However, if the withdrawal election is successful and the municipality withdraws from DART, no further applications shall be addressed or received from such CITY and no new allocations of funds under this agreement shall be made to the municipality. The agreements for all eligible projects shall provide that in such circumstances the agreement shall be deemed mutually cancelled and removed from the program, no further funding or reimbursement will be provided for the project by DART and funds previously paid for the eligible project by DART shall be included as part of the CITY's total financial obligation to DART.

### Section VIII. Termination of Prior Programs

- 8.1 <u>Local Assistance Program</u>. The parties agree that CITY will submit all requests for reimbursement for the Local Assistance Program, which terminated in 2004, no later than March 31, 2023, and that immediately following final disposition of the request(s), all remaining funds shall be transferred to DART's reserve funds according to the Financial Standards in place at the time, and the related separate accounts in DART's accounting system shall be closed.
- 8.2 <u>Transit Principal Arterial Street System Program</u>. The parties agree that CITY will submit all requests for reimbursement for the Transit Principal Arterial Street System Program no later than June 30, 2023, and that immediately following final disposition of the request(s), all remaining funds shall be transferred to DART's reserve funds according to the Financial Standards in place at the time, and the related separate accounts in DART's accounting system shall be closed.
- 8.3 <u>Transit Related Improvement Program</u>. The parties agree that CITY will submit all requests for reimbursement for the Transit Related Improvement Program, which terminates on September 30, 2025, no later than September 30, 2027, and that immediately following final disposition of the request(s), all remaining funds shall be transferred to DART's reserve funds according to the Financial Standards in place at the time, and the related separate accounts in DART's accounting system shall be closed.

### Section IX. Dispute Resolution

DART and CITY will make good faith efforts to resolve any issues or disputes which may arise under this Agreement. CITY and DART acknowledge and agree that *time is of the essence* at all levels of resolving issues or disputes related to the Funds. Unresolved issues or disputes will be forwarded to the CITY's Director of Transportation or an Assistant Director of Transportation and the DART Vice President of Finance or their equivalent for consideration and disposition. If an issue or dispute cannot be resolved, it will be elevated to CITY's Assistant City Manager and the DART Executive Vice President/Chief Financial Officer or their equivalent for consideration and disposition. If an issue or dispute cannot be resolved, it will be elevated to CITY's City Manager and the DART President & Chief Executive Officer as the final arbiters of the issue or dispute in accordance with the powers and authorities vested in them.

### Section X. Miscellaneous

10.1 Notices. Notice shall be provided in writing at the following addresses:

### DALLAS AREA RAPID TRANSIT

1401 Pacific Avenue Dallas, Texas 75202-7210 cfo@dart.org Attn: EVP, Chief Financial Officer **CITY OF GARLAND** P.O. Box 469002 Garland, TX 75046 mwatson@garlandtx.gov Attn: Finance Director

Copy to: DART General Counsel P.O. Box 660163 Dallas, TX 75266-7255

Either Party may designate a different address for receipt of notice by giving written notice of such change of address.

- 10.2 <u>Governing Law; Voting Requirements for Initiation of Suit Against CITY.</u> This Agreement shall be construed under and in accordance with the laws of the State of Texas. Any action brought by a party to enforce any provision of this Agreement shall be commenced in a state district court of competent jurisdiction in Dallas County, Texas. DART shall not name or implead a non-principal municipality (CITY) or its officers or employees except upon a two-thirds vote of the DART Board.
- 10.3 <u>Entirety and Amendments</u>. This Agreement embodies the entire agreement between the Parties and supersedes all prior agreements and understandings. This Agreement may be amended or supplemented only by a written instrument executed by the Parties.
- 10.4 <u>No Joint Enterprise</u>. The Parties do not intend that this Agreement be construed as finding that the Parties have formed a joint enterprise. It is not the intent of any of the Parties that a joint enterprise relationship is being entered into and the Parties hereto specifically disclaim such relationship.
- 10.5 <u>Third Party Beneficiaries</u>. There are no third-party beneficiaries to this Agreement.
- 10.6 <u>Construction and Interpretation</u>. This Agreement shall not be construed against the drafting Party.

- 10.7 <u>Severability</u>. If any provision of this Agreement is determined to be illegal or unenforceable in any respect, such determination will not affect the validity or enforceability of any other provision, each of which will be deemed to be independent and severable. Except for the time periods that CITY must submit applications for eligible projects, all sections of the Interlocal Agreement survive and remain in force and effect.
- 10.8 <u>No Waiver of Governmental Immunity</u>. By entering into this Agreement, neither Party waives or diminishes any defenses available to it, including, by example and without limitation, governmental immunity and statutory caps on damages.
- 10.9 <u>No Discrimination</u>. In the performance of this Agreement, each Party warrants that is shall not discriminate against any person on account of race, color, sex, religious creed, age, disability, ethnic or national origin, veteran status or other protected group of persons.
- 10.10 <u>Signature Authority</u>. Each of the individuals signing this Agreement warrants that he or she is duly and properly authorized to execute this Agreement on behalf of his or her respective Party.

### DALLAS AREA RAPID TRANSIT

Nadine S. Lee President & Chief Executive Officer

Date: \_\_\_\_\_

### **CITY OF GARLAND**

City Official

Title:
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City Council Regular Session Agenda Meeting Date: 01/17/2023 Item Title: Board and Commission Appointment Submitted By: Courtney Vanover, Department Coordinator I, City Secretary

# Summary: Mayor Pro Tem Deborah Morris

• Tamara Aquino - Parks and Recreation Board

Attachments

Tamara Aquino - Parks





### Application for City of Garland Boards/Commissions/Committees

Return completed application to City Secretary's Office, 200 N. Fifth St., Garland, Texas 75040 | Email: RDowld() Outand [N.gov.

4/40/0000

<u>Please Type or Print Clearly:</u>	Date: 1/12/2022		
Name: Tamara Aquino	Phone		
Address: 430 Davidson Dr.	Phone		
City, State, Zip: Garland, TX 75040	Emai		
Resident of Garland for 18 years Resident	of Texas for 28 years		
Dallas County Voter Registration Number	Garland City Council District Number 2		
Have you ever been convicted of a felony?	Yes <u>v</u> No		
Have you ever been convicted of a Class A misdeme	anor?YesNo		

Please list any experience that qualifies you to serve in the areas you have indicated.

I have been working in the park and recreation field since 2012. I will be graduating from the Texas Recreation And Park Society of Leadership Development Academy in the spring of 2023, which is a selected "community of professionals...achieving the highest level of respect and recognition"

If you have previously served on a City Board or Commission, please specify and list dates of service. N/A

List civic or community endeavors with which you have been involved.

Social Media Chair with Rainbow Neighborhood Association

What is your educational background?

Graduated 2015 with a Bachelor of Science in Recreation, Park and Tourism Sciences from Texas A&M University with Honors. In 2019, I became a Certified Park and Recreation Profession. Currently studying Masters of Public Affairs at University of Texas at Dallas.

What is your occupational experience?

Currently, I oversee the Lake Highlands North Recreation Center for City of Dallas that sells the highest number of memberships and run programs for preschool aged children to senior citizens for a community of 51,000 residents.

Board or Commission of fir	st, second and third choic	e:			
Board of Adjustment Citizens Environmental and Neighborhood Advisory Committee Civil Service Commission Community Molticultural Commission		Garland C	ultural Arts Commission	Parks and Recreation Board Plan Commission *	
		Garland Yo	outh Council **		
		Library Bo	had	Senior Citizens Advisory Committee	
		Property S	tandards floard	Unified Building Standards Commiss	ion
	** Garl	and Youth Council he	as a separate application		
	1	FOR OFFI	CE USE ONLY		
Ad Valorem Tax Status	Current	Past Duc	Date Appointed		
Utility Account Status	Current V	Past Duc	Appointed By		
1.04	Yes No	now	Date Notified		
Clerk Signature & Date	sinney va	in in	Disclosure Form Filed		Revised 05/202
	0	112 22			