GARLAND

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
September 19, 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.

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

(1) Pending/contemplated litigation, settlement offer(s), and matters concerning privileged and unprivileged client information deemed confidential by Rule 1.05 of the Texas Disciplinary Rules of Professional Conduct. Sec. 551.071, Tex. Gov't Code.

(2) The purchase, exchange, lease or value of real property, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Sec. 551.072, Tex. Gov't Code.

(3) A contract for a prospective gift or donation to the City, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person.

Sec. 551.073, Tex. Gov't Code.

(4) Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint against an officer or employee. Sec. 551.074, Tex. Gov't Code.

(5) The deployment, or specific occasions for implementation of security personnel or devices. Sec. 551.076, Tex. Gov't Code.

(6) Discussions or deliberations regarding commercial or financial information that the City has received from a business prospect that the City seeks to have to locate, stay, or expand in or near the territory of the City and with which the City is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect of the sort described in this provision. Sec. 551.087, Tex. Gov't Code.

(7) Discussions, deliberations, votes, or other final action on matters related to the City's competitive activity, including information that would, if disclosed, give advantage to competitors or prospective competitors and is reasonably related to one or more of the following categories of information:

- generation unit specific and portfolio fixed and variable costs, including forecasts of those costs, capital improvement plans for generation units, and generation unit operating characteristics and outage scheduling;
- bidding and pricing information for purchased power, generation, and fuel, and Electric Reliability Council of Texas bids, prices, offers, and related services and strategies;
- effective fuel and purchased power agreements and fuel transportation arrangements and contracts;
- risk management information, contracts, and strategies, including fuel hedging and storage;
- plans, studies, proposals, and analyses for system improvements, additions, or sales, other than transmission and distribution system improvements inside the service area for which the public power utility is the sole certificated retail provider; and
- customer billing, contract, and usage information, electric power pricing information, system load characteristics, and electric power marketing analyses and strategies. Sec. 551.086; Tex. Gov't Code; Sec. 552.133, Tex. Gov't Code]

NOTICE: Pursuant to Section 551.127 of the Texas Government Code, one or more members of the City Council may attend this meeting by internet/video remote means. A quorum of the City Council, as well as the presiding officer, will be physically present at the above identified location. Members of the public that desire to make a public comment must attend the meeting in person.

VISION
CITY COUNCIL
Growing Economic Base
Commercially Thriving Downtown
Safe Community
Customer-Focused City Services
Well-Maintained City Infrastructure
Vibrant Neighborhoods and Commercial Centers
Sound Governance and Finances
Enhanced Quality of Life through Amenities, Arts, and Events
Reliable, Cost Efficient Utility Services
Future-Focused City Organization

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.

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 September 5, 2023, Regular Meeting**

2. **Consider approval of the following bids:**

a. **GP&L Olinger 3 Gas Recirculating Fan Vibration Data and Balancing** **Bid No. 1020-23**

Mid-America Dynamics, Inc. **$ 50,680.50**

The request is to approve a change order for final balancing and weight testing of the Olinger 3 Gas Recirculating Fan.

b. **GP&L Olinger and Spencer Plant Scaffolding Rental and Labor** **Bid No. 0919-23**

BrandSafway Solutions, LLC **$ 500,000.00**

The request is for scaffolding rental equipment and labor on an as-needed basis for the GP&L Olinger and Spencer Power Plants.This approval is for a term agreement with four (4) optional renewals.

c. **Professional Services for Chaha Boat Ramp at John Paul Jones Park** **Bid No. 1117-23**

MHS Planning & Design **$ 369,968.00**

This request is to engage MHS Planning & Design for professional services needed to assess the feasibility of constructing improvements at Chaha Boat Ramp at John Paul Jones Park.

d. **Semi-Tractor Trucks** **Bid No. 1217-23**

Lonestar Freightliner Group, LLC **$ 597,603.00**

This request is for the purchase of three (3) replacement 2024 Western Star 4900X Semi-Tractor Trucks for the Sanitation Department. The trucks are scheduled and budgeted purchases, and the units being replaced will be turned in and auctioned.

e. **Live Fire Training Props** **Bid No. 1183-23**

Fireblast Global, Inc. **$ 807,273.00**

This request is for the purchase of new live fire training props to be utilized by the Fire Department for realistic training in response to residential, industrial, and commercial structure fires. The fire training props include a car fire prop, balcony fire prop, roof fire prop, stove prop, twin bed prop, sofa prop, thermal blast lining, and three (3) smoke distribution systems.

f. **1002 Marion (Speegle Green) Site Improvements** **Bid No. 0800-23**

Kimley-Horn **$ 349,500.00**

This request is to obtain design services for improvements to the area at 1002 Marion Drive, formerly known as Las Brisas.

g. North Garland Library Façade and Site Improvement **Bid No. 0699-23**

TriArc Construction, Inc. **$ 1,091,539.00**

This request is for the construction of the facade and site improvement plan of the North Garland Library. City Council was briefed at the February 20 Work Session regarding the concept plan and the multiple funding sources attached to this project. The construction work includes new library signage, landscaping, security improvements, and significant facade improvements to the entire center, with contributions from the retail center co-owner.

h. Replacement Trucks **Bid No. 1246-23**

Caldwell Country Ford **$ 453,576.00**

This request is for the purchase of five (5) replacement trucks to be utilized by various departments. The trucks are scheduled and budgeted purchases, and the units being replaced will be turned in and auctioned.

3. Public hearings were previously conducted for the following zoning case. Council approved the request and instructed staff to bring forth the following ordinance for consideration.

a. Z 22-50, Blooming Investment Group, LLC (District 2)

Consider an ordinance amending the Garland Development Code of the City of Garland, Texas, by approving 1) a Change in Zoning from Multi-Family-1 (MF-1) District and Downtown (DT) District to a Planned Development (PD) District for Multi-Family-0 (MF-0) Use and 2) a Detail Plan for a Multi-Family Development on a 2.15-acre tract of land located at 600 West Avenue D; 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 and effective date.

4. Resolution Establishing Charter Review Committee

Pass and approve a resolution establishing a Charter Review Committee and issuing a charge related thereto.

5. Request for a development incentive from The Draper Garland, LLC

Consider and take appropriate action regarding a development incentive request from The Draper Garland, LLC for an asbestos remediation as discussed with City Council during a previous Executive Session.

6. Consider an ordinance for the removal of the right turn restriction at Garland Avenue and Miller Road

Consider and take appropriate action regarding approval of an ordinance to remove the right on red prohibition at Garland Avenue and Miller Roa*d based on geometric improvements at the intersection.*

7. Consider an ordinance to reconfigure speed limit revisions on Bobtown Road

Consider and take appropriate action regarding approval of an ordinance for the reconfiguration of the speed limit on Bobtown Road due to recent roadway construction.

8. Renewal of Health Authority and Interlocal Agreements

Consider and take appropriate action to authorize the City Manager or designee to execute the renewal of Health Authority and Interlocal Agreements with Dr. Timothy Lambert and Dr. Norman Clothier for their service as the Garland Health Authority.

9. Consider authorizing the City Manager or designee to renew a Household Hazardous Waste Interlocal Agreement.

Consider and take appropriate action to authorize the City Manager or designee to renew a Household Hazardous Waste Interlocal Agreement with Dallas County to participate in the Dallas Area HHW Network.

10. Renewal of Interlocal Agreement between Garland Public Health and Parkland Health & Hospital System

Consider and take appropriate action to authorize the City Manager or designee to execute the Renewal of Interlocal Agreement between Garland Public Health and Parkland Health & Hospital System to provide social work services to Garland citizens to meet Texas Department of State Health Services contract requirements.

11. Garland Fire Department Master Plan

Consider and take appropriate action regarding adoption of the Garland Fire Department Master Plan as presented by the Center for Public Safety Management at the July 31, 2023 City Council Work Session.

12. Atmos Settlement Agreement

Consider and take appropriate action to authorize the Settlement Agreement with Atmos Energy Mid-Tex Division ("Atmos") and the resulting rate change under the Rate Review Mechanism (RRM) tariff as presented at the August 15, 2022 City Council Work Session.

13. Consider assistance for 2023 Wheels of Hope Car Show

Written staff presentation and recommendation regarding the 2023 Wheels of Hope Car Show, prepared by Dana Lodge, CVB and Events Director.

14. Request for Development Assistance from The New Modern Home, Inc

Consider a development incentive request from the New Modern Home, Inc. for a patrial waiver of tree mitigation fees required for a proposed new sustainable townhome project.

ITEMS FOR INDIVIDUAL CONSIDERATION

Speaker Regulations:

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15. Hold public hearings on:

a. Consider a Specific Use Provision request by Jamecisa Sims / Ron Hobbs Architecture & Interior Design, LLP for a Restaurant / Snow Cone Establishment with a Drive-Through. The site is located at 5514 & 5516 Broadway Boulevard in District 4.

Consideration of the application of Jamecisa Sims / Ron Hobbs Architecture & Interior Design, LLP., requesting approval of a Specific Use Provision for a

Restaurant, Drive-Through Service Use on a property zoned Community Retail (CR) District. This property is located at 5514 & 5516 Broadway Boulevard. (File Z 23-06, District 4)

b. Consider a Plan request by Jamecisa Sims / Ron Hobbs Architecture & Interior Design, LLP for a Restaurant / Snow Cone Establishment with a Drive-Through. The site is located at 5514 & 5516 Broadway Boulevard in District 4.

Consideration of the application of Jamecisa Sims / Ron Hobbs Architecture & Interior Design, LLP., requesting approval of a Plan for a Restaurant, Drive-Through Use. This property is located at 5514 & 5516 Broadway Boulevard. (File 23-06, District 4)

c. Consider a Specific Use Provision and Major Waiver request by Larry Hishmeh for a Mobile Food Truck Park. The site is located at 101 South Sixth Street in District 2.

Consideration of the application of Larry Hishmeh, requesting approval of a 1) Specific Use Provision for a Mobile Food Truck Park and 2) Major Waiver on a property zoned Downtown District and in the Downtown Historic (DH) Sub-District. This property is located at 101 South Sixth Street. (File Z 23-26, District 2)

d. Consider a Downtown Development Plan request by Larry Hishmeh for a Mobile Food Truck Park. The site is located at 101 South Sixth Street in District 2.

Consideration of the application of Larry Hishmeh, requesting approval of a Downtown Development Plan for a Mobile Food Truck Park on a property zoned Downtown District and in the Downtown Historic (DH) Sub-District. This property is located at 101 South Sixth Street. (File Z 23-26, District 2)

16. 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.

a. Board and Commission Appointment

City Council

- Michele Orahood - Animal Services Advisory Committee

b. Charter Review Committee Appointments

Mayor Scott LeMay
- Gayle Owens

Mayor Pro Tem Jeff Bass
- Scott Roberts

Deputy Mayor Pro Tem Ed Moore
- Steve Silas

Council Member Deborah Morris
- William Oaks

Council Member B.J. Williams
- Martin Glenn

Council Member Margaret Lucht
- Dorothy White

Council Member Carissa Dutton
- Lori Dodson

Council Member Dylan Hedrick
- Mike Rose

Council Member Chris Ott
- Robert John Smith

17. 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.

18. 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 www.garlandtx.gov. Copies of the meetings can be purchased through the City Secretary's Office – audio CD's are $1 each and DVD's are $3 each.

GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda **1.**

Meeting Date: 09/19/2023

Item Title: Minutes September 5

Submitted By: Tracy Allmendinger, Deputy City Secretary

Summary of Request/Problem

Consider approval of the minutes of the September 5, 2023 Regular Meeting.

Recommendation/Action Requested and Justification

Attachments

Minutes September 5

GARLAND

MINUTES

The City Council of the City of Garland convened in regular session at 7:00 p.m. on Tuesday, September 5, 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 LeMay
	Mayor Pro Tem Jeff Bass
	Deputy Mayor Pro Tem Ed Moore
	Council Member Deborah Morris
	Deputy Mayor Pro Tem B.J. Williams
	Council Member Margaret Lucht
	Council Member Dylan Hedrick
	Council Member Carissa Dutton
	Council Member Chris Ott
Staff Present:	City Manager Jud Rex
	Deputy City Manager Mitch Bates
	Assistant City Manager Andy Hesser
	Assistant City Manager Crystal Owens
	City Attorney Brian England
	City Secretary Eloyce René Dowl

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 Mayor Pro Tem Bass to approve the Consent Agenda as presented, seconded by Council Member Morris. Motion carried:

Vote: 9 ayes, 0 nays

LEGISLATIVE PRAYER AND PLEDGE OF ALLEGIANCE

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MAYORAL PROCLAMATIONS, RECOGNITIONS AND ANNOUNCEMENTS

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Mayor LeMay presented a Proclamation to Tony Torres, proclaiming September 15 through October 15, 2023, to be Hispanic Heritage Month in Garland, Texas.

Mayor LeMay presented a proclamation to Matt Watson, Managing Director of Finance, proclaiming September 4-8, 2023, to be National Payroll Week. Mr. Watson expressed his appreciation for the work of Nancy Guerra, Financial Service Manager and Laura Hendershot, Payroll Coordinator in processing the payroll for the employees of Garland.

1. APPROVED Consider approval of the minutes of the August 15, 2023, Regular Meeting.

2. Consider approval of the following bids:

a. APPROVED William A. Taylor Avenue & Melody Lane Water Mains Replacement — Bid No. 1012-23

Tri-Con Services, Inc.	**$ 1,038,000.00**
Construction Contingency	**$ 150,000.00**
TOTAL	**$ 1,188,000.00**

The purpose of this request is to provide construction services to remove and replace the existing water main (1,552 linear feet) and existing concrete and/or asphalt street and sidewalk pavement (933 square yard) and all incidentals as shown on the approved plans at William A. Taylor Avenue (Broadway Boulevard to Southern Drive) and Melody Lane (Miller Road to S. Garland Avenue).

b. APPROVED **GP&L Oakland Substation 69/13.2kV Upgrade** **Bid No. 0724-22**

GAI Consultants, Inc. **$ 674,000.00**

This request is to approve Change Order #1 for GP&L Oakland Substation 69/13.2kV Upgrade Engineering Services Agreement. Under this addendum, GAI Consultants, Inc. will provide additional engineering services to accommodate a new route of the 138kV line to the Shiloh/McCree 138kV line including construction management services for the substation upgrade. This is part of the approved GP&L Oakland Substation Upgrade CIP project.

c. APPROVED **GP&L Wylie Switch Station Reconfiguration Engineering Services** **Bid No. 1115-23**

Stanley Consultants, Inc. **$ 1,485,425.55**

This request is to obtain engineering services to support the reconfiguration of the GP&L Wylie Switch Station to allow the GP&L Olinger to Ben Davis 138kV Transmission Line to terminate at the station. This is part of the approved GP&L Wylie Switch Reconfiguration CIP project.

d. APPROVED **GP&L Mallard to Wylie Switch 138kV Transmission Line** **Bid No. 1114-23**

Stanley Consultants, Inc. **$ 1,929,114.00**

This request is to obtain engineering services to support the reconfiguration of a portion of the GP&L Olinger to Ben Davis 138kV Transmission Line to route through the Wylie Switch Station to the Mallard BESS substation facility. This is part of the approved Olinger to Ben Davis 138kV Transmission Line CIP project.

e. APPROVED **GP&L Centerville to Oates Road 138kV Transmission Line Upgrade** **Bid No. 1096-23**

Scarborough Engineering, Inc. **$ 2,724,472.00**

This request is to obtain engineering services to support the upgrade of the GP&L Centerville to Oates Road 138kV Transmission Line. The upgrade will accommodate new 2000A capacity and Optical Ground Wire requirements between the GP&L Centerville and Oates Road substations. This is part of the approved GP&L Centerville to Oates Road 138kV Transmission Line Upgrade CIP project.

f. APPROVED **Citywide Facilities Condition Assessment** **Bid No. 1200-23**

McKinstry Essention, LLC **$ 348,693.45**

This request is to approve a one-time expense for a Citywide facilities condition assessment. The study will provide a comprehensive analysis of all City-owned public facing structures, including but not limited to, building envelope, roof and mechanical systems, and building windows and doors. The assessment will also encompass all energy usage and utilities data for assessed structures. The findings from the study will provide a ten-year plan for budgeting capital expenses and maintenance cost more methodically and with practicality.

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 Z 23-17, Fred A. Gans (District 1)

Ordinance No. 7459 amending the Garland Development Code of the City of Garland, Texas, by approving 1) an amendment to Planned Development (PD) District 87-1 for Community Office (CO) Uses and 2) a Detail Plan for a Garage Condominium, Automobile Repair (Minor) Use, General Office, Contractor's Office/Warehouse (Indoors Only) and Retail Use on a 8.216-acre tract of land and located at 4653, 4645, 4625 and 4695 North President George Bush Turnpike; 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 Z 23-22, Jake Finch, Cascade Companies (District 4)

Ordinance N. 7460 amending the Garland Development Code of the City of Garland, Texas, by approving a Change in Zoning from Agricultural (AG) District to Single-Family Attached (SFA) District on a 22.301-acre tract of land located at 613 and 615 Rowlett 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.

4. APPROVED Ordinance No. 7461 to issue Tax Notes, Series 2023

At the August 14, 2023, Work Session, Council considered an ordinance authorizing the issuance of tax notes of approximately $40.3 million. The proceeds from Tax Notes have become an important funding source for the City's annual Street Reconstruction and Improvement Program, which totals $37.6 million in the FY 2023-24 Proposed Budget. In addition, tax notes allow the City to manage the debt service tax rate and fund capital improvements without increasing the City's long-term debt burden. The notes will be paid off within one year.

5. **APPROVED** **Council adopted Resolution No. 10590 authorizing the City Manager to accept a State of Texas Department of Transportation (TxDOT) Selective Traffic Enforcement Program (STEP) Grant in the amount of $142,619.65. The enforcement grant will consist of high visibility patrols in identified zones throughout the City that have historically had major crashes. The required enforcement period will be the Fiscal Year 2023-2024. The increased police presence is anticipated to have a positive effect on the citizens of the City of Garland through both improved driver behavior resulting in fewer serious crashes, as well as, crime reduction in these identified areas.**

At the September 5, 2023, Work Session, Council considered authorizing the City Manager to accept a Texas Department of Transportation (TxDOT) Selective Traffic Enforcement Program (STEP) 2024 Comprehensive Grant.

ITEMS FOR INDIVIDUAL CONSIDERATION

Speaker Regulations:

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6. **PUBLIC HEARING HELD:** **Hold a Public Hearing on Proposed FY 2023/2024 Tax Rate**

The Texas Property Tax Code, Section 26.05 (d), provides that a governing body may not adopt a tax rate that exceeds the lower of the voter approval rate or the no new revenue tax rate until the governing body has held a public hearing on the proposed tax rate and has otherwise complied with Section 26.06 and Section 26.065. The 2023-24 proposed budget is based on a tax rate of 68.9746 cents per $100 of valuation, which exceeds the no new revenue tax rate of 63.6388 cents per $100 of value.

Mayor LeMay opened the public hearing at 7:20 p.m. There were no speakers on this item and the hearing was closed at 7:21 p.m.

7. **PUBLIC HEARING HELD:** **Hold a Public Hearing on 2023-24 Proposed Budget**

Section 5, Article VIII, of the City Charter, requires that a Public Hearing be held on the Proposed Budget for the coming fiscal year. At the Public Hearing, all interested persons shall be allowed to be heard for or against any item contained in the Proposed Budget.

This budget will raise more revenue from property taxes than last year's budget by an amount of $14,308,385, which is a 9.72 percent increase from last year's budget. The property tax revenue to be raised from new property added to the tax roll this year is $2,304,042.

Mayor LeMay opened the public hearing at 7:21 p.m. There were no speakers on this item and the hearing was closed at 7:22 p.m.

8. APPROVED Ordinance to Ratify the Property Tax Revenue for 2023-24

As required by Local Government Code 102.007, adoption of a Budget that raises more property tax revenue than was generated the previous year requires three votes by the City Council: (a) one vote to "ratify" the property tax revenue increase reflected in the Budget, (b) one vote to adopt the Budget, and (c) one vote to adopt the tax rate. This Ordinance ratifies the property tax revenue increase as reflected in the 2023-24 Budget by adding the following statement:

THIS BUDGET WILL RAISE MORE REVENUE FROM PROPERTY TAXES THAN LAST YEAR'S BUDGET BY AN AMOUNT OF $14,308,385, WHICH IS A 9.72 PERCENT INCREASE FROM LAST YEAR'S BUDGET. THE PROPERTY TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR IS $2,304,042.

An ordinance reflecting the ratification of the property tax revenue increase will be prepared for the Mayor's signature upon final vote and approval from the City Council.

Mayor Pro Tem Bass made the motion that the City Council ratify a property tax revenue increase of $14,308,385 from last year’s budget, of which $2,304,042 is tax revenue to be raised from new property added to the tax roll, seconded by Council Member Hedrick.

Council Member Williams requested Allyson Bell Steadman, Budget Director, explain the tax calculations as required by State law requirements for truth in taxation.

The Council voted on the motion. Motion carried:

Vote: 9 ayes, 0 nays, adopting **Ordinance No. 7462**

9. APPROVED Adoption of the 2023-24 Budget

In accordance with the City Charter, the City Manager presented his recommended Budget for fiscal year 2023-24 to the City Council on August 1, 2023. Copies were made available for public inspection at the City libraries, at the City Secretary's Office, and on the City's website. Public Hearings on the FY 2023-24 Proposed Budget were held on August 15, August 22, and September 5, 2023. An ordinance reflecting final decisions regarding the Budget for 2023-24 and revised budgets will be prepared for the Mayor's signature upon final direction from the City Council.

Mayor Pro Tem Bass made the motion to ratify the property tax rate presented by staff and reflected in this budget, seconded by Deputy Mayor Pro Tem Moore. Motion carried:

Vote: 9 ayes, 0 nays

Mayor Pro Tem Bass made the motion I move to approve the City Manager’s Budget with the following changes:

a) To increase the Stormwater Residential Rate by $1.50 and Stormwater Commercial Rates by $0.015, an increase of $1.36 million to the Stormwater Utility Fund's revenue, and
b) To increase the Landfill's Minimum Fee to $45.00, an increase of $147,453 to the General Fund's revenue, and
c) The addition of $125,725 in General Fund expenditures for an increase of $10.00 to Fire Ambulance Assignment Pay, and
d) The addition of $15,000 General Fund expenditures for Wildflower Pilot Program

seconded by Deputy Mayor Pro Tem Moore. Motion carried:

Vote: 9 ayes, 0 nays, adopting **Ordinance No. 7463**

10. APPROVED Adoption of 2023-24 Property Tax Rate

The City Council has considered an ad valorem tax rate of 68.9746 cents per $100 of valuation for the fiscal year beginning October 1, 2023. All meetings, notices and public hearing requirements related to the adoption of the tax rate have been met in accordance with state law.

The motion was made by Mayor Pro Tem Bass that the property tax rate be increased by the adoption of a tax rate of 68.9746 cents per $100, which is effectively an 8.38 percent increase in the tax rate. My motion will be in two parts:

First, I move that the rate for debt service be approved in the amount of thirty-seven and fifty-six hundredths of a cent, seconded by Council Member Dutton. Motion carried:

Vote: 9 ayes, 0 nays

The motion was made by Mayor Pro Tem Bass that the rate for maintenance and operations be approved in the amount of thirty-one and forty-one-hundredths of a cent, seconded by Council Member Hedrick. Motion carried:

Vote: 9 ayes, 0 nays, adopting **Ordinance No. 7464**

11. APPROVED Rate and Fee Changes for 2023-24

In considering the 2023-24 Budget, the City Council reviewed the adjustments to existing rates and fees as outlined in the Master Fee and Rate Schedule. Revenue estimates included in the 2023-24 Operating Budget are based on these actions. An ordinance will be prepared for the Mayor's signature once final direction has been given by the Council.

The motion was made by Mayor Pro Tem Bass to approve the Rate and Fee Changes for FY 2023-24, seconded by Council Member Morris. Motion carried:

Vote: 9 ayes, 0 nays, adopting **Ordinance No. 7465**

12. APPROVED FY 2023-24 Civil Service Classifications and Compensation

Pursuant to Chapter 143 of the Local Government Code of Texas, the City Council must establish the civil service classifications in the Police and Fire Departments, the number of positions in each classification, the base salary and the types of incentive pays for each classification. The attached ordinance reflects the positions and compensation approved in the 2023-24 budget. The ordinance reflecting final decisions regarding the proposed salary schedule, incentive plans and staffing levels will be signed by the Mayor upon final direction from the Council.

The motion was made by Mayor Pro Tem Bass to approve the FY 2023-34 Civil Service Classifications and Compensation, seconded by Council Member Williams. Motion carried:

Vote: 9 ayes, 0 nays, adopting **Ordinance No. 7466**

13. Hold public hearings on:

a. APPROVED Consider a Zoning request by Blooming Investment Group, LLC to construct fifty-one (51) multi-family dwelling units in a townhouse-style configuration. The site is located at 600 West Avenue D in District 2.

Consideration of the application of Blooming Investment Group, LLC, requesting approval of a Change in Zoning from Multi-Family-1 (MF-1) District and Downtown (DT) District to a Planned Development (PD) District for Multi-Family-0 (MF-0) Use. This property is located at 600 West Avenue D. (File Z 22-50, District 2)

The staff report was presented by William Guerin, Director of Planning. The speaker on this item was Apurva Patel, applicant.

There was discussion by the Council.

The motion was made by Council Member Morris to approve the Zoning request (Item 13a) and Detail Plan (Item 13b), seconded by Deputy Mayor Pro Tem Moore. Motion carried:

Vote: 8 ayes, 1 nay (Council Member Dutton)

b. APPROVED Consider a Detail Plan request by Blooming Investment Group, LLC to construct fifty-one (51) multi-family dwelling units in a townhouse-style configuration. The site is located at 600 West Avenue D in District 2.

Consideration of the application of Blooming Investment Group, LLC., requesting approval of a Detail Plan for a Multi-family development. This property is located at 600 West Avenue D. (File Z 22-50, District 2)

14. **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.

a. **Mayor Scott LeMay**

- John Kaiwi – Board of Adjustment
- Charles Pickitt – Community Multicultural Commission

Mayor Pro Tem Jeff Bass

- Sarah Montoya – Library Board
- Robert Shepherd – Unified Building Standards Board

Council Member Margaret Lucht

- Rene Granado – Community Multicultural Commission

Council Member Carissa Dutton

- DeAnne Driver – Cultural Arts Commission
- David Morehead – Parks and Recreation Board
- Joseph McDermott – Plan Commission
- Caleb Ernst – Property Standards Board
- Lori Barnett Dodson – Tax Increment Finance #3 Board
- Jack R. Wyatt, Jr. – Unified Building Standards Board

Council Member Chris Ott

- Lupita Torres - Cultural Arts Commission
- Trellas Gotcher - Library Board
- Robert John Smith - Plan Commission
- Dale Long - Property Standards Board
- Ann Garrett - Senior Citizens Advisory Board
- Tony Torres - Tax Increment Finance #3 Board
- Chip Gordon - Unified Building Standards Board

15. **Citizen comments:** Holli Sanborn

16. **Adjourn:** There being no further business to come before the City Council, Mayor LeMay adjourned the meeting at 8:01 p.m.

Submitted By:

_____

Scott LeMay, Mayor

_____

Eloyce René Dowl, City Secretary

GARLAND
PURCHASING REPORT

City Council Regular Session Agenda **2. a.**

Meeting Date: 09/19/2023

Item Title: GP&L Olinger 3 Gas Recirculating Fan Vibration Data and Balancing

Submitted By: David Bernard, GP&L
Production Services Director

Bid Number: 1020-23

Purchase Justification:

The request is to approve a change order for final balancing and weight testing of the Olinger 3 Gas Recirculating Fan.

Evaluation:

Mid-America Dynamics, Inc. was awarded the original PO 34999 in the amount of $25,625 on July 14, 2023. As competitive bids were not received for the change order, a Bid Recap is not included.

Award Recommendation:

Vendor	*Item*	*Amount*
Mid-America Dynamics, Inc.	All	$50,680.50
	TOTAL:	**$50,680.50**

Basis for Award: Change Order

Purchase Requisition #: 49872

Fiscal Impact

Total Project/Account:	$7,743,561
Expended/Encumbered to Date:	$6,900,815
Balance:	$842,746
This Item:	$50,681
Proposed Balance:	$792,065
Account #:	211-3433-711153

Fund/Dept/Project – Description and Comments:
Electric Utility Fund / Production

Fiscal Reference:	
Budget Type:	Operating Budget
Fiscal Year:	2022-23
Document Location:	Page 241

Budget Director Approval:	Allyson Bell Steadman	Approval Date: 09/07/2023
Purchasing Director Approval:	Gary L. Holcomb	Approval Date: 09/05/2023

GARLAND
PURCHASING REPORT

City Council Regular Session Agenda **2. b.**

Meeting Date: 09/19/2023

Item Title: GP&L Olinger and Spencer Plant Scaffolding Rental and Labor

Submitted By: David Bernard, GP&L
Production Services Director

Bid Number: 0919-23

Purchase Justification:

The request is for scaffolding rental equipment and labor on an as-needed basis for the GP&L Olinger and Spencer Power Plants.This approval is for a term agreement with four (4) optional renewals.

Evaluation:

A request for bids was issued in accordance with Purchasing procedures. Two (2) bids were received and evaluated. Alfaro's Industrial Services, LLC is considered non-responsive due to not providing a detailed list of materials and line item pricing as specified. BrandSafway Solutions, LLC is recommended as submitting the Lowest Responsible Bid.

Award Recommendation:

Vendor	*Item*	*Amount*
BrandSafway Solutions, LLC	All	$500,000.00
	TOTAL:	**$500,000.00**

Basis for Award: Lowest Responsible Bid

Purchase Requisition #: 49511

Fiscal Impact

Total Project/Account: N/A

Expended/Encumbered to Date: N/A

Balance: N/A

This Item: $500,000

Proposed Balance: N/A

Account #: 451-6999

Fund/Dept/Project – Description and Comments:

Term Agreement sets price but does not commit funds. Expenses will be charged to the appropriate Electric Production Operating and/or CIP account(s) as incurred.

Attachments

Bid Recap

Fiscal Reference:

Budget Type: Operating Budget
CIP

Fiscal Year: 2022-23

Document Location: 2022-23 Op. - Page 241; 2023 CIP - Page 274

Budget Director Approval: Allyson Bell Steadman Approval Date: 09/07/2023

Purchasing Director Approval: Gary L. Holcomb Approval Date: 09/06/2023

CITY OF GARLAND - BID RECAP SHEET
OPENED: 07/20/2023
REQ. NO. 49511
BID NO. 0919-23
PAGE: 1 of 1
BUYER: L. Segura

ITEM	QTY	UNIT	DESCRIPTION	Brandsafway, LLC. UNIT PRICE	Brandsafway, LLC. TOTAL	Alfaro's Industrial Services, LLC. UNIT PRICE	Alfaro's Industrial Services, LLC. TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	1	Lt	GP&L Olinger and Spencer Plant		$1,690.71	Non-Responsive					
			Scaffolding Rental and Labor.								
			Bid price for evaluation purposes.								
			TOTAL GROSS PRICE		$1,690.71		$10,582.50				
			CASH DISCOUNT								
			TOTAL NET PRICE		$1,690.71		$10,582.50				
			F.O.B.	DELIVERED		DELIVERED		DELIVERED		DELIVERED	
			DELIVERY								

NEXT LOW: **$10,582.50**
LOW: **$1,690.71**
SAVINGS: **$8,891.79**

128 # IonWave Notifications
22 # IonWave HUBS
0 # Direct Contact HUBS
0 # HUBS Responded

All bids submitted for the designated project are reflected on this bid tab sheet. However, the listing of a bid on this sheet should not be construed as a comment on the responsiveness of such bid or as any indication that the city accepts such bid as responsive. The City will notify the successful bidder upon award of the contract and, according to the law, all bids received will be available for inspection at that time.

GARLAND
PURCHASING REPORT

City Council Regular Session Agenda **2. c.**

Meeting Date: 09/19/2023
Item Title: Professional Services for Chaha Boat Ramp at John Paul Jones Park
Submitted By: Andy Hesser, Managing Director
Bid Number: 1117-23

Purchase Justification:

This request is to engage MHS Planning & Design for professional services needed to assess the feasibility of constructing improvements at Chaha Boat Ramp at John Paul Jones Park. This includes design, engineering, and other pre-construction expenses related to state/federal environmental and cultural/historical requirements associated with the project. This is the first phase of a 2-phase grant process with TPWD that is required in order to be awarded federal funds that will be utilized for construction.

This project is grant funded through the Boating Access grant with Texas Parks & Wildlife Department and U.S. Fish and Wildlife Service, which is funded by federal gasoline taxes paid by recreational boaters. The federal share of the grant is $250,000, and the sponsor share (City of Garland) is $119,968. The proposed improvements include a new boat ramp, courtesy dock, parking lot replacement, sea wall, fishing pier improvements, and others as approved.

Evaluation:

MHS Planning & Design was selected as the Most Qualified firm from RFQ 0141-20. As competitive bids were not received, a Bid Recap is not included.

Award Recommendation:

Vendor	*Item*	*Amount*
MHS Planning & Design	All	$369,968.00
	TOTAL:	**$**369,968.00

Basis for Award: Most Qualified
Purchase Requisition #: 49808

Fiscal Impact

Total Project/Account:	$962,171
Expended/Encumbered to Date:	$40
Balance:	$962,131
This Item:	$369,968
Proposed Balance:	$592,163
Account #:	614-2499-1835704-7101, 692-2499-1835700-7101

Fund/Dept/Project – Description and Comments:

Parks CIP / John Paul Jones Park Improvements

Fiscal Reference:	
Budget Type:	CIP
Fiscal Year:	2023
Document Location:	Page 78

Budget Director Approval:	Allyson Bell Steadman	Approval Date: 09/07/2023
Purchasing Director Approval:	Gary L. Holcomb	Approval Date: 09/07/2023

GARLAND
PURCHASING REPORT

City Council Regular Session Agenda **2. d.**

Meeting Date: 09/19/2023
Item Title: Semi-Tractor Trucks
Submitted By: Garth Sanich, Director of Fleet Services
Bid Number: 1217-23

Purchase Justification:

This request is for the purchase of three (3) replacement 2024 Western Star 4900X Semi-Tractor Trucks for the Sanitation Department. The trucks are scheduled and budgeted purchases, and the units being replaced will be turned in and auctioned.

Evaluation:

The trucks are available from Lonestar Freightliner Group, LLC through the TIPS Cooperative Purchasing Contract 221001. As competitive bids were not received, a Bid Recap is not included.

Award Recommendation:

Vendor	*Item*	*Amount*
Lonestar Freightliner Group, LLC	All	$597,603.00
	TOTAL:	**$597,603.00**

Basis for Award: Cooperative Purchase
Purchase Requisition #: 49924

Fiscal Impact

Total Project/Account:	$1,969,380
Expended/Encumbered to Date:	$1,344,497
Balance:	$624,883
This Item:	$597,603
Proposed Balance:	$27,280

Account #: 692-1609-1715500-9009

Fund/Dept/Project – Description and Comments:

Landfill/Transfer Station CIP / Replacement of Transfer Station Equipment
Replaces units #160-0181, #160-0182 and #160-0183

Attachments

Units being replaced

Fiscal Reference:	
Budget Type:	CIP
Fiscal Year:	2023
Document Location:	Page 221

Budget Director Approval:	Allyson Bell Steadman	Approval Date: 09/07/2023
Purchasing Director Approval:	Gary L. Holcomb	Approval Date: 09/01/2023

Units being replaced:			
160-0181:	2013 Western Star 4900F	Hours	5,004
160-0182:	2013 Western Star 4900F	Hours	4,114
160-0183:	2013 Western Star 4900F	Hours	5,740

GARLAND
PURCHASING REPORT

City Council Regular Session Agenda **2. e.**

Meeting Date: 09/19/2023
Item Title: Live Fire Training Props
Submitted By: Mark Lee, Fire Chief
Bid Number: 1183-23

Purchase Justification:

This request is for the purchase of new live fire training props to be utilized by the Fire Department for realistic training in response to residential, industrial, and commercial structure fires. The fire training props include a car fire prop, balcony fire prop, roof fire prop, stove prop, twin bed prop, sofa prop, thermal blast lining, and three (3) smoke distribution systems.

Evaluation:

The live fire training props are available from Fireblast Global, Inc. through the GSA Cooperative Purchasing Contract 7QSWA20D007M. As competitive bids were not received, a Bid Recap is not included.

Award Recommendation:

Vendor	*Item*	*Amount*
Fireblast Global, Inc.	All	$807,273.00
	TOTAL:	**$807,273.00**

Basis for Award: Cooperative Purchase
Purchase Requisition #: 49900

Fiscal Impact

Total Project/Account:	$1,150,000
Expended/Encumbered to Date:	$165,400
Balance:	$984,600
This Item:	$807,273
Proposed Balance:	$177,327

Account #: 691-1399-1211422-9007

Fund/Dept/Project – Description and Comments:

Public Safety CIP / FASST - Training System Renovation and Upgrade

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Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2023

Document Location: Page 165

Budget Director Approval: Allyson Bell Steadman Approval Date: 09/07/2023

Purchasing Director Approval: Gary L. Holcomb Approval Date: 09/06/2023

GARLAND
PURCHASING REPORT

City Council Regular Session Agenda **2. f.**

Meeting Date: 09/19/2023
Item Title: 1002 Marion (Speegle Green) Site Improvements
Submitted By: Scott Bollinger, Neighborhood Resource Manager
Bid Number: 0800-23

Purchase Justification:
This request is to obtain design services for improvements to the area at 1002 Marion Drive, formerly known as Las Brisas.

Evaluation:
A Request for Qualifications was issued in accedence with Purchasing procedures. Six (6) proposals were received and evaluated based on the published criteria. Kimley-Horn received the highest evaluated score and was selected as the Most Qualified firm for this project.

Award Recommendation:

Vendor	*Item*	*Amount*
Kimley-Horn	All	$349,500.00
	TOTAL:	**$349,500.00**

Basis for Award:
Purchase Requisition #: 49322

Fiscal Impact

Total Project/Account:	$3,907,158 *
Expended/Encumbered to Date:	$1,669,060
Balance:	$2,238,098
This Item:	$349,500
Proposed Balance:	$1,888,598

Account #: 656-1509-1023419-7111, 661-1509-1051800-7101, 825-8378-3986824-7111

Fund/Dept/Project – Description and Comments:

Economic Development CIP / Neighborhood Vitality Program

* The 2024 Proposed CIP will include a new project for site improvements at 1002 Marion (Speegle Green) funded by: $2,504,724 of American Rescue Plan Act (ARPA) for land acquisition, design and construction; $364,336 of Neighborhood Vitality Grant for the redevelopment study/site assessment and demolition; and $1,038,098 of CDBG for construction.

Attachments

Bid Recap

Fiscal Reference:

Budget Type:

Fiscal Year:

Document Location:

Budget Director Approval: Approval Date: 09/07/2023

Purchasing Director Approval: Gary L. Holcomb Approval Date: 09/06/2023

CITY OF GARLAND - BID RECAP SHEET
OPENED: 06/06/2023
REQ. NO 49322
BID NO. 0800-23
PAGE: 1 of 1
BUYER: D. Gamero

ITEM	QTY	UNIT	DESCRIPTION	Kimley-Horn		JBI Partners		MESA		Pacheco Koch Consulting Engineers, Inc.		MHS Planning & Design, LLC		Metropolitan Infrastructure, PLLC	
				UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
			Price		$349,500.00										
			Evaluation Criteria:												
			Qualifications of the team	Maximum = 20	19.00		18.33		18.67		18.00		17.00		13.67
			Project Personnel	Maximum = 20	19.67		19.33		18.00		19.67		18.33		17.00
			Project Approach	Maximum = 30	25.67		25.67		26.67		25.00		23.67		19.67
			Representative Projects	Maximum = 20	18.33		17.33		15.00		15.33		16.67		10.00
			Client References	Maximum = 10	9.33		7.67		9.33		9.33		8.00		7.33
			Total Score:	Maximum = 100	92.00		88.33		87.67		87.33		83.67		67.67
			TOTAL GROSS PRICE		$349,500.00										
			CASH DISCOUNT												
			TOTAL NET PRICE		$349,500.00		$0.00		$0.00		$0.00		$0.00		$0.00
			F.O.B.	DELIVERED		DELIVERED		DELIVERED		DELIVERED		DELIVERED		DELIVERED	
			DELIVERY												

NEXT LOW:		408	# IonWave Notifications
LOW:		73	# IonWave HUBS
SAVINGS:	**$0.00**	8	# Direct Contact HUBS
		3	# HUBS Responded

All bids submitted for the designated project are reflected on this bid tab sheet. However, the listing of a bid on this sheet should not be construed as a comment on the responsiveness of such bid or as any indication that the city accepts such bid as responsive. The City will notify the successful bidder upon award of the contract and, according to the law, all bids received will be available for inspection at that time.

GARLAND
PURCHASING REPORT

City Council Regular Session Agenda **2. g.**

Meeting Date: 09/19/2023
Item Title: North Garland Library Façade and Site Improvement
Submitted By: Scott Bollinger, Neighborhood Resource Manager
Bid Number: 0699-23

Purchase Justification:

This request is for the construction of the façade and site improvement plan for the North Garland Library. City Council was briefed at the February 20th Work Session regarding the concept plan and the multiple funding sources associated with this project. The construction includes new library signage, landscaping, security improvements, and significant facade improvements to the entire center, with contributions from the retail center co-owner.

Evaluation:

A request for bids was issued in accordance with Purchasing procedures. One (1) bid was received and evaluated based on the published criteria. TriArc Construction, Inc. received the highest evaluated score, offering the Best Value for the City. While their initial bid exceeded the previously approved budget, after a value-engineering review and scope adjustment, available one-time funds were directed to fill the funding gap. As only one bid was received, a Bid Recap is not included.

Award Recommendation:

Vendor	*Item*	*Amount*
TriArc Construction, Inc.	All	$1,091,539.00
	TOTAL:	**$1,091,539.00**

Basis for Award: Best Value
Purchase Requisition #: 49134

Fiscal Impact

Total Project/Account: $2,012,500

Expended/Encumbered to Date: $638,932
Balance: $1,373,568
This Item: $1,091,539
Proposed Balance: $282,029 *
Account #: 643-1509-1020104-7111, 656-1509-1020119-7111, 640-1509-1020100-7111 & 692-1509-1959300-9002

Fund/Dept/Project – Description and Comments:

Economic Development CIP / Neighborhood Vitality Program	$900,175
Library CIP / Modernization/Upgrades to North Branch Library	$191,364
Total	$1,091,539

* The projects related to this contract will continue into 2024. Additional Certificates of Obligation funding will be included in the 2024 Capital Improvement Program for the continuation of the Modernization/Upgrades to North Branch Library Project, as projected in the 2023 CIP. The 2024 CIP for the Modernization/Upgrades to North Branch Library Project will also include a one-time transfer from the General Fund of $400,000 for the façade and site improvements.

Fiscal Reference:
Budget Type: CIP
Fiscal Year: 2023
Document Location: Pages 144 and 176

Budget Director Approval: Allyson Bell Steadman Approval Date: 08/28/2023
Purchasing Director Approval: Gary L. Holcomb Approval Date: 08/23/2023

GARLAND
PURCHASING REPORT

City Council Regular Session Agenda **2. h.**

Meeting Date: 09/19/2023
Item Title: Replacement Trucks
Submitted By: Garth Sanich, Director of Fleet Services
Bid Number: 1246-23

Purchase Justification:

This request is for the purchase of five (5) replacement trucks to be utilized by various departments. The trucks are scheduled and budgeted purchases, and the units being replaced will be turned in and auctioned.

Evaluation:

The trucks are available from Caldwell Country Ford through the BuyBoard Cooperative Purchasing Contract 601-19. As competitive bids were not received, a Bid Recap is not included.

Award Recommendation:

Vendor	*Item*	*Amount*
Caldwell Country Ford	All	$453,576.00
	TOTAL:	**$453,576.00**

Basis for Award: Cooperative Purchase
Purchase Requisition #: 49853

Fiscal Impact

Total Project/Account:	$2,926,035
Expended/Encumbered to Date:	$2,133,453
Balance:	$792,582
This Item:	$453,576
Proposed Balance:	$339,006

Account #: 444-4692-9009, 444-4032-9009, 444-4122-9009

Fund/Dept/Project – Description and Comments:

Equipment Replacement Fund

Street Department - Replaces units #469-1216 and #469-1226 - $162,458
Water Department - Replaces unit #400-1356 - $74,509
Wastewater Department - Replaces units #410-0061 and #410-1348 - $216,609

Attachments

Units being replaced

Fiscal Reference:	
Budget Type:	Operating Budget
Fiscal Year:	2022-23
Document Location:	Page 285

Budget Director Approval:	Allyson Bell Steadman	Approval Date: 09/13/2023
Purchasing Director Approval:	Gary L. Holcomb	Approval Date: 09/13/2023

Units being replaced:			
469-1216:	2015 Ford F-350	Hours	11,785
469-1226:	2015 Ford F-350	Hours	13,760
400-1356:	2015 Ford F-450	Hours	10,442
410-1348	2015 Ford F-450	Hours	10,228
410-0061	2015 Ford Escape	Miles	60,910

GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda **3. a.**

Meeting Date: 09/19/2023

Item Title: Z 22-50 Blooming Investment Group, LLC (District 2)

Submitted By: Will Guerin, Planning Director

Summary of Request/Problem

Zoning Ordinance Z 22-50 Blooming Investment Group, LLC

Recommendation/Action Requested and Justification

Consider adoption of the attached ordinance.

Attachments

Z 22-50 Ordinance
Z 22-50 Exhibit A
Z 22-50 Exhibit B
Z 22-50 Exhibits C-E

ZONING FILE NO. Z 22-50

ORDINANCE NO._____

AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING 1) A CHANGE IN ZONING FROM MULTI-FAMILY-1 (MF-1) DISTRICT AND DOWNTOWN (DT) DISTRICT TO A PLANNED DEVELOPMENT (PD) DISTRICT FOR MULTI-FAMILY-0 (MF-0) USE AND 2) A DETAIL PLAN FOR A MULTI-FAMILY DEVELOPMENT ON A 2.15-ACRE TRACT OF LAND LOCATED AT 600 WEST AVENUE D; 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 14th day of August, 2023, the Plan Commission did consider and make recommendations on a certain request for 1) a Change in Zoning from Multi-Family-1 (MF-1) District and Downtown (DT) District to a Planned Development (PD) District for Multi-Family-0 (MF-0) Use and 2) a Detail Plan for a Multi-family development by **Blooming Investment Group, 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) a Change in Zoning from Multi-Family-1 (MF-1) District and Downtown (DT) District to a Planned Development (PD) District for Multi-Family-0 (MF-0) Use and 2) a Detail Plan for a Multi-family development a 2.15-acre tract of land located at 600 West Avenue D 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, 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.

FILE NO. Z 22-50

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 22-50

BEING A 2.15-acre tract of land situated ABNER KEEN SURVEY, ABSTRACT NO. 735, Dallas County, Texas, being conveyed to Iglesia Pentecostes Monte Dr Sion Inc. as recorded in Instrument No. 201800295958, of the Official Public Records, Dallas County, Texas as shown on survey and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch yellow capped iron rod found for corner, being at the intersection of W. Avenue D, and the West line of S. Sixth Street and being the Northeast corner of said Sahail Inc;

THENCE South 00 degrees 00 minutes 28 seconds East, a distance of 203.88 feet to a 1/2 inch yellow capped iron rod found for corner;

THENCE South 30 degrees 38 minutes 22 seconds West, a distance of 470.28 feet to a 1/2 inch yellow capped iron found for corner, being on the North line of W. Avenue F;

THENCE South 89 degrees 56 minutes 31 seconds West, a distance of 174.40 feet to a 1/2 inch yellow capped iron rod found for corner;

Thence North 30 degrees 38 minutes 22 seconds East, a distance of 707.48 feet to a 1/2 inch yellow capped iron rod found for corner, being on the South line of said W. Avenue D;

THENCE South 89 degrees 58 minutes 17 seconds East, a distance of 53.49 feet to the PLACE OF BEGINNING and containing 2.15 acres of land.

EXHIBIT A

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 22-50

600 West Avenue D

I. Statement of Purpose: The purpose of this Planned Development is to approve a multi-family development.

II. Statement of Effect: This Planned Development shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.

III. General Regulations: All regulations of the Multi-Family-0 (MF-0) District as set forth in Chapter 2 of the Garland Development Code are included by reference and shall apply, except as otherwise specified by this ordinance.

IV. Development Plans:

Detail Plan: Development shall be in general conformance with the Detail Plan labeled Exhibit C through Exhibit E. In the event there is conflict between the approved Detail Plan and the Specific Regulations below, the Specific Regulations shall apply.

V. Specific Conditions:

A. Permitted Uses: Land Uses are only permitted as in Multi-Family-0 (MF-0) District.

B. Site Plan: The site layout, building placement, parking, and other development proposed shall be in general conformance with the approved Site Plan labeled Exhibit C.

C. Amenities: One (1) swimming pool shall be provided with a minimum of 756 square feet of surface water. In addition, one leisure area of 372 square feet shall be provided. The clubhouse shall be a minimum of 2,352 square feet.

D. Total Number of Units: A maximum of fifty-one (51)

units shall be permitted.

E. Efficiency Units: A maximum of eleven (11) efficiency units, within the overall unit count of 51, shall be provided.

F. Landscape Plan: Screening and landscaping shall be in general conformance with the landscape plan labeled Exhibit D. A minimum of twenty-seven (27%) percent of the site shall be landscaped.

1. Landscaping must be regularly maintained in a healthy, growing condition and in compliance with this PD Ordinance, the Garland Development Code, the Code of Ordinances of the City of Garland, and the landscaping plan attached hereto at all times. The property owner is responsible for regular weeding, mowing of grass, irrigation, fertilizing, pruning, or other maintenance of all plantings as needed. All exposed ground surfaces on or within the premises shall be properly improved, covered with screening or other approved solid material, or protected with a vegetative growth that prevents soil erosion and ameliorates objectionable dust conditions.

2. Any plant or vegetation that dies must be replaced with another approved plant variety that complies with the approved landscape plan within sixty (60) days after receipt of written notification from the City. In the event the property owner fails to remedy a violation of any landscaping maintenance regulation within sixty (60) days after receipt of written notification from the City, the City may, in addition to any other remedy available by law, withhold future city permits, licenses and/or certificates requested by the property owner for the premises to which such violation applies.

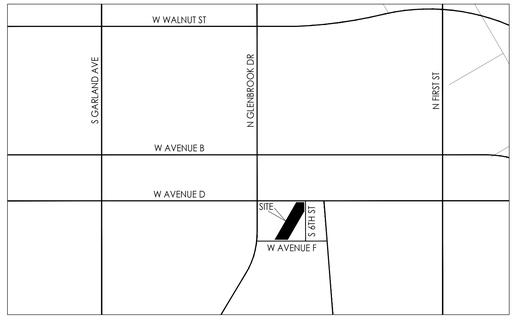
3. Screening and paving must be regularly maintained in compliance with this PD Ordinance, the Garland Development Code, and the Code of Ordinances of the City of Garland at all times. The property owner is responsible for regular maintenance of all screening and paving as needed. In the event

the property owner fails to remedy a violation of any screening or paving maintenance regulation within sixty (60) days after receipt of written notification from the City, the City may, in addition to any other remedy available by law, withhold future city permits, licenses and/or certificates requested by the property owner for the premises to which such violation applies.

G. Elevations: Building Elevations shall be in general conformance with the elevations labeled Exhibit E.

EXHIBIT B

EXHIBIT C



2 N SCALE:N.T.S. TRUE NORTH

Vicinity Map
plan

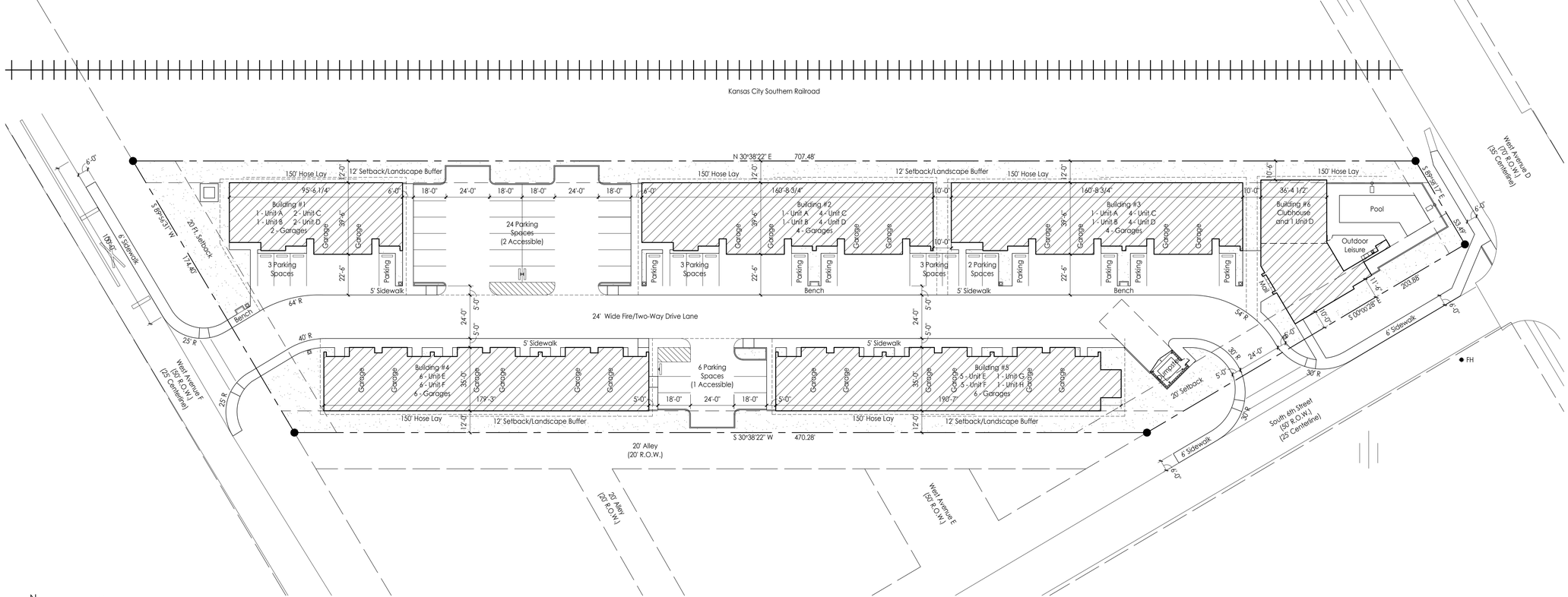
0 5 10 25 50 100

PARKING MATRIX	
GARAGE SPACES PROVIDED	22 SPACES
SURFACE SPACES PROVIDED	49 SPACES (INCLUDING 3 ACCESSIBLE)
TOTAL SPACES PROVIDED	71 SPACES (INCLUDING 3 ACCESSIBLE)

UNIT MATRIX					
UNIT TYPE	BEDROOMS	FLOOR AREA	# OF UNITS	% OF UNITS	TOTAL AREA
A	1 BEDROOM	850 SQ FT.	3 UNITS	5.88%	2,550 SQ FT.
B	1 BEDROOM	827 SQ FT.	3 UNITS	5.88%	2,481 SQ FT.
C	1 BEDROOM	784 SQ FT.	10 UNITS	19.61%	7,840 SQ FT.
D	1 BEDROOM	1,038 SQ FT.	11 UNITS	21.57%	11,418 SQ FT.
E	EFFICIENCY	582 SQ FT.	11 UNITS	21.57%	6,402 SQ FT.
F	1 BEDROOM	818 SQ FT.	11 UNITS	21.57%	8,998 SQ FT.
G	1 BEDROOM	767 SQ FT.	1 UNITS	1.96%	767 SQ FT.
H	1 BEDROOM	1,003 SQ FT.	1 UNITS	1.96%	1,003 SQ FT.
TOTAL			51 UNITS		
NOTE: LISTED SQUARE FOOTAGES ARE EXCLUSIVE OF GARAGES					

SITE DENSITY	
TOTAL SITE AREA	2.15 ACRES
TOTAL NUMBER OF UNITS	51 UNITS
DWELLING UNITS PER ACRE	23.7%

AMENITY AREAS PROVIDED	
CLUBHOUSE	2,352 SQ FT.
OUTDOOR LEISURE AREA	372 SQ FT.
POOL WATER SURFACE AREA	756 SQ FT.
NOTE: OUTDOOR LEISURE AREA INCLUDES SPACE FOR OUTDOOR SEATING, TABLES, AND GRILL AREA	



1 N PLAN NORTH N TRUE NORTH SCALE:1:30

Site Plan
plan

600 WEST AVENUE D
MULTIFAMILY
GARLAND, TEXAS

DESIGN TEAM

OWNER/APPLICANT:
BLOOMING INVESTMENT GROUP, LLC
6751 KISTLER LN., NO 102
THE COLONY, TX. 75056
P: 763.913.4223
CONTACT: DAVE PATEL/ APURVA PATEL

ARCHITECT:
MCCARTHY ARCHITECTURE
1000 N. FIRST ST.
GARLAND, TX. 75040
P: 972.272.2500
CONTACT: KELLY MCCARTHY/JACOB VINSON

CIVIL ENGINEER:
ENGINEERING CONCEPTS, INC.
201 WINDCO CIR., STE 200
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P: 972.941.8400
CONTACT: BILL THOMAS

LANDSCAPE ARCHITECT:
COOPER DESIGN WORKS
P.O. BOX 492
ROCKWALL, TX. 75087
P: 972.412.9519
CONTACT: JIM COOPER

CITY CASE NO: 211028-2

SEAL

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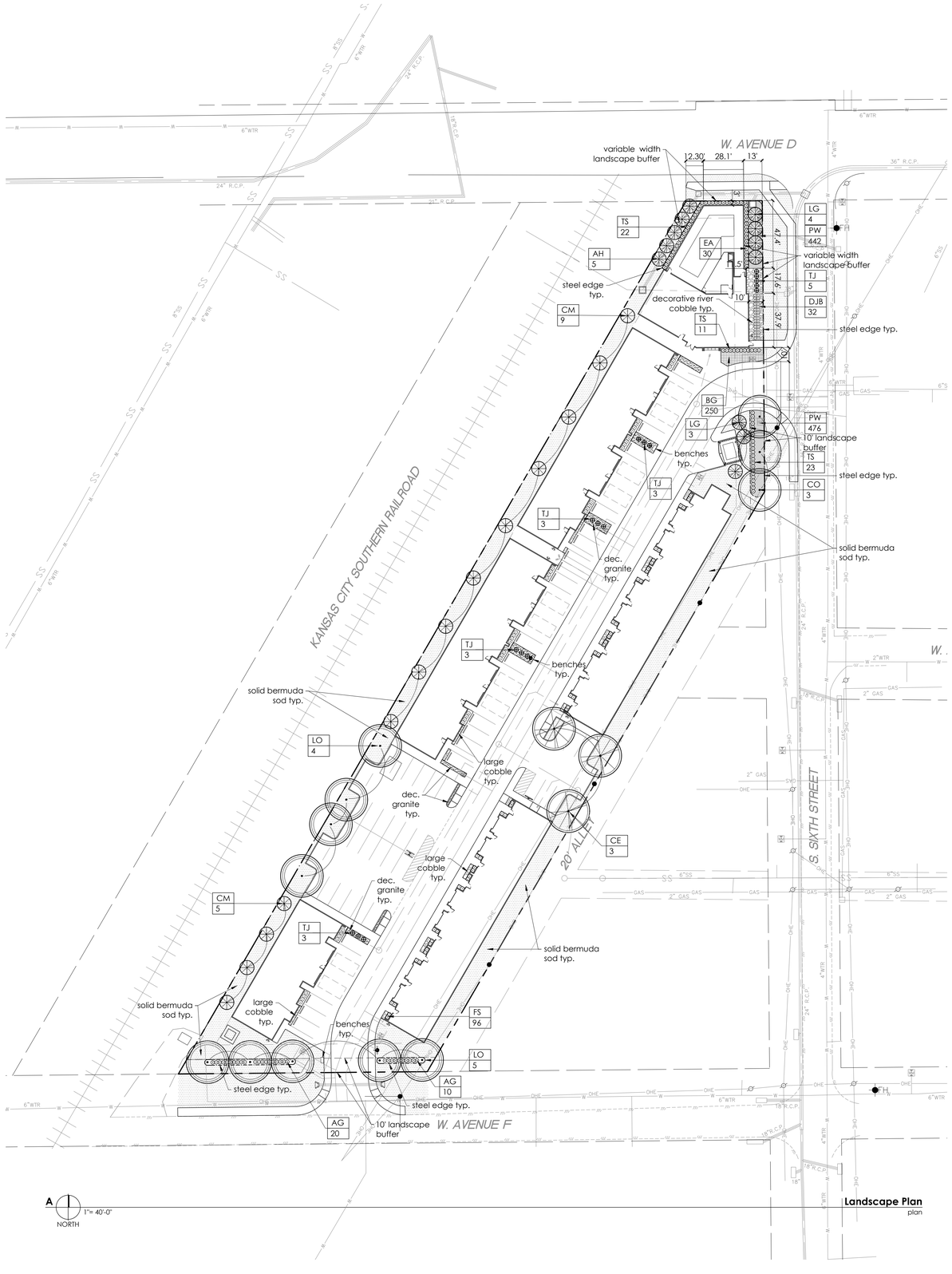
DATE:	08.01.2023
SCALE:	
JOB NO.	MA21042
DRAWN:	JV
APPD:	KM
ACAD #	

SITE PLAN

DRAWING NO. A1.00 REV. NO.

EXHIBIT D



PLANT SCHEDULE

Canopy Trees

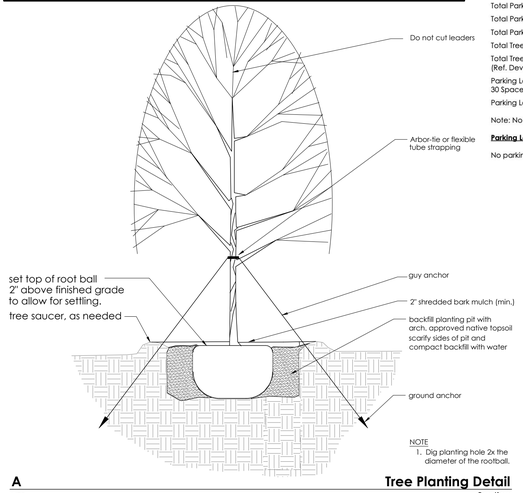
	SYM	QTY	COMMON NAME	SCIENTIFIC NAME	SIZE & CONDITION AT PLANTING
	CO	3	Chinquapin Oak	Quercus muhlenbergii	3" Caliper 10'-12' Ht./ 4'-5' spread, container grown straight trunk.
	LO	9	Live Oak	Quercus virginiana	3" Caliper 10'-12' Ht./ 4'-5' spread, container grown straight trunk.
	CE	3	Cedar Elm	Ulmus crassifolia	3" Caliper 10'-12' Ht./ 4'-5' spread, container grown straight trunk.

Ornamental Trees

	SYM	QTY	COMMON NAME	SCIENTIFIC NAME	SIZE & CONDITION AT PLANTING
	LG	7	Little Gem Magnolia	Magnolia grandiflora 'Little Gem'	3" Caliper 7'-8' Ht./ 4'-5' spread, container grown.
	AH	5	American Holly	Ilex opaca	3" Caliper 7'-8' Ht./ 4'-5' spread, container grown.
	CM	14	Natchez Crape Myrtle	Lagerstroemia indica 'Natchez White'	3" Caliper 7'-8' Ht./ 4'-5' spread, container grown.

Shrubs and Groundcovers

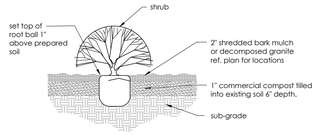
	SYM	QTY	COMMON NAME	SCIENTIFIC NAME	SIZE & CONDITION AT PLANTING
	EA	33	Encore Azaleas	Rhododendron 'Encore Autumn Bravo'	3 gal., full & heavy 30" O.C. 24" min. ht.
	AG	30	Agarita	Mahonia trifoliatata	3 gal., full & heavy 30" O.C. 24" min. ht.
	TS	56	Green Cloud Texas Sage	Leucophyllum frutescens 'Green Cloud'	3 gal., full & heavy 30" O.C. 24" min. ht.
	FS	106	Foundation Shrubs	To Be Determined	3 gal., full & heavy 30" O.C. 24" min. ht.
	DJB	32	Dwarf Japanese Boxwood	Buxus japonica	3 gal., full & heavy 24" O.C. 24" min. ht.
	TJ	17	Taylor Juniper	Juniperis virginiana 'Taylor'	5 gal., full & heavy 36" min. ht.
	PW	918	Purple Wintercreeper	Euonymus coloratus	1 gal. full plants 12" O.C.
	BG	918	Blue Grama 'Blonde Ambition'	Bouteloua gracilis 'Blonde Ambition'	1 gal. full plants 12" O.C.
	SC	69	Annual Flowers	To Be Selected	4" pot full plants 9" O.C.
	DC	535 SF	Decorative River Cobble	To Be Selected	3" - 5" size submit sample for approval, 3" depth w/ geotextile beneath
	DG	600 SF	Decomposed Granite	To Be Selected	3" min. depth w/ geotextile beneath
		25,658 SF	Solid Bermuda Sod		Fine grade prior to installation.



A — **Tree Planting Detail**
NTS — Section

Landscape Notes:

1. Reference sheet L 1.0 for landscape plan.
2. An automatic irrigation system with 100% coverage of all landscape areas will be provided.
3. Contact utility locating services prior to construction.
4. Steel edging to be 1/8" thickness minimum color black.



B — **Shrub Planting Detail**
NTS — Section

Landscape Calculations

West Avenue D Buffer:

Landscape Buffer Width:	Variable
Landscape Buffer Area Exclusive Of Drive Aisles:	483 SF
Total Area Required To Be Covered With Landscaping Other Than Turf Grass 25%:	121 SF
Total Area Provided Covered With Landscaping Other Than Turf Grass 67%:	326 SF
Landscape Buffer Length Exclusive Of Drive Aisles:	54 LF
Total Canopy Trees Required 54 LF/1 Tree Per 30 LF:	2 Trees
Total Canopy Trees Provided: 3 High Level Screen Trees in Lieu Of 2 Canopy Trees	

South 6th Street Buffer:

Landscape Buffer Width:	Variable
Landscape Buffer Area Exclusive Of Drive Aisles:	2,040 SF
Total Area Required To Be Covered With Landscaping Other Than Turf Grass 25%:	510 SF
Total Area Provided Covered With Landscaping Other Than Turf Grass 91%:	1,856 SF
Landscape Buffer Length Exclusive Of Drive Aisles:	196 LF
Total Canopy Trees Required 192 LF/1 Tree Per 30 LF:	7 Trees
Total Canopy Trees Provided: 7 Trees Except 4 High Level Screen Trees In Lieu Of 4 Canopy Trees	

West Avenue F Buffer:

Landscape Buffer Width:	10'
Landscape Buffer Area Exclusive Of Drive Aisles:	1,438 SF
Total Area Required To Be Covered With Landscaping Other Than Turf Grass 25%:	360 SF
Total Area Provided Covered With Landscaping Other Than Turf Grass 27%:	382 SF
Landscape Buffer Length Exclusive Of Drive Aisles:	142 LF
Total Canopy Trees Required 142 LF/1 Tree Per 30 LF:	5 Trees
Total Canopy Trees Provided:	5 Trees

Parking Area Landscaping:

Total Parking Area:	9,600 SF
Total Parking Area Required To Be Landscaped 5%:	480 SF
Total Parking Area Provided To Be Landscaped 11%:	1,068 SF
Total Trees Required At Terminus Of Parking Rows:	12 Trees
Total Trees Provided At Terminus Of Parking Rows: (Ref. Deviation)	7 Trees
Parking Lot Trees Required 1 Tree Per 10 Parking Spaces 30 Spaces/10 = 3 Trees:	3 Trees
Parking Lot Trees Provided:	7 Trees

Note: No Parking Space Is Located More Than 65' From A Tree.

Parking Lot Screening:

No parking lot screening is required.

600 WEST AVENUE D MULTIFAMILY GARLAND, TEXAS

DESIGN TEAM

OWNER/APPLICANT:
BLOOMING INVESTMENT GROUP, LLC
6751 KISTLER LN., NO 102
THE COLONY, TX. 75056
P: 763.913.4223
CONTACT: DAVE PATEL/ APURVA PATEL

ARCHITECT:
MCCARTHY ARCHITECTURE
1000 N. FIRST ST.
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P: 972.272.2500
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CIVIL ENGINEER:
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CONTACT: BILL THOMAS

LANDSCAPE ARCHITECT:
COOPER DESIGN WORKS
P.O. BOX 492
ROCKWALL, TX. 75087
P: 972.412.9519
CONTACT: JIM COOPER

CITY CASE NO: 211028-2

SEAL

REGISTERED LANDSCAPE ARCHITECT
JAMES A. COOPER
1287
STATE OF TEXAS

For municipal review and not for contruction.
James A Cooper RLA 1287
01 August 2023

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DATE:	08-01-2023
SCALE:	1" = 40'-0"
JOB NO.	
DRAWN:	CDW
APPD:	CDW
ACAD #	

LANDSCAPE PLAN

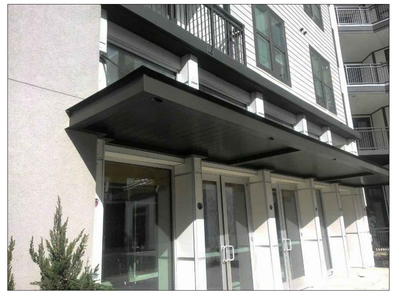
DRAWING NO.	REV. NO.
L 1.0	

EXHIBIT E

TYPICAL DISTINCTIVE BUILDING LIGHTING

TYPICAL DISTINCTIVE SITE LIGHTING

TYPICAL SITE BENCH

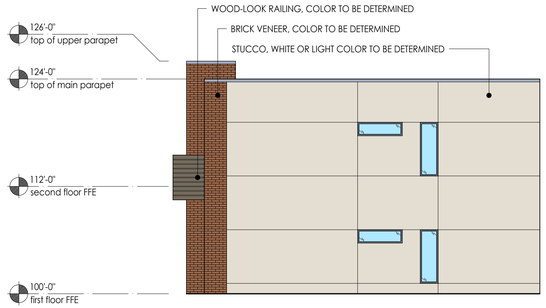


TYPICAL AWNING

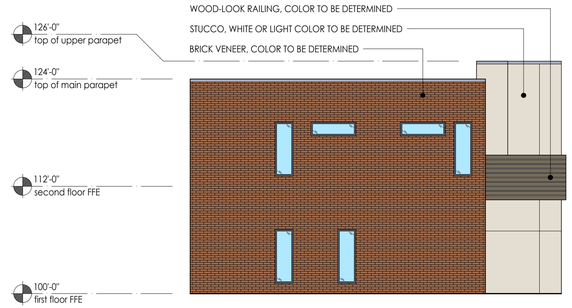
5 **Feature Photos**
reference

FACADE ARTICULATION CALCULATIONS (GDC SECTION 4.83)
WEST AVENUE F: - BUILDING #1 HORIZONTAL DISTANCE: 41'-6" - BUILDING #1 HORIZONTAL ARTICULATION PROVIDED: 11'-4" (COMPLAINT WITH GDC) - BUILDING #1 VERTICAL ARTICULATION NOT REQUIRED PER GDC - BUILDING #4 HORIZONTAL DISTANCE: 32'-6" - BUILDING #4 HORIZONTAL ARTICULATION NOT REQUIRED PER GDC - BUILDING #4 VERTICAL ARTICULATION NOT REQUIRED PER GDC
SOUTH SIXTH STREET: - BUILDING #5 HORIZONTAL DISTANCE: 32'-6" - BUILDING #5 HORIZONTAL ARTICULATION NOT REQUIRED PER GDC - BUILDING #5 VERTICAL ARTICULATION NOT REQUIRED PER GDC - BUILDING #6 HORIZONTAL DISTANCE: 50'-0" - BUILDING #6 HORIZONTAL ARTICULATION PROVIDED: 2'-0" (COMPLAINT WITH GDC) - BUILDING #6 VERTICAL ARTICULATION NOT REQUIRED PER GDC

ARCITECTURAL ELEMENTS PROVIDED (GDC SECTION 4.83)	
1.	AWNINGS OR CANOPIES
2.	RECESSED ENTRIES
3.	DISTINCTIVE LIGHTING FEATURES
4.	PLANTERS OR FOUNTAINS
5.	BENCHES FOR OUTDOOR SEATING
6.	VARIED ROOF HEIGHTS
NOTE: PLANTERS AND BENCHES ARE SHOWN ON SITE PLAN AS THESE ARE SITE COMPONENTS	



4 **Buildings #1 - East Elevation**
SCALE:1/8"=1'-0" elevation



3 **Buildings #1 - West Elevation**
SCALE:1/8"=1'-0" elevation

2 **Buildings #1 - North Elevation**
SCALE:1/8"=1'-0" elevation

1 **Buildings #1 - South Elevation**
SCALE:1/8"=1'-0" elevation

600 WEST AVENUE D MULTIFAMILY GARLAND, TEXAS

DESIGN TEAM

OWNER/APPLICANT:
BLOOMING INVESTMENT GROUP, LLC
6751 KISTLER LN., NO 102
THE COLONY, TX. 75056
P: 763.913.4223
CONTACT: DAVE PATEL/ APURVA PATEL

ARCHITECT:
MCCARTHY ARCHITECTURE
1000 N. FIRST ST.
GARLAND, TX. 75040
P: 972.272.2500
CONTACT: KELLY MCCARTHY/JACOB VINSON

CIVIL ENGINEER:
ENGINEERING CONCEPTS, INC.
201 WINDCO CIR., STE 200
WYLIE, TEXAS 75098
P: 972.941.8400
CONTACT: BILL THOMAS

LANDSCAPE ARCHITECT:
COOPER DESIGN WORKS
P.O. BOX 492
ROCKWALL, TX. 75087
P: 972.412.9519
CONTACT: JIM COOPER

CITY CASE NO: 211028-2

SEAL

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DATE:	07.12.2023
SCALE:	
JOB NO.	MA21042
DRAWN:	JV
APPD:	KM
ACAD #	

EXTERIOR ELEVATIONS

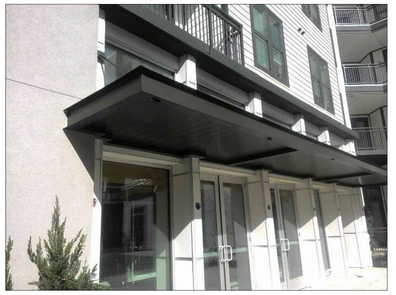
DRAWING NO. **A4.01** REV. NO.

EXHIBIT E

TYPICAL DISTINCTIVE BUILDING LIGHTING

TYPICAL DISTINCTIVE SITE LIGHTING

TYPICAL SITE BENCH

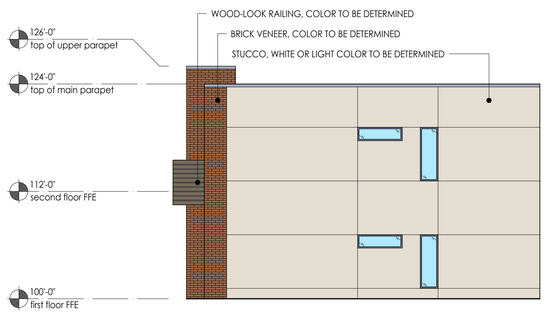


TYPICAL AWNING

5 **Feature Photos**
reference

FACADE ARTICULATION CALCULATIONS (GDC SECTION 4.83)
WEST AVENUE F: - BUILDING #1 HORIZONTAL DISTANCE: 41'-6" - BUILDING #1 HORIZONTAL ARTICULATION PROVIDED: 11'-4" (COMPLAINT WITH GDC) - BUILDING #1 VERTICAL ARTICULATION NOT REQUIRED PER GDC - BUILDING #4 HORIZONTAL DISTANCE: 32'-6" - BUILDING #4 HORIZONTAL ARTICULATION NOT REQUIRED PER GDC - BUILDING #4 VERTICAL ARTICULATION NOT REQUIRED PER GDC
SOUTH SIXTH STREET: - BUILDING #5 HORIZONTAL DISTANCE: 32'-6" - BUILDING #5 HORIZONTAL ARTICULATION NOT REQUIRED PER GDC - BUILDING #5 VERTICAL ARTICULATION NOT REQUIRED PER GDC - BUILDING #6 HORIZONTAL DISTANCE: 50'-0" - BUILDING #6 HORIZONTAL ARTICULATION PROVIDED: 2'-0" (COMPLAINT WITH GDC) - BUILDING #6 VERTICAL ARTICULATION NOT REQUIRED PER GDC

ARCITECTURAL ELEMENTS PROVIDED (GDC SECTION 4.83)	
1.	AWNINGS OR CANOPIES
2.	RECESSED ENTRIES
3.	DISTINCTIVE LIGHTING FEATURES
4.	PLANTERS OR FOUNTAINS
5.	BENCHES FOR OUTDOOR SEATING
6.	VARIED ROOF HEIGHTS
NOTE: PLANTERS AND BENCHES ARE SHOWN ON SITE PLAN AS THESE ARE SITE COMPONENTS	



4 **Buildings #2 and #3 - East Elevation**
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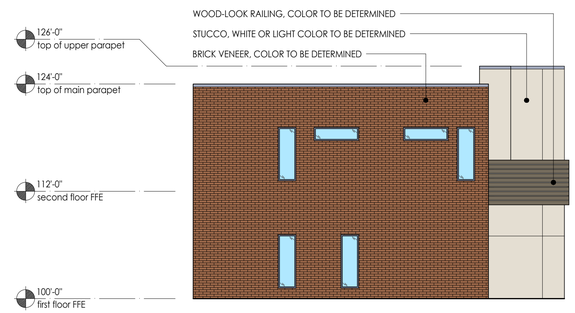
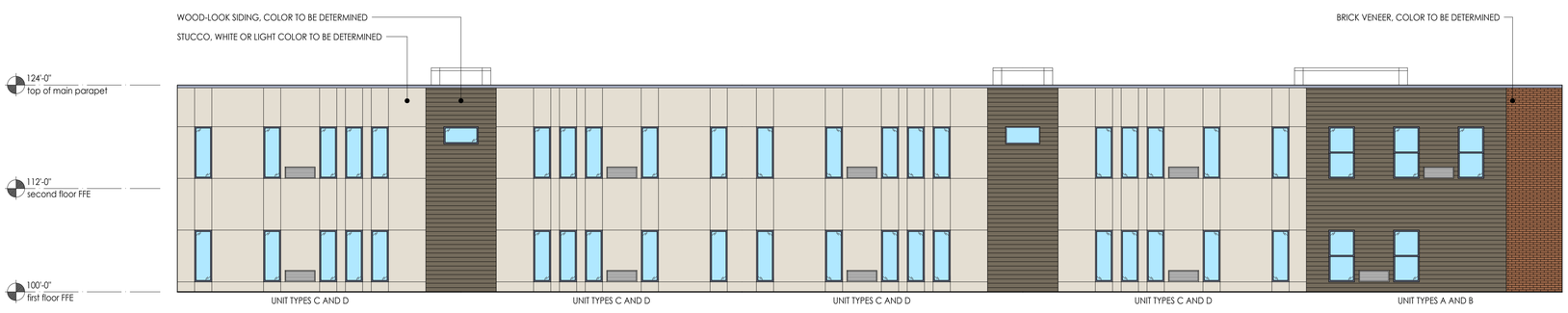


3 **Buildings #2 and #3 - West Elevation**
SCALE:1/8"=1'-0" elevation



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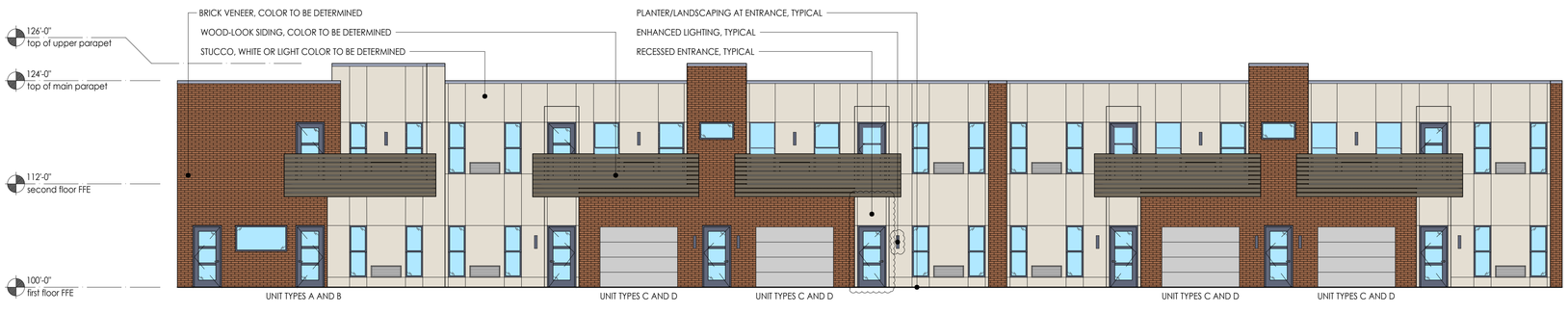
SCALE:1/8"=1'-0" elevation



1 **Buildings #2 and #3 - South Elevation**
SCALE:1/8"=1'-0" elevation

600 WEST AVENUE D MULTIFAMILY GARLAND, TEXAS

DESIGN TEAM

OWNER/APPLICANT:
BLOOMING INVESTMENT GROUP, LLC
6751 KISTLER LN., NO 102
THE COLONY, TX. 75056
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JOB NO.	MA21042
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EXTERIOR ELEVATIONS

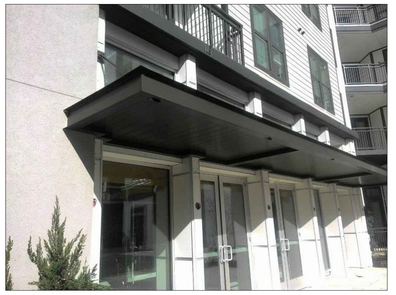
DRAWING NO. **A4.00** REV. NO.

EXHIBIT E

TYPICAL DISTINCTIVE BUILDING LIGHTING

TYPICAL DISTINCTIVE SITE LIGHTING

TYPICAL SITE BENCH



TYPICAL AWNING

5 **Feature Photos**
reference

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ARCITECTURAL ELEMENTS PROVIDED (GDC SECTION 4.83)	
1.	AWNINGS OR CANOPIES
2.	RECESSED ENTRIES
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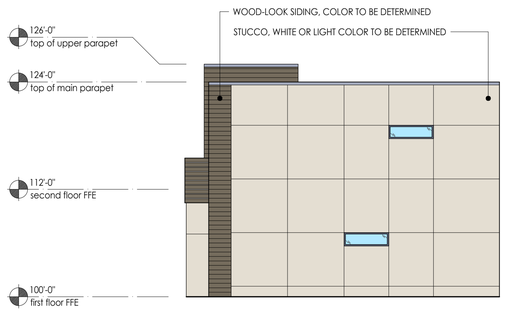
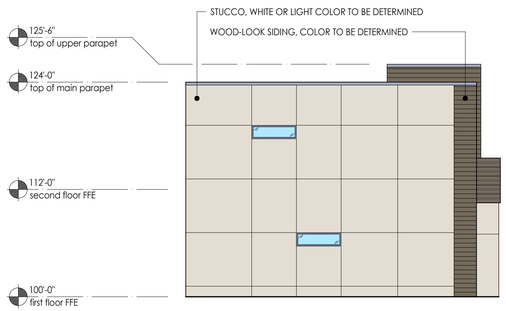
NOTE: PLANTERS AND BENCHES ARE SHOWN ON SITE PLAN AS THESE ARE SITE COMPONENTS	

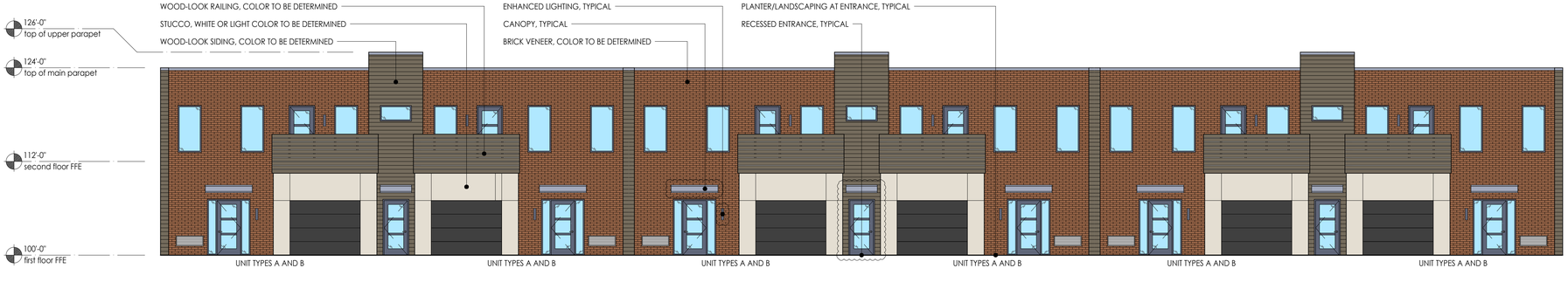


4 **Building #4 - West Elevation**
SCALE:1/8"=1'-0" elevation



3 **Building #4 - East Elevation**
SCALE:1/8"=1'-0" elevation

2 **Building #4 - South Elevation**
SCALE:1/8"=1'-0" elevation



1 **Building #4 - North Elevation**
SCALE:1/8"=1'-0" elevation

600 WEST AVENUE D MULTIFAMILY GARLAND, TEXAS

DESIGN TEAM

OWNER/APPLICANT:
BLOOMING INVESTMENT GROUP, LLC
6751 KISTLER LN., NO 102
THE COLONY, TX. 75056
P: 763.913.4223
CONTACT: DAVE PATEL/ APURVA PATEL

ARCHITECT:
MCCARTHY ARCHITECTURE
1000 N. FIRST ST.
GARLAND, TX. 75040
P: 972.272.2500
CONTACT: KELLY MCCARTHY/JACOB VINSON

CIVIL ENGINEER:
ENGINEERING CONCEPTS, INC.
201 WINDCO CIR., STE 200
WYLIE, TEXAS 75098
P: 972.941.8400
CONTACT: BILL THOMAS

LANDSCAPE ARCHITECT:
COOPER DESIGN WORKS
P.O. BOX 492
ROCKWALL, TX. 75087
P: 972.412.9519
CONTACT: JIM COOPER

CITY CASE NO: 211028-2

SEAL

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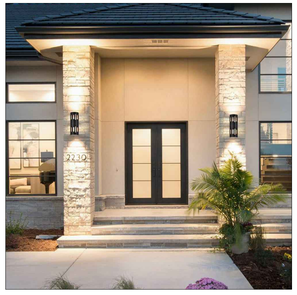
DATE:	07.12.2023
SCALE:	
JOB NO.	MA21042
DRAWN:	JV
APPD:	KM
ACAD #	

EXTERIOR ELEVATIONS

DRAWING NO. **A4.02** REV. NO.

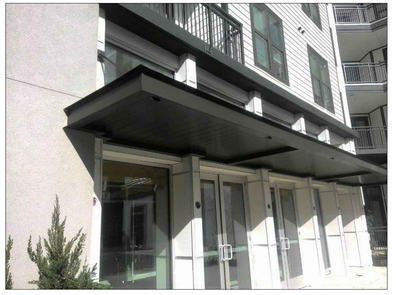
EXHIBIT E



TYPICAL DISTINCTIVE BUILDING LIGHTING

TYPICAL DISTINCTIVE SITE LIGHTING

TYPICAL SITE BENCH

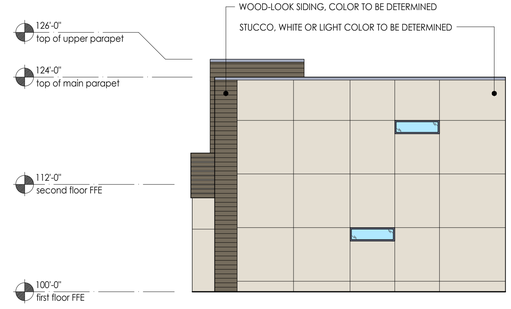


TYPICAL AWNING

5 **Feature Photos**
reference

FACADE ARTICULATION CALCULATIONS (GDC SECTION 4.83)
WEST AVENUE F: - BUILDING #1 HORIZONTAL DISTANCE: 41'-6" - BUILDING #1 HORIZONTAL ARTICULATION PROVIDED: 11'-4" (COMPLAINT WITH GDC) - BUILDING #1 VERTICAL ARTICULATION NOT REQUIRED PER GDC - BUILDING #4 HORIZONTAL DISTANCE: 32'-6" - BUILDING #4 HORIZONTAL ARTICULATION NOT REQUIRED PER GDC - BUILDING #4 VERTICAL ARTICULATION NOT REQUIRED PER GDC
SOUTH SIXTH STREET: - BUILDING #5 HORIZONTAL DISTANCE: 32'-6" - BUILDING #5 HORIZONTAL ARTICULATION NOT REQUIRED PER GDC - BUILDING #5 VERTICAL ARTICULATION NOT REQUIRED PER GDC - BUILDING #6 HORIZONTAL DISTANCE: 50'-0" - BUILDING #6 HORIZONTAL ARTICULATION PROVIDED: 2'-0" (COMPLAINT WITH GDC) - BUILDING #6 VERTICAL ARTICULATION NOT REQUIRED PER GDC

ARCITECTURAL ELEMENTS PROVIDED (GDC SECTION 4.83)	
1.	AWNINGS OR CANOPIES
2.	RECESSED ENTRIES
3.	DISTINCTIVE LIGHTING FEATURES
4.	PLANTERS OR FOUNTAINS
5.	BENCHES FOR OUTDOOR SEATING
6.	VARIED ROOF HEIGHTS
NOTE: PLANTERS AND BENCHES ARE SHOWN ON SITE PLAN AS THESE ARE SITE COMPONENTS	



4 **Building #5 - West Elevation**
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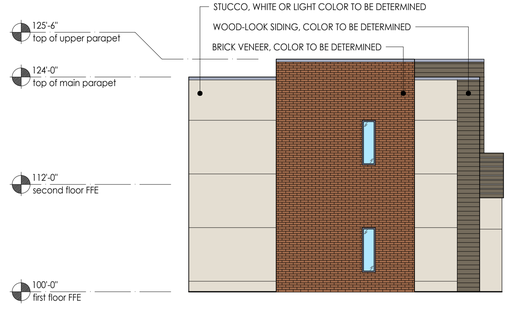

3 **Building #5 - East Elevation**
SCALE:1/8"=1'-0" elevation

2 **Building #5 - South Elevation**
SCALE:1/8"=1'-0" elevation

1 **Building #5 - North Elevation**
SCALE:1/8"=1'-0" elevation

600 WEST AVENUE D MULTIFAMILY GARLAND, TEXAS

DESIGN TEAM

OWNER/APPLICANT:
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6751 KISTLER LN., NO 102
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P.O. BOX 492
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P: 972.412.9519
CONTACT: JIM COOPER

CITY CASE NO: 211028-2

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SCALE:	
JOB NO.	MA21042
DRAWN:	JV
APPD:	KM
ACAD #	

EXTERIOR ELEVATIONS

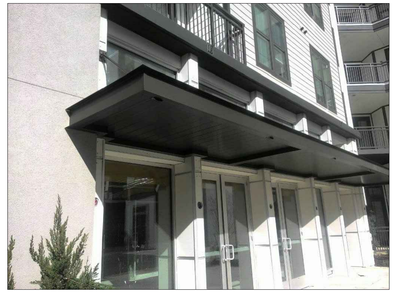
DRAWING NO. **A4.03** REV. NO.

EXHIBIT E

TYPICAL DISTINCTIVE BUILDING LIGHTING

TYPICAL DISTINCTIVE SITE LIGHTING

TYPICAL SITE BENCH



TYPICAL AWNING

9

Feature Photos
reference

FACADE ARTICULATION CALCULATIONS (GDC SECTION 4.83)
WEST AVENUE F: - BUILDING #1 HORIZONTAL DISTANCE: 41'-6" - BUILDING #1 HORIZONTAL ARTICULATION PROVIDED: 11'-4" (COMPLAINT WITH GDC) - BUILDING #1 VERTICAL ARTICULATION NOT REQUIRED PER GDC - BUILDING #4 HORIZONTAL DISTANCE: 32'-6" - BUILDING #4 HORIZONTAL ARTICULATION NOT REQUIRED PER GDC - BUILDING #4 VERTICAL ARTICULATION NOT REQUIRED PER GDC SOUTH SIXTH STREET: - BUILDING #5 HORIZONTAL DISTANCE: 32'-6" - BUILDING #5 HORIZONTAL ARTICULATION NOT REQUIRED PER GDC - BUILDING #5 VERTICAL ARTICULATION NOT REQUIRED PER GDC - BUILDING #6 HORIZONTAL DISTANCE: 50'-0" - BUILDING #6 HORIZONTAL ARTICULATION PROVIDED: 2'-0" (COMPLAINT WITH GDC) - BUILDING #6 VERTICAL ARTICULATION NOT REQUIRED PER GDC

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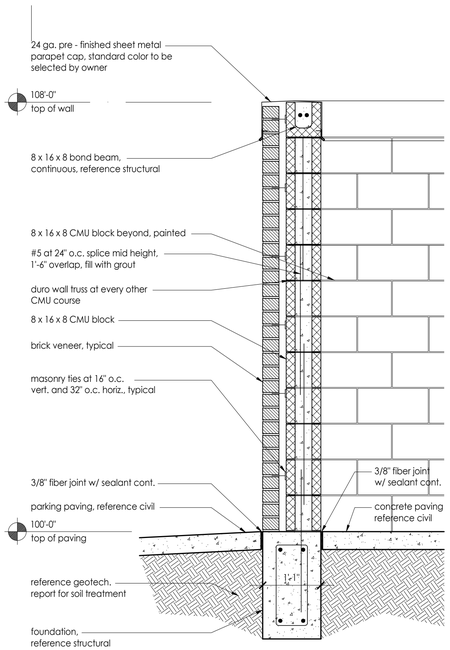
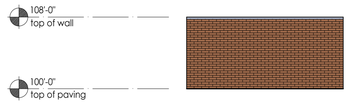
NOTE: PLANTERS AND BENCHES ARE SHOWN ON SITE PLAN AS THESE ARE SITE COMPONENTS



8 **Dumpster Enclosure - Section**
SCALE:3/4"=1'-0" section



7 **Dumpster Enclosure - Rear**
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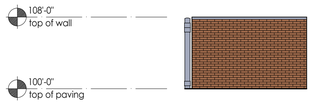
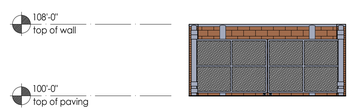
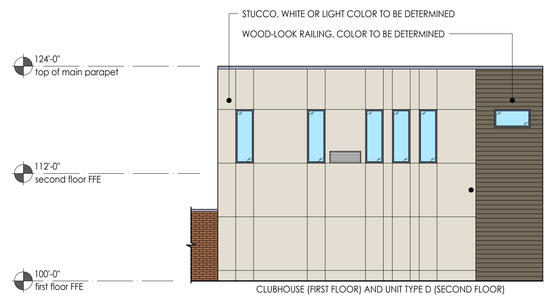


6 **Dumpster Enclosure - Side**
SCALE:1/8"=1'-0" elevation

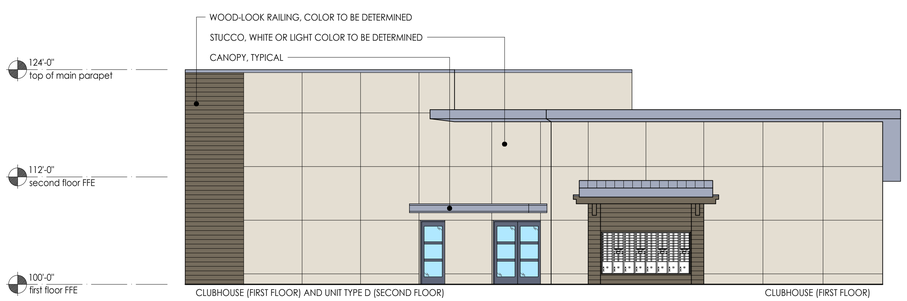
5 **Dumpster Enclosure - Side**
SCALE:1/8"=1'-0" elevation



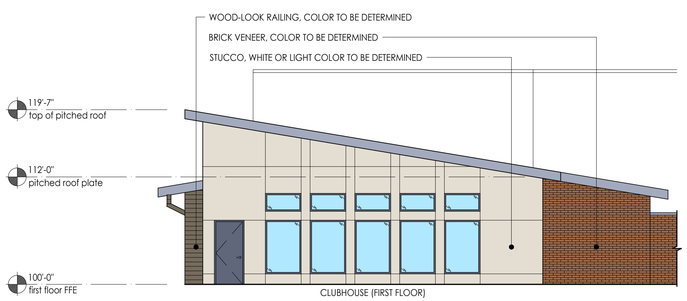
4 **Dumpster Enclosure - Front**
SCALE:1/8"=1'-0" elevation



3 **Building #6 - North Elevation**
SCALE:1/8"=1'-0" elevation



2 **Building #6 - West Elevation**
SCALE:1/8"=1'-0" elevation



1 **Building #6 - South Elevation**
SCALE:1/8"=1'-0" elevation

600 WEST AVENUE D
MULTIFAMILY
GARLAND, TEXAS

DESIGN TEAM

OWNER/APPLICANT:
BLOOMING INVESTMENT GROUP, LLC
6751 KISTLER LN., NO 102
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ROCKWALL, TX. 75087
P: 972.412.9519
CONTACT: JIM COOPER

CITY CASE NO: 211028-2

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DATE:	08.01.2023
SCALE:	
JOB NO.	MA21042
DRAWN:	JV
APPD:	KM
ACAD #	

EXTERIOR ELEVATIONS

DRAWING NO. A4.04 REV. NO.

GARLAND

CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda **4.**

Meeting Date: 09/19/2023

Item Title: Resolution Establishing Charter Review Committee

Submitted By: Brian England, City Attorney

Summary of Request/Problem

Recommendation/Action Requested and Justification

Attachments

Resolution Establishing 2023-24 CRC and Appointing Members FINAL

RESOLUTION NO._____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS ESTABLISHING A 2023-2024 CHARTER REVIEW COMMITTEE; APPOINTING MEMBERS TO THE CHARTER REVIEW COMMITTEE; PROVIDING A CHARGE TO THE CHARTER REVIEW COMMITTEE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article XVII, Section 15 of the City of Garland Home Rule Charter ("Charter") provides a process whereby the Charter may be amended;

WHEREAS, before an election may be called on proposed amendments to the Charter, the City Council must convene a Charter Review Committee composed of not less than nine (9) residents of the City to make recommendations on proposed amendments;

WHEREAS, the Charter Review Committee must be established no later than the second regular meeting of the City Council in October; and

WHEREAS, the City Council finds it is in the public interest to establish a 2023-2024 Charter Review Committee to consider and make recommendations on certain potential revisions to the current Charter.

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

Section 1

The recitals contained in the preamble of this resolution are incorporated into the body of this resolution as if set out fully herein.

Section 2

Pursuant to Article XVII, Section 15, the City Council of the City of Garland hereby establishes the 2023-2024 Charter Review Committee ("CRC"). The CRC will establish its own meeting schedule, to occur between September 2023 and January 2024. The CRC shall present its recommendations on proposed Charter amendments to the City Council no later than the first Council Work Session of January 2024, so that Council may have time to consider and deliberate on any proposed amendments and, if necessary, to call an election in February 2024 to be held in May 2024.

Section 3

The following City of Garland residents are appointed to the 2023-2024 CRC:

_____

_____

_____

_____

_____

_____

_____

_____

_____

Section 4

The City Council hereby charges the CRC with the review of the following potential amendments to the Charter:

(1) Consider amending Article III, Section 1(A) to lengthen the current councilmember term from two (2) years to three (3) years and reduce the term limit of three (3) terms to two (2) terms.

(2) Consider amending Article III, Section 1(D) to revise the amount of time a person must wait between service in one elected role and running for another elected City position.

(3) Consider amending Article III, Section 1(D) to add an amount of time a person must wait between service in an elected role and appointment to a City Board, Committee, or Commission.

(4) Consider amending Article III, Section 3 to increase the amount of compensation paid to the Mayor and Councilmembers.

(5) Consider amending Article III, Section 4 to

specifically reference the Deputy Mayor Pro-Tem position.

(6) Consider amending Article III, Section 5 to reduce the candidacy waiting period for appointed Interim Mayor or Councilmembers.

(7) Consider amending Article III, Section 11 to restrict the resignation for candidacy provision to solely elected positions within the City of Garland.

(8) Consider amending Article IV, Section 1(J) to clarify the Powers of Council as related to the alignment of streets, thoroughfares, and alleys.

(9) Consider amending Article IV, Section 2 to clarify that Councilmembers may remove their own appointees at any time.

(10) Consider amending Article IV, Section 3 to clarify which Councilmember communications and interactions with City staff appointees made by the City Manager are impermissible "interference" under this section.

(11) Consider amending Article V, Section 2 to increase maximum term limitations of the City Manager's contract.

(12) Consider amending Article XI, Section 1(b) to add a waiting period for persons who were serving as Mayor or Councilmember before he or she may serve on the Plan Commission.

(13) Consider amending Article XI, Section 3 to increase the vote necessary for City Council to override a Plan Commission recommendation.

(14) Consider amending Article XI, Section 4 to revise the powers granted to Council related to planning and zoning matters.

(15) Consider amending the Charter in various sections, as recommended by the Office of the City Attorney, based on legal review.

Section 5

That this Resolution shall be and become effective immediately

upon and after its adoption and approval.

PASSED AND APPROVED this the _____ day of _____, 2023.

CITY OF GARLAND, TEXAS

_____
Mayor

ATTEST:

_____
City Secretary

GARLAND
POLICY REPORT

City Council Regular Session Agenda **5.**

Meeting Date: 09/19/2023
Item Title: Request for Development Assistance from The Draper Garland, LLC
Submitted By: Ayako Schuster, Economic Development Director
Strategic Focus Areas: Growing Economic Base

ISSUE

Consider a development incentive request from The Draper Garland, LLC for an asbestos remediation.

OPTIONS

1. Approve the staff recommendation for providing asbestos remediation grant.
2. Not approve

RECOMMENDATION

The City would provide $800,000 grant for an asbestos remediation. The remediation includes replacing all new windows and removing the majority of the interior walls and insulation. In order to receive the grant, the scope needs to be reviewed and approved staff prior to project to determine what is asbestos remediation and what will be other improvements (if any). Reimbursement will be contingent on receipt of paid invoices for work completed. Developer will be required to maintain historic registry designation for minimum of 10 years.

BACKGROUND

The Draper Garland has invested over $40 million for the Phase 1 project that brings 155-units of multifamily housing to the former Wyatt Cafeteria property. The company is in the process of developing approximately 25 townhomes with an additional $14 million investment in a second phase of development.
The subject property was constructed in 1966 by the Garland Bank & Trust, which was the first new bank in Garland post WWII. At the time, the building represented a major shift in commercial development in Garland as it was at the crossroads of two highways and was the tallest building in the City. The Developer has committed to retaining the historic nature of the building and renovate the former Garland Bank & Trust Company building.

CONSIDERATION

Remediation will allow the developer a flexibility to determine what's best for floors 2-5. Also, it will allow them to retain Chase Bank as their anchor tenant on the first floor. Due to changes in the layout of the first floor, there will be 1-2 additional retail opportunities that will be created by this development, as Chase will not occupy the entirety of the first floor.

Attachments

Proposed Economic Development Incentive Agreement

ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT
BETWEEN THE CITY OF GARLAND AND II STEPHENS DEVELOPMENT, LLC

This **ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT** ("Agreement") is made by and between the **City of Garland**, a Texas home-rule municipality ("City"), and **The Draper Garland, LLC,** a Texas Limited Liability company ("Developer"), acting by and through their respective authorized officers.

RECITALS:

Developer and the City each acknowledge and agree that the following recitals are true and correct and that the same is a material part of this Agreement:

WHEREAS, the City desires to further the public interest and welfare and to induce the investment of private resources in productive business enterprises located within the City that will increase tax revenue and promote or develop new business enterprises through Economic Development Agreements as authorized by Chapter 380 of the Texas Local Government Code;

WHEREAS, the Developer and City agree that the Developer owns and intends to develop the 41,280 square foot building on the tracts located at 111 S. Garland Avenue, consisting of 1.025 acres in the City of Garland, Dallas County, Texas (collectively as the "Development"); that shall provide business tenants on lower floors and loft style apartments on the upper floors;

WHEREAS, the Development will have a direct and positive economic benefit to the City;

WHEREAS, the Developer has advised the City that a contributing factor of inducing the Developer to further improve the land is an agreement by the City to provide an Economic Development grant to the Developer as set forth herein;

WHEREAS, the City is authorized by Article III, Section 52-a of the Texas Constitution and Chapter 380 of the Texas Local Government Code to provide an economic development program, which may include certain grants of public funds, to stimulate business and commercial activity within the City;

WHEREAS, City hereby finds that this Agreement promotes economic development in the City and, as such, meets the requisites under Article III, Section 52-a of the Texas Constitution and Chapter 380 of the Texas Local Government Code and qualifies for an Economic Development Program, and further, is in the best interests of the City;

WHEREAS, the City wishes to provide an Economic Development grant to the Developer to assist in the economic development of the City by reimbursing the Developer up to one hundred percent (100%) of the total asbestos remediation costs, up to a maximum incentive of Eight Hundred Thousand Dollars and Zero Cents ($800,000.00), of Asbestos Remediation Fees paid by the Developer for the Building on the Development; and

WHEREAS, the City has determined, based on information presented to it by the Developer, that making an Economic Development grant to the Developer as set forth in this Agreement is matching the City's Economic Development goals and will: (i) help accomplish the objectives of the City; (ii) benefit the City and the City's inhabitants; and (iii) promote local economic development and stimulate business and commercial activity in the City;

NOW, THEREFORE, the Developer and the City make and enter into this Agreement in consideration of the mutual covenants and agreements contained in this Agreement, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged by both the Developer and the City, and agree as follows:

Section 1. Definitions:

"Building" means the existing 41,280 square foot structure on the Property.

"DCAD" means the Dallas Central Appraisal District or its successor.

"Development" has meaning described within the Recitals of this Agreement.

"Incentive" means the City's reimbursement of up to one hundred percent (100%) of the total asbestos remediation costs, up to a maximum incentive of Eight Hundred Thousand Dollars and Zero Cents ($800,000.00), of Asbestos Remediation Fees paid by the Developer for the Building on the Development.

"Party" means either the City or the Developer, and "Parties" means, collectively, the City and the Developer.

"Program" means the Economic Development Program for this Development as established by the City according to Texas Local Government Code Chapter 380 and this Agreement to promote local economic development and stimulate business and commercial activity within the City.

"Property" means the approximate 1.025 acres of improved land located at 111 S. Garland Avenue in the City of Garland, Dallas County, Texas, and more particularly described and referenced in this Agreement as "Exhibit A," and attached to this Agreement.

"Asbestos Remediation Fees" means the fees, expenses, and costs paid by the Developer, to the City or third parties, for the sole purpose of asbestos remediation of the Building on the Property.

"Term" has the meaning given such term in Section 2 of this Agreement.

Section 2. Term. This Agreement shall, unless extended or terminated in writing by a mutual agreement executed by both parties, or as otherwise provided in this Agreement of the Parties, terminate either upon the complete performance by the Parties of all obligations and conditions within this Agreement or on December 31, 2025 subject to Section 3(A).

This Agreement shall be effective ("Effective Date") as of the date of the last Party to execute this

Agreement.

Section 3. Developer's Obligations.

(A) Developer shall remediate asbestos in the Building on the Property for the Development within two calendar years of the effective date of this Agreement. Within one calendar year of the effective date of the Agreement, Developer shall have received approval from the City on the scope of work, specified below, and work shall have commenced.

(B) Developer shall have obtained all necessary and applicable remodel permits from the City for Building on the Property on or before **the first annual anniversary of the effective date of this Agreement, or else this Agreement automatically terminates.**

(C) Developer must maintain the Developments's status on the National Historic Register for at least ten (10) years from the effective date of this Agreement.

(D) Developer shall submit to the Economic Development Director of the City the following documentation, as a condition precedent to qualify for the reimbursement portion of the Incentive related to the completed Building:

(1) a copy of Chase Bank lease extension letter of intent signed by Developer and Chase Bank, within twelve (12) months of the effective date of this Agreement;

(2) a scope of work for the proposed mediation must be sent to the City and approved by the Economic Development Director prior to such remediation work's completion; and

(3) all receipts for Asbestos Remediation Fees paid by Developer, within twenty-four (24) months of the effective date of this Agreement.

(E) If the Developer fails to retain the current status of the Development on the National Historic Register, for the time period specified above, the City may terminate this Agreement and Developer shall pay the City for any and all Asbestos Remediation Fees reimbursed by the City prior to the date of termination with respect to the Development. This payment of the previously reimbursed fees shall be due not more than sixty (60) days following the date Developer is notified of the failure of the Development to be listed on the National Historic Register.

(F) Upon completion of the asbestos remediation work and execution of the Chase Bank lease extension, the Developer shall submit a copy of the executed lease as extended to the Economic Development Director within 5 business days of its execution.

Section 4. City's Obligations.

(A) As specified in Section 3 above, Developer shall obtain approval from the City for the asbestos remediation scope of work for the Development on the Property, and upon completion of the asbestos remediation work, the Developer must send the documents and receipts, as specified in Section 3 of this Agreement.

(1) Contingent upon the completion of the Developer's obligations set forth in Section 3 of this Agreement, by the deadlines listed for therein, the City shall pay as a rebate to Developer an amount up to one hundred percent (100%) of the total asbestos remediation costs, up to a maximum incentive of Eight Hundred Thousand Dollars and Zero Cents ($800,000.00), of Asbestos Remediation Fees paid by the Developer for the Building on the Development within ninety (90) days after receipt of the aforementioned documentation.

Section 5. Source of Funds. The monetary portion of the Incentive shall be paid only from the Economic Development Funds. Notwithstanding any other provision contained herein to the contrary, the City shall not owe Developer any amount or other thing of value in excess of one hundred percent (100%) of the Asbestos Remediation Fees paid by the Developer for this Development, up to a maximum and not to exceed of Eight Hundred Thousand Dollars and Zero Cents ($800,000.00). No other source of funds shall be provided for the payment of the Incentive.

Section 6. Valuation Assessment. Developer agrees that by submitting to the City a request for the payment of any of the Incentive under this Agreement, the Developer has (i) fully and finally agreed to the DCAD assessed tax values and the City's tax rate and procedures on which the assessed value of the Development is or will be based without protest or challenge; (ii) will not make any claim for a refund, repayment, or reduction of those taxes from any source, including the City; and (iii) will not claim or accept any exemption from ad valorem taxes, prior to the date of termination of this Agreement.

Section 7. Rules of Construction. The capitalized terms listed in this Agreement shall have the meanings set forth herein whenever the terms appear in this Agreement, whether in the singular or the plural or in the present or past tense. Other terms used in this Agreement shall have meanings as commonly used in the English language. Words not otherwise defined herein that have well-known and generally accepted technical or trade meanings are used herein per such recognized meanings. In addition, the following rules of interpretation shall apply:

(A) References to "Articles," "Sections," or "Exhibits" shall be to articles, sections, or exhibits of this Agreement.

(B) The Exhibits attached hereto are incorporated in and are intended to be part of this Agreement; provided that in the event of a conflict between the terms of any Exhibit and the terms of this Agreement, the terms of this Agreement shall take precedence.

(C) This Agreement was negotiated and prepared by both Parties with the advice and participation of counsel. The Parties have agreed to the wording of this Agreement and none of

Section 9. Jurisdiction and Venue. City and Developer, to the fullest extent permitted by applicable law, irrevocably (i) submit to the exclusive jurisdiction of the district courts located in Dallas County, Texas, and any appellate court thereof; (ii) waive any objection which either may have to the laying of the venue of any proceeding brought in any such court and (iii) waive any claim that such proceedings have been brought in an inconvenient forum. Nothing in this provision shall prohibit a Party from bringing an action to enforce a money judgment in any other jurisdiction where the courts of such jurisdiction have jurisdiction over the other Party.

Section 10. Accommodation of Financing Parties. To facilitate the Developer's obtaining of financing to construct and operate the Development, City shall make governmentally reasonable efforts to provide such consents to assignments, certifications, representations, information, estoppels, or other documents as may be reasonably requested by the Developer or the Developer's financing parties in connection with the financing of the Development; provided that in responding to any such request, the City shall have no obligation to provide any consent, certification, representation, information, estoppel, or other documents, or enter into any agreement, that materially adversely affects, or could reasonably be expected to have or result in a material adverse effect on, any of City's rights, benefits, risks, or obligations under this Agreement. Developer shall reimburse, or shall cause the financing parties to reimburse, the City for the incremental, direct, and documented out-of-pocket third party expenses (including, without limitation, the reasonable fees and expenses of outside counsel) incurred by the City in the preparation, negotiation, execution, or delivery of any documents requested by Developer or the financing parties.

Section 11. Entire Agreement. This Agreement and its Exhibits constitute the entire understanding and agreement of the parties as to the matters set forth in this Agreement. No alteration of or amendment to this Agreement shall be effective unless given in writing and signed by the Party or Parties sought to be charged or bound by the alteration or amendment.

Section 12. Binding Effect; Successors and Assigns. The terms and conditions of this Agreement are binding upon the successors and assigns of the parties hereto. This Agreement, or the right to receive payments, pursuant to this Agreement, may not be assigned, in whole or in part, without the express written consent of the City.

Section 13. Amendments. No modifications or amendments to this Agreement shall be valid unless in writing and signed by a duly authorized signatory of each Party.

Section 14. Survival. Developer's obligations in Section 3 of this Agreement shall specifically survive the consummation of the real estate transactions culminating in the assemblage of the Property.

Section 15. Severability. In the event any provision of this Agreement shall be determined by any court of competent jurisdiction to be invalid or unenforceable, the Agreement shall, to the extent reasonably possible, remain in force as to the balance of its provisions as if such invalid provision were not a part hereof.

the provisions hereof shall be construed against one Party on the ground that such Party is the author of this Agreement or any part hereof.

(D) Unless expressly provided otherwise in this Agreement, (a) where the Agreement requires the consent, approval, or similar action by a Party, such consent or approval shall not be unreasonably withheld, conditioned, or delayed, and (b) wherever the Agreement gives a Party a right to determine, require, specify, or take similar action concerning a matter, such determination, requirement, specification, or similar action shall be reasonable.

(F) Use of the words "include" or "including" or similar words shall be interpreted as "including but not limited to" or "including, without limitation."

(G) The recitals to this Agreement are incorporated herein.

Section 8. Dispute Resolution and Step Negotiations. The Parties shall attempt in good faith to resolve all disputes arising out of or relating to this Agreement or any of the transactions contemplated hereby promptly by negotiation, as follows:

(A) Either Party may give the other Party written notice of any such dispute not resolved in the normal course of business. Representatives of each of the Parties shall meet at a mutually acceptable time and place within ten days after delivery of such notice, and thereafter as often as they reasonably deem necessary, to exchange relevant information and to attempt to resolve the dispute. If the matter has not been resolved within thirty days from the referral of the dispute to such representatives, or if no meeting of such representatives has taken place within fifteen days after such referral, either Party may initiate mediation as provided hereinafter. If a Party intends to be accompanied at a meeting by an attorney, the other Party shall be given at least three business days' notice of such intention and may also be accompanied by an attorney. All negotiations according to this clause are confidential and shall be treated as compromise and settlement negotiations for purposes of the Federal Rules of Evidence and State Rules of Evidence. Each Party will bear its own costs for this dispute resolution phase.

(B) If any dispute arising out of or relating to this Agreement or any of the transactions contemplated hereby is not resolved by the procedures set forth in Section 8 (A), such dispute shall be submitted to non-binding mediation to a person mutually agreed by the Parties. The mediation may take place at a mutually agreed upon location. If the mediation process has not resolved the dispute within thirty days of the submission of the matter to mediation or within such a longer period as the Parties may agree to, either Party may exercise all remedies available at law or in equity under this Agreement, including the initiation of court proceedings. Each Party will bear its own costs, and share equally in the costs of mediators, for this dispute resolution phase.

(C) Nothing in this Section shall preclude, or be construed to preclude, the resort by either Party to a court of competent jurisdiction solely to secure a temporary or preliminary injunction or other relief to preserve the status quo or avoid irreparable harm.

Section 16. Notices. All notices required to be given under this Agreement shall be in writing and shall be given by either Party or its counsel in person, via express mail service, courier, or receipted facsimile transmission (but only if duplicate notice is also given via express mail service, courier or certified mail) or certified mail, return receipt requested, to the respective parties at the below addresses (or at such other address as a party may hereafter designate for itself by notice to the other party as required hereby). All notices given according to this paragraph shall be deemed effective, as applicable, on the date such notice may be given in person or next business day following the date on which such communication is transferred via facsimile transmission, or as applicable, when deposited with the express mail service, courier, or in the United States mails. Any party may change its address for notices under this Agreement by giving formal written notice to the other parties, specifying that the purpose of the notice is to change the party's address.

If to City:

City of Garland
200 N. Fifth Street
P.O. Box 469002
Garland Texas 75046-9002
Attn: City Manager
Phone: (972) 205-2000
Fax: (972) 205-2504

If to Developer:

The Draper Garland, LLC
111 S. Garland Ave.
Garland, Texas 75040
Attn: Matt Holley

Phone: (214) 914-2225

With a required copies to:

City Attorney
200 N. Fifth Street
P.O. Box 469002
Garland, Texas 75046-9002
Phone: (972) 205-2380
Fax: (972) 205-2389

Economic Development Director
P.O. Box 469002
Garland, Texas 75046-9002
Phone: (972) 205-3800
Fax: (972) 205-3801

Section 17. Employment of Undocumented Workers. During the Term of this Agreement, the Developer agrees not to knowingly employ any undocumented workers and if convicted of a violation under 8 U.S.C. Section 1324a (f), the Developer shall repay the amount of the Incentive paid to and received by Developer from and by the City as of the date of such violation within 120 business days after the date the Developer is notified by the City of such violation, plus interest at the rate of 6% compounded annually from the date of violation until paid. The Developer is not liable for a violation of this Section concerning any workers employed by a subsidiary, affiliate, or franchisee of the Developer or by a person with whom the Developer contracts.

Section 18. Non-Collusion. Developer represents and warrants that neither Developer nor any representative of Developer has given, made, promised, or paid, nor offered to give, make, promise, or pay any gift, bonus, commission, money, or other consideration to any employee, agent, representative, or official of the City as an inducement to or to obtain the benefits to be provided by the City under this Agreement.

Section 19. Time of the Essence. Time is of the essence in the performance of this Agreement. If any deadline contained herein ends on a Saturday, Sunday, or a legal holiday generally recognized by banks in the State of Texas, such deadline shall automatically be extended to the next day that is not a Saturday, Sunday, or legal holiday.

Section 20. Multiple Counterparts. This Agreement may be executed in multiple counterparts, each of which shall have the force and effect of any original, as of the Effective Date.

Section 21. No Recording. The Parties agree that neither this Agreement nor any memorandum of this Agreement will be recorded in the real property records of Dallas County, Texas, though the any deeds and Right of First Refusals contemplated herein shall be.

EXECUTED and EFFECTIVE as of the 23 day of August, 2023.

DEVELOPER
The Draper Garland, LLC,
a Texas Limited Liability Corporation company

By: Draper Management, LLC, its managing member
By: GFNT LLC, its sole member,

By: Withers Turner
Name: Withers Turner
Title: Member
Date Execute: 8-23-2023

AND

By: Matt Holley
Name: Matt Holley
Title: Member
Date Execute: 8-23-2023

CITY
City of Garland, a Texas home-rule municipality

By:_____
Judson Rex
City Manager
Date Executed: _____

GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda **6.**

Meeting Date: 09/19/2023

Item Title: Removal of Right Turn on Red Restriction at Garland Avenue and Miller Road

Submitted By: Paul Luedtke, Transportation Director

Summary of Request/Problem

The right turn on red prohibition at Garland Avenue and Miller Road is no longer needed based on geometric improvements.

Recommendation/Action Requested and Justification

Adopt the attached ordinance removing the right turn on red restriction.

GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda **7.**

Meeting Date: 09/19/2023

Item Title: Speed Limit Revisions on Bobtown Road

Submitted By: Paul Luedtke, Transportation Director

Summary of Request/Problem

Recent roadway construction on Bobtown Road requires the reconfiguration of the speed limit ordinance.

Recommendation/Action Requested and Justification

Adopt the attached ordinance setting the speed limits on Bobtown Road.

GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda **8.**

Meeting Date: 09/19/2023

Item Title: Renewal of Health Authority and Interlocal Agreements

Submitted By: Mandy Pippen, Director

Summary of Request/Problem

Dr. Timothy Lambert has served as the Garland Health Authority since June 25, 2005. His current two-year term expires September 30, 2023. In September 2021, Dr. Norman Clothier was added as a Health Authority designee who would only have Health Authority responsibilities if Dr. Lambert is unavailable. Chapter 121 of the Texas Health & Safety Code requires a local health department (city or county) which employs a nonphysician Director of Health have a licensed physician to aid the Director in the control of communicable diseases within the jurisdiction. State law also requires that the Director's appointment of a City Health Authority be confirmed by Council every two years. Dr. Lambert's position is paid $24,000 annually and Dr. Clothier's position is paid $6,000 annually, both through the Texas Department of State Health Services Immunization Grant. Through interlocal agreements with the City of Garland, Dr. Lambert also serves as the Health Authority for the City of Rowlett and the City of Sachse. A common Health Authority provides an effective way to track and control communicable disease outbreaks since all three cities share one school district with open campus enrollment. Both interlocal agreements expire September 30, 2023. Rowlett reimburses Garland at $300.00 per month and Sachse reimburses Garland at $100.00 per month.

Recommendation/Action Requested and Justification

Staff recommends that Council confirm Dr. Timothy Lambert for a two-year term as City Health Authority and Dr. Norman Clothier for a two-year term as the Health Authority designee and authorize the City Manager to renew the interlocal agreements with the City of Rowlett and the City of Sachse for the purpose of public health services. This item was presented as a written briefing on the September 5, 2023 Work Session.

Attachments

Interlocal Agreement-Rowlett
Interlocal Agreement-Sachse
Exhibit A-Fee Schedule
Referenced "Agreement"

STATE OF TEXAS §
§ **PROFESSIONAL SERVICES AGREEMENT**
COUNTY OF DALLAS §

This Amendment **("AMENDMENT")** is made to the Professional Services Agreement **("AGREEMENT")** entered into by and between the City of Rowlett, Texas **("CITY")** and The City of Garland, Texas **("Garland")** acting by and through their authorized representatives.

RECITALS:

WHEREAS, the **CITY of Rowlett** and the City of **Garland** entered into a Professional Services Agreement on or about the 1st day of October 2023, for the purposes of **Garland** providing Public Health Services **(PHS)** for Rowlett citizens; and

WHEREAS, the **AGREEMENT** provides for the City of Garland Health Department to provide Immunizations and Communicable Disease Investigation Services for Rowlett. The fee for these services is $3,600.00 payable to the City of Garland by quarterly payments per year. Additionally, the City of Rowlett agrees to appoint Dr. Timothy Lambert M.D., as Rowlett's HealthAuthority and Dr. Norman Clothier as Rowlett's Health Authority Designee until contract termination or expiration. Rowlett residents are responsible for co-pays attached in "Exhibit A" upon delivery of services. The services shall be provided at locations deemed by the City of Garland.

WHEREAS, the AGREEMENT is scheduled to terminate on September 30, 2025 unless renewed by both parties.

NOW, THEREFORE, the Parties hereby agree as follows: Nothing in this agreement shall be construed to restrict the authority of the **CITY** over its health or environmental programs or limit the operations or services of these programs.

ASSURANCES

The City of Garland shall operate and supervise the program.

ACCESS TO RECORDS

The City of Garland agrees that upon request that books and records pertaining to Rowlett citizens' services will be available. Both parties agree to all applicable confidentiality provisions as mandated by federal and state law.

TERMINATION

A. Without Cause: This Agreement may be terminated in writing, without cause, by either party upon (30) calendar days prior written notice to the other party.

B. With Cause: Either party may terminate the Agreement immediately, in whole or part, at its sole discretion, by written notice to the other party for the following reasons:

1. Lack of or reduction in funding or payment;
2. Non-performance of services;

EXECUTED this_____day of_____, 2023

CITY OF ROWLETT, TEXAS

By:_____
David Hall, JD, City Manager

ATTEST:

By: _____
Evette Whitehead, Interim City Secretary

APPROVED AS TO FORM:

By:_____
David M. Berman, Nichols Jackson, LLP
City Attorney

EXECUTED this_____day of_____, 2023

CITY OF GARLAND, TEXAS

By: _____
Judson Rex, City Manager

ATTEST:

By:_____
Rene Dowl, City Secretary

APPROVED AS TO FORM:

By:_____
Brian England, City Attorney

STATE OF TEXAS §
§ **PROFESSIONAL SERVICES AGREEMENT**
COUNTY OF DALLAS §

This Amendment **("AMENDMENT")** is made to the Professional Services Agreement **("AGREEMENT")** entered into by and between the City of Sachse, Texas **("CITY")** and The City of Garland, Texas **("Garland")** acting by and through their authorized representatives.

RECITALS:

WHEREAS, the **CITY of Sachse** and the City of **Garland** entered into a Professional Services Agreement on or about the 1st day of October 2023, for the purposes of **Garland** providing Public Health Services **(PHS)** for Sachse citizens; and

WHEREAS, the **AGREEMENT** provides for the City of Garland Health Department to provide Immunizations and Communicable Disease Investigation Services for Sachse. The fee for these services is $1,200.00 payable to the City of Garland by quarterly payments per year. Additionally the City of Sachse agrees to appoint Dr. Timothy Lambert M.D., as Sachse's Health Authority and Dr. Norman Clothier as Sachse's Health Authority Designee until contract termination or expiration. Sachse residents are responsible for co-pays attached in "Exhibit A" upon delivery of services. The services shall be provided at locations deemed by the City of Garland.

WHEREAS, the AGREEMENT is scheduled to terminate on September 30, 2025 unless renewed by both parties.

NOW, THEREFORE, the Parties hereby agree as follows: Nothing in this agreement shall be construed to restrict the authority of the **CITY** over its health or environmental programs or limit the operations or services of these programs.

ASSURANCES

The City of Garland shall operate and supervise the program.

ACCESS TO RECORDS

The City of Garland agrees that upon request that books and records pertaining to Sachse citizens' services will be available. Both parties agree to all applicable confidentiality provisions as mandated by federal and state law.

TERMINATION

A. Without Cause: This Agreement may be terminated in writing, without cause, by either party upon (30) calendar days prior written notice to the other party.

B. With Cause: Either party may terminate the Agreement immediately, in whole or part, at its sole discretion, by written notice to the other party for the following reasons:

1. Lack of or reduction in funding or payment;
2. Non-performance of services;

EXECUTED this_____day of_____, 2023

CITY OF SACHSE, TEXAS

By:_____
Gina Nash, City Manager

ATTEST:

By: _____
Leah Granger, City Secretary

APPROVED AS TO FORM:

By: _____
Joseph J. Gorfida, Jr.
City Attorney

EXECUTED this_____day of_____, 2023

CITY OF GARLAND, TEXAS

By: _____
Judson Rex, City Manager

ATTEST:

By:_____
Rene Dowl, City Secretary

APPROVED AS TO FORM:

By:_____
Brian England, City Attorney

EXHIBIT "A"

GARLAND
PUBLIC HEALTH

TVFC- eligible children

(One vaccine) $13.00/per child
(Two vaccines) $25.00/per child
(Three or more vaccines) $40.00/per child

- DTap/ Tdap
- DTap IPV
- Dtap IPV Hep B (Pediarix)
- Dtap IPV Hib (Pentacel)
- Dtap IPV Hib Hep B (Vaxelis)
- Hepatitis A (Series of 2)
- Hepatitis B (Series of 3)
- HIB
- Human Papillomavirus (HPV, Series of 2 or 3)
- Meningitis (MCV4)
- Meningitis Group B
- MMR
- MMRV (Proquad)
- PCV13 (Prevnar)
- Polio (IPV)
- Rotavirus
- Varicella (Chickenpox)

ASN-eligible adults

(One vaccine) $25.00
$10.00/each additional vaccine

- Hepatitis A (Series of 2, 6 months apart)
- Hepatitis B (Series of 3)
- Human Papillomavirus (HPV, Series of 3)
- Meningitis (MCV4)
- MMR
- PCV20 (Prevnar)
- PPSV23 (Pneumovax)
- Tdap/ Td
- Twinrix (Hep A Hep B, Series of 3 or 4)
- Varicella (Chickenpox)

Private Pay

Price per vaccine

Dtap Polio Hep B (Pediarix)	$100
Hepatitis A	$85
Hepatitis B (Heplisav, Series of 2)	$150
Hepatitis B (Series of 3)	$100
HIB	$50
Human Papillomavirus (HPV)	$275
Meningitis (MCV4)	$170
Meningitis Group B	$205
MMR	$105
MMRV (Proquad)	$250
PCV13 (Prevnar)	$250
PCV20 (Prevnar)	$275
Polio (IPV)	$60
PPSV23 (Pneumovax)	$135
Rabies	$390
Shingrix	$200
TB skin test	$35
Tdap	$70
Twinrix (HepA HepB, Series of 3)	$150
Typhoid (injectable)	$150
Varicella (Chickenpox)	$170
Yellow Fever	$200
Pediatric	
Dtap IPV Hib Hep B (Vaxelis)	$200
Dtap	$50
Dtap IPV	$80
DTap Hep B IPV (Pediarix)	$100
Hepatitis A	$65
Hepatitis B	$45
HIB	$50
Rotavirus	$125

Medicaid accepted for Immunizations (under 18yrs) with Medicaid ID (no fee)
GPH does not deny immunization services to clients that qualify for VFC/ASN based on the inability to pay
Prices subject to change without notice.

GARLAND
PUBLIC HEALTH

Flu Vaccines

ASN eligible adults	$10	(Currently not available)
VFC eligible children	$13	
Quadrivalent	$20	
High Dose	$75	
FluBlok	$75	

Titer Fee Schedule

Hep B Surface AB QN	$55
Measles AB IGG, EIA	$55
Mumps Virus IGG, EIA	$55
Rubella IGG EIA	$55
MMR (IGG) Panel	$165
Rabies	$100
TB Quantiferon	$90
VZV (Varicella) IGG	$60

Other Services

Copy of Vaccine Record	$8
Transfer/ Translate Vaccine Report	$25

Medicaid accepted for Immunizations (under 18yrs) with Medicaid ID (no fee)
GPH does not deny immunization services to clients that qualify for VFC/ASN based on the inability to pay
Prices subject to change without notice.

Certificate of Appointment
For a
Local Health Authority

I, Brian Funderburk, acting in the capacity as a

(*Check the appropriate designation below*)

____Non-physician and the Local Health Department Director
__X__Mayor or Designee
_____County Judge of Designee
_____Chairperson of the Public Health District

do hereby certify the physician, Cyrus Timothy Lambert, M.D, who is licensed by the Texas Board of Medical Examiners, was duly appointed as the Local Health Authority for Garland, Texas.

Date term of office begins October 1, 2013

Date term of office ends September 30, 2015, unless removed by law.

The Local Health Authority has been appointed and approved by the:

(Check the appropriate designation below)

__X__City Manager, City of Rowlett

__X__City Council for the City of Rowlett

_____Commissioners Court for _____ County

_____Board of Health for the _____Public Health District

I certify to the above information on this the 18 day of September, 2013.

Brian Funderburk
Signature of appointing official
INTERIM CITY MANAGER
(See reverse side for instructions)

Revised by the Division of Regional and Local Health Services, February 2008

OATH OF OFFICE

For Local Health Authorities in the State of Texas

I, Cyrus Timothy Lambert, M.D., do solemnly swear (or affirm), that I will faithfully execute the duties of the office of Health Authority 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.

C Tim Lambert

Cyrus Timothy Lambert, M.D.
Affiant

1905 Chapel Cove, Rowlett, TX 75088
Mailing Address **ZIP**

972-475-1236; 214-537-5527
(Area Code) Phone Number (day and evening)

ctimlambert@gmail.com
Email Address

SWORN TO and subscribed before me this 18th day of September, 2013.

Stacey Chadwick
Signature of Person Administering Oath

Stacey Chadwick
Printed Name

Deputy City Secretary
Title

(Seal) CITY OF ROWLETT, TEXAS

THE STATE OF TEXAS

Statement of Elected/Appointed Officer

(Please type or print legibly)

I, **Cyrus Timothy Lambert, M.D.**, 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.

C. Tim Lambert

Affianced Signature

Cyrus Timothy Lambert, M.D.

Printed Name

Health Authority

Position to Which Elected/Appointed

City of Rowlett

City and/or County

SWORN TO and subscribed before me by affiant on this 18th day of September 2013.

Stacey Chadwick

Signature of Person Authorized to Administer Oaths/Affidavits

Stacey Chadwick

Printed Name

Deputy City Secretary

Title

CITY OF ROWLETT, TEXAS (Seal)

Pursuant to Tex. Const. Art. XVI, §1(b), (amended 2001). Revised by the Division for Regional and Local Health Services, February 2008.

Certificate of Appointment
For a
Local Health Authority

I, Marc J. Kurbansade, acting in the capacity as a

(*Check the appropriate designation below*)

_____Non-physician and the Local Health Department Director
__X__Mayor or Designee
_____County Judge of Designee
_____Chairperson of the Public Health District

do hereby certify the physician, Cyrus Timothy Lambert, M.D, who is licensed by the Texas Board of Medical Examiners, was duly appointed as the Local Health Authority for Sachse, Texas.

Date term of office begins October 1, 2013

Date term of office ends September 30, 2015, unless removed by law.

The Local Health Authority has been appointed and approved by the:

(Check the appropriate designation below)

__X__Director of Community Development

__X__City Council for the City of Sachse

_____Commissioners Court for _____ County

_____Board of Health for the _____Public Health District

I certify to the above information on this the 18 day of September, 2013.

Signature of appointing official

(See reverse side for instructions)

Revised by the Division of Regional and Local Health Services, February 2008

THE STATE OF TEXAS

Statement of Elected/Appointed Officer

(Please type or print legibly)

I, Cyrus Timothy Lambert, M.D., 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.

Affianced Signature

Cyrus Timothy Lambert, M.D.
Printed Name

Health Authority
Position to Which Elected/Appointed

City of Sachse
City and/or County

SWORN TO and subscribed before me by affiant on this 18th day of September 2013.

Signature of Person Authorized to Administer Oaths/Affidavits

(Seal)

TERRY SMITH
MY COMMISSION EXPIRES
November 28, 2014

Printed Name

Title

Pursuant to Tex. Const. Art. XVI, §1(b), (amended 2001). Revised by the Division for Regional and Local Health Services, February 2008.

OATH OF OFFICE

For Local Health Authorities in the State of Texas

I, Cyrus Timothy Lambert, M.D., do solemnly swear (or affirm), that I will faithfully execute the duties of the office of Health Authority 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.

C. Tim Lambert

Cyrus Timothy Lambert, M.D.
Affiant

1905 Chapel Cove, Rowlett, TX 75088
Mailing Address **ZIP**

972-475-1236; 214-537-5527
(Area Code) Phone Number (day and evening)

ctimlambert@gmail.com
Email Address

SWORN TO and subscribed before me this 18th day of September, 2013.

Terry Smith
Signature of Person Administering Oath

Terry Smith
Printed Name

(Seal)

City Secretary
Title

Certificate of Appointment
For a
Local Health Authority

I, Jason Chessher, acting in the capacity as a

(*Check the appropriate designation below*)

__X__ Non-physician and the Local Health Department Director
_____ Mayor or Designee
_____ County Judge of Designee
_____ Chairperson of the Public Health District

do hereby certify the physician, Cyrus Timothy Lambert, M.D, who is licensed by the Texas Board of Medical Examiners, was duly appointed as the Local Health Authority for Garland, Texas.

Date term of office begins October 1, 2013

Date term of office ends September 30, 2015, unless removed by law.

The Local Health Authority has been appointed and approved by the:

(Check the appropriate designation below)

__X__ Director, Garland Health Department

__X__ City Council for the City of Garland

_____ Commissioners Court for _____ County

_____ Board of Health for the _____ Public Health District

I certify to the above information on this the 18 day of September, 2013.

Jason Chessher
Signature of appointing official

(See reverse side for instructions)

Revised by the Division of Regional and Local Health Services, February 2008

OATH OF OFFICE

For Local Health Authorities in the State of Texas

I, Cyrus Timothy Lambert, M.D., do solemnly swear (or affirm), that I will faithfully execute the duties of the office of Health Authority 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.

C. Tim Lambert

Cyrus Timothy Lambert, M.D.
Affiant

1905 Chapel Cove, Rowlett, TX 75088
Mailing Address **ZIP**

972-475-1236; 214-537-5527
(Area Code) Phone Number (day and evening)

ctimlambert@gmail.com
Email Address

SWORN TO and subscribed before me this 18th day of September, 2013.

Lisa Palomba
Signature of Person Administering Oath

Lisa Palomba
Printed Name

(Seal)

City Secretary
Title

THE STATE OF TEXAS

Statement of Elected/Appointed Officer

(Please type or print legibly)

I, Cyrus Timothy Lambert, M.D., 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.

C Tim Lambert

Affianced Signature

Cyrus Timothy Lambert, M.D.
Printed Name

Health Authority
Position to Which Elected/Appointed

City of Garland
City and/or County

SWORN TO and subscribed before me by affiant on this 18th day of September 2013.

Lisa Palomba

Signature of Person Authorized to Administer Oaths/Affidavits

(Seal)

Lisa Palomba
Printed Name

City Secretary
Title

Pursuant to Tex. Const. Art. XVI, §1(b), (amended 2001). Revised by the Division for Regional and Local Health Services, February 2008.

PROFESSIONAL SERVICES AGREEMENT

This Professional Services Agreement **("AGREEEMENT")** is entered into by and between the City of Sachse, Texas and the City of Garland, Texas acting by and through their authorized representatives.

RECITALS:

WHEREAS, the **City of Sachse** and the **City of Garland** entered into a Professional Services Agreement on or about the 1st day of October, 2013, for the purposes of the **City of Garland** providing Public Health Services **(PHS)** for the **City of Sachse** citizens; and

WHEREAS, the **AGREEMENT** provides for the City of Garland Health Department to provide Immunizations and Communicable Disease Investigation Services for Sachse. The fee for these services is $1,200.00 payable to the City of Garland by quarterly payments per year. Additionally the City of Sachse agrees to appoint Dr. Timothy Lambert M.D., as Sachse's Health Authority until contract termination or expiration. City of Sachse residents are responsible for co-pays attached in "Exhibit A" upon delivery of services. The services shall be provided at locations deemed by the City of Garland.

WHEREAS, the **AGREEMENT** is scheduled to terminate on September 30, 2015 unless renewed by both parties.

NOW, THEREFORE, the Parties hereby agree as follows: Nothing in this agreement shall be construed to restrict the authority of the City of Sachse over its health or environmental programs or limit the operations or services of these programs.

ASSURANCES The City of Garland shall operate and supervise the program.

ACCESS TO RECORDS

The City of Garland agrees that upon request that books and records pertaining to the City of Sachse citizens' services will be available. Both parties agree to all applicable confidentiality provisions as mandated by federal and state law.

TERMINATION

A. Without Cause: This Agreement may be terminated in writing, without cause, by either party upon (30) calendar days prior written notice to the other party.

B. With Cause: Either party may terminate the Agreement immediately, in whole or part, at its sole discretion, by written notice to the other party for the following reasons:

1. Lack of or reduction in funding or payment;
2. Non-performance of services;

EXECUTED this 17th day of September, 2013

CITY OF SACHSE, TEXAS

By: _____
BILLY GEORGE, City Manager

ATTEST:

By: _____
TERRY SMITH, City Secretary

EXECUTED this 14 day of August, 2013.

CITY OF GARLAND, TEXAS

By: _____
WILLIAM E. DOLLAR, City Manager

ATTEST:

By: _____
LISA PALOMBA, City Secretary

STATE OF TEXAS §

§ **PROFESSIONAL SERVICES AGREEMENT**

COUNTY OF DALLAS §

This Amendment **("AMENDMENT")** is made to the Professional Services Agreement (**"AGREEMENT"**) entered into by and between the City of Rowlett, Texas (**"CITY"**) and The City of Garland, Texas (**"Garland"**) acting by and through their authorized representatives.

RECITALS:

WHEREAS, the **CITY of Rowlett** and the City of **Garland** entered into a Professional Services Agreement on or about the 1st day of October, 2013, for the purposes of **Garland** providing Public Health Services **(PHS)** for Rowlett citizens; and

WHEREAS, the **AGREEMENT** provides for the City of Garland Health Department to provide Immunizations, Well Child Health Care and Communicable Disease Investigation Services for Rowlett. The fee for these services is $ 3,600.00 payable to the City of Garland by quarterly payments per year. Additionally the City of Rowlett agrees to appoint Dr. Timothy Lambert M.D., as Rowlett's Health Authority until contract termination or expiration. Rowlett residents are responsible for co-pays attached in "Exhibit A" upon delivery of services. The services shall be provided at locations deemed by the City of Garland.

WHEREAS, the **AGREEMENT** is scheduled to terminate on September 30, 2015 unless renewed by both parties.

NOW, THEREFORE, the Parties hereby agree as follows: Nothing in this agreement shall be construed to restrict the authority of the CITY over its health or environmental programs or limit the operations or services of these programs.

ASSURANCES The City of Garland shall operate and supervise the program.

ACCESS TO RECORDS

The City of Garland agrees that upon request that books and records pertaining to Rowlett citizens' services will be available. Both parties agree to all applicable confidentiality provisions as mandated by federal and state law.

TERMINATION

A. Without Cause: This Agreement may be terminated in writing, without cause, by either party upon (30) calendar days prior written notice to the other party.

B. With Cause: Either party may terminate the Agreement immediately, in whole or part, at its sole discretion, by written notice to the other party for the following reasons:

1. Lack of or reduction in funding or payment;
2. Non-performance of services;

EXECUTED this 25th day of September, 2013

CITY OF ROWLETT, TEXAS

By: _____
Brian Funderburk, Interim City Manager

ATTEST:

By: _____
Laura Hallmark, City Secretary

APPROVED AS TO FORM:

By: _____
DAVID M. BERMAN, City Attorney

EXECUTED this 4th day of September, 2013.

CITY OF GARLAND, TEXAS

By: _____
WILLIAM E. DOLLAR, City Manager

ATTEST:

By: _____
Lisa Palomba, City Secretary

APPROVED AS TO FORM:

By _____
BRAD NEIGHBOR, City Attorney

GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda **9.**

Meeting Date: 09/19/2023

Item Title: Household Hazardous Waste Interlocal Agreement

Submitted By: Mandy Pippen, Director

Summary of Request/Problem

Garland's Storm Water Management Plan, approved by the Texas Commission on Environmental Quality, requires that Garland provide a Household Hazardous Waste (HHW) Management Program for residential HHW disposal. Garland has contracted with Dallas County for over 25 years to participate in the Dallas Area HHW Network which operates a fixed disposal facility near Garland located at 11234 Plano Road, Dallas, Texas. HHW generally consists of unwanted home chemicals including insecticides, herbicides, antifreeze, latex and oil based paints, etc. The current contract expires September 30, 2023 and must be renewed to allow continued citizen participation. In FY 2022, 3,653 Garland residents visited the collection center.

Recommendation/Action Requested and Justification

Staff recommends that the Council authorize the City Manager or designee to renew an interlocal agreement with Dallas County to participate in the Dallas Area HHW Network. This item was presented as a written briefing at the September 5, 2023 City Council Work Session.

Attachments

2024 HHW ILA

Exhibit B2023

STATE OF TEXAS §
§
COUNTY OF DALLAS §

AMENDMENT NO. 1
TO THE HOUSEHOLD HAZARDOUS WASTE INTERLOCAL AGREEMENT
(The "Agreement")
BETWEEN
DALLAS COUNTY
AND
CITY OF GARLAND
(The "City")
A MEMBER CITY OF
THE DALLAS AREA HOUSEHOLD HAZARDOUS WASTE NETWORK

WHEREAS, on, June 20, 2023, the Dallas County Commissioners Court was briefed on a request from the cities of the Dallas Area Household Hazardous Waste Network to renew and revise the effective term and specify new fiscal year budgets for the Household Hazardous Waste Program Interlocal Agreement ("Agreement") that permits four additional one-year renewals for a five-year total contract term and was authorized by Court Order 2022-0661; and

WHEREAS, the proposed Amendment No.1, along with the attachment C2024, will serve to continue the Household Hazardous Waste Program through fiscal year 2024, while updating overall program budget amounts and individual city budget limits for the new fiscal year; and

WHEREAS, proposed Amendment No. 1 contains no other changes in the basic terms and conditions of the Agreement and incurs no cost to Dallas County.

NOW THEREFORE, by execution of this Amendment No. 1, the Agreement is amended hereby with respect to the items and features described in the Articles below.

I.
PURPOSE

The purpose of this Amendment is to amend the effective term and fiscal year budget of the Agreement without change to the basic terms and provisions. No other sections, provisions, clauses or conditions of the Agreement are waived, deleted or changed hereby, and they shall remain in full force and effect throughout the term of the Agreement and any duly authorized amendments.

II.
AMENDED PROVISIONS

A. The new term of the Agreement shall be October 1, 2023, through September 30, 2024.

B. The language contained in Paragraph 1, *Section IV. City Responsibilities* shall be deleted in its entirety and replaced with the following language:

1. "A sum not to exceed 270,000.00 for disposal, setup, operational, capital, and

transportation costs for HHW collection for residents of the City during the period from October 1, 2023 through September 30, 2024. This figure is based on the program's annual budget contained in **Exhibit C2024** which is incorporated herein for all purposes.

a. Collection, setup, and disposal costs will be paid after-the-fact, based on actual usage by the City at events and at the collection center.
b. Operational and capital costs shall be paid quarterly in advance.
c. In the event of early withdrawal, the operational and capital costs will not be pro-rated for partial quarter participation, but will become immediately due and payable in full."

C. Exhibit C2023 of the Agreement entitled *FY2023 HHW Program Budget Summary* shall be deleted and replaced with the attached Exhibit C2024 entitled *FY2024 HHW Program Budget Summary*.

IN WITNESS WHEREOF, by their signatures below, the duly authorized representatives of Dallas County and City of Garland, a member city of the Dallas Area Household Hazardous Waste Network, do hereby agree and append this Amendment No. 1 to the Agreement.

EXECUTED THIS the _____day of _____, 2023.

DALLAS COUNTY:

_____

BY: Clay Lewis Jenkins
County Judge

APPROVED AS TO FORM:*
John Creuzot
District Attorney

_____

BY: Lacey B. Lucas

CITY OF GARLAND

_____

BY:

ATTESTED TO:

BY: _____

APPROVED AS TO FORM:

BY: _____

* By law, the Dallas County District Attorney's Office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contract or legal document on behalf of other parties. Our review of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval, and should seek review and approval by their own respective attorney(s).

Exhibit C2024

FY2022 HHW PROGRAM BUDGET SUMMARY

This exhibit summarizes the total program funding for FY2024 as approved by the Dallas Area Household Hazardous Waste Network at its regular meeting on March 23, 2023, and replaces the language contained in Exhibit C2022 of the Household Hazardous Waste Program Interlocal Agreement that was authorized by Court Order 2022-0661.

- Fixed Costs include personnel expense, operating costs, and capital budget, which are shared by the Network cities based on single-family household projections published by North Central Texas Council of Governments.
- Personnel Expense includes all HHW staff salaries and fringe.
- Operating Expense includes supplies, equipment, advertising, public education, volunteer support, staff development, printing, postage, facility maintenance, utilities, and all other direct programming costs.
- Capital Expense includes building repairs, equipment repair or replacement, mechanical upgrades, and expansion projects.
- Variable costs include estimated direct costs for collection and disposal of hazardous household wastes, which vary according to actual usage and are indicated in the budget summary for planning purposes only. ***Funding for actual collection, contract labor, and disposal costs will be collected from the cities after the fact, on an as-used basis.***
- Collection/Mobilization/Disposal Budget includes estimated costs for staging of events, recycling services, waste containers, waste transportation, and disposal.
- Contract Labor Expense is for part-time, seasonal labor provided by the disposal vendor.

Budget adjustments made to the Operational Budget during the term of the Agreement shall not result in a City Funding amount that exceeds the approved budget total shown herein. The County may make line item transfers within the operating budget when these transfers do not exceed $5,000. Budget adjustments in excess of $5,000 must be approved by the HHW Network.

BUDGET SECTION	**CITY FUNDING**
FIXED COSTS (OPERATIONAL BUDGET)	
Personnel Costs	$ 592,626
Operating Costs	$ 238,625
Capital Expense	$ 100,000
Sub-Total	$ 931,251
ESTIMATED VARIABLE COSTS (COLLECTION / LABOR / DISPOSAL BUDGET)	$ 1,404,000
TOTAL PROGRAM BUDGET	**$2,335,251**

Exhibit B2023

FY2023 HHW PROGRAM BUDGET SUMMARY

This exhibit summarizes the total program funding for fiscal year 2023 ("FY23") as approved by the Dallas Area Household Hazardous Waste Network at its regular meeting on March 31, 2022 and the Dallas County Commissioners Court on June 21, 2022.

The Operational Budget includes personnel and operating costs, which are shared by the Network cities based on single-family household projections published by North Central Texas Council of Governments. Personnel costs include all HHW staff salaries and fringe benefits. Operating costs include supplies, equipment, advertising, public education, volunteer support, staff development, printing, postage, facility maintenance, utilities, and all other direct programming costs.

Capital Expense Budget costs are provided by the cities based on single-family household projections published by the North Central Texas Council of Governments. These funds are set aside for capital maintenance and improvements including building repairs, equipment repair or replacement, mechanical upgrades, and expansion projects.

The Collection/Disposal Budget is comprised of vendor costs for collection services, contract labor, and materials disposal. These costs vary according to actual usage and are indicated in the budget summary for planning purposes only. ***Funding for collection, contract labor, and disposal costs will be collected from the cities after the fact, on an as-used basis.***

Budget adjustments made during the Term of the Agreement must not result in a City Funding amount that exceeds the approved budget total shown herein. The County may make line item transfers within the budget when these transfers do not exceed $5,000. Budget adjustments in excess of $5,000 must be approved by the HHW Network.

BUDGET SECTION	CITY FUNDING
OPERATIONAL BUDGET	
Personnel Costs	$ 581,001
Operating Costs	$ 210,325
CAPITAL EXPENSE BUDGET	$ 93,000
COLLECTION / DISPOSAL BUDGET	$ 1,158,000
TOTAL PROGRAM BUDGET	**$2,042,326**

Proportional Shares of FY2023 Operational and Capital Budget *
Based on Estimated SINGLE FAMILY HOUSING UNITS **

City	Service Area Based on Single Family Households as per Current Estimates**	Percent of Service Area	FY22 Annual Share of Operational and Capital Budgets*	FY23 Annual Share of Operational and Capital Budgets*	FY23 Quarterly Share of Operational and Capital Budgets*
Addison	1,794	0.36%	$ 2,479	$2,937	$734.25
Dallas	238,164	48.11%	$ 391,795	$391,779	$97,944.75
De Soto	16,034	3.24%	$ 22,155	$26,389	$6,597.25
Duncanville	11,436	2.31%	$ 16,071	$18,816	$4,704.00
Farmers Branch	8,852	1.79%	$ 12,092	$14,581	$3,645.25
Garland	62,807	12.69%	$ 89,745	$103,343	$25,835.75
Highland Park	3,078	0.62%	$ 4,807	$5,054	$1,2633.50
Irving	42,602	8.60%	$ 58,878	$70,037	$17,509.25
Mesquite	37,001	7.47%	$ 54,292	$60,835	$15,208.75
Richardson	31,564	6.38%	$ 42,360	$51,959	$12,989.75
Rowlett	18,957	3.83%	$ 26,208	$31,194	$7,798.50
Sachse	7,638	1.54%	$ 10,587	$12,546	$3,136.50
Seagoville	3,908	0.79%	$ 5,333	$6,438	$1,609.50
Sunnyvale	2,667	0.54%	$ 2,554	$4,402	$1,100.50
University Park	7,568	1.53%	$ 10,437	$12,464	$3116.00
Wilmer	937	0.19%	$ 1,277	$1,552	$388.00
TOTAL	495,007	100%	$751,070	$814,326	$203,581.50

GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda **10.**

Meeting Date: 09/19/2023

Item Title: Renewal of Interlocal Agreement between Garland Public Health and Parkland Health & Hospital System

Submitted By: Mandy Pippen, Director

Summary of Request/Problem

In order to meet Texas Department of State Health Services contract requirements, Garland Public Health must provide social work services to its citizens. In September 2021, the Garland Public Health Department entered into an Interlocal Agreement with Dallas County Hospital District d/b/a Parkland Health & Hospital System ("Parkland") for the purpose of providing social work services. The goal of the agreement is for social workers to work with residents who are typically under-served or who normally do not have access to programs and resources. These residents are typically identified through a referral from City departments such as Police, Fire/EMS, Code, and Emergency Management. The program has been incredibly successful in helping meet community needs identified by these and several other City departments. The current interlocal agreement expires on September 30, 2023 and must be renewed to continue providing these valuable services.

Recommendation/Action Requested and Justification

Staff requests that the Council authorize the City Manager or his designee to approve the Third Amendment to the Interlocal Agreement with Dallas County Hospital District dba Parkland Health & Hospital System to continue providing social work support for all Garland residents. The total cost of the program is $139,640, paid in monthly increments throughout the program term starting October 1, 2023 and ending September 30, 2024.

Attachments

Third Amendment to Interlocal Agreement with Parkland Hospital

Original Interlocal Agreement executed 2021

THIRD AMENDMENT TO INTERLOCAL AGREEMENT

This Third Amendment to Interlocal Agreement is entered into by and between The City of Garland, Texas ("City") and the Dallas County Hospital District d/b/a Parkland Health ("Parkland").

WHEREAS Parkland and City are parties to that certain Interlocal Agreement, which was dated to be effective as of October 1, 2021, (the "Agreement"); and

WHEREAS the Agreement was amended pursuant to agreement of the parties via an Amendment to Interlocal Agreement, which was dated to be effective as of October 1, 2021 (the "Amendment"); and

WHEREAS the Agreement was amended pursuant to agreement of the parties via a Second Amendment to Interlocal Agreement, which was dated to be effective as of October 1, 2022 (the "Second Amendment"); and

WHEREAS Parkland and City wish to further amend such Agreement in the manner which is more fully set forth below; and

NOW, THEREFORE, for and in consideration of the mutual promises and covenants contained herein, and for other good and valuable consideration, Parkland and City hereby agree as follows:

1. Section V, PAYMENT, is amended and restated in its entirety as follows:

"5.01 The term of the Agreement shall be extended for an additional twelve (12) month period, ending on September 30, 2024. Total payments by the CITY during the term running from October 1, 2023, through September 30, 2024 shall be One Hundred Thirty-Nine Thousand Six Hundred Forty Dollars ($139,640).

5.02 Payments shall be made in eleven (11) monthly payments in the amount of Eleven Thousand Six Hundred Thirty-Six Dollars and Sixty-Six Cents ($11,636.66) and one final payment in the amount of Eleven Thousand Six Hundred Thirty-Six Dollars and Seventy-Four Cents ($11,636.74) and shall be made payable within thirty (30) days of receipt of invoice."

3. This Third Amendment is effective as of the 1st day of October 2022.

4. Except as modified by this Third Amendment, the Agreement remains in full force and effect.

[The remainder of this page is intentionally left blank.]

IN WITNESS WHEREOF, the parties hereto have caused this Third Amendment to be executed by their respective duly authorized representatives.

Dallas County Hospital District d/b/a Parkland Health	**The City of Garland, Texas**
By: _____	By: _____
Name: Richard Humphrey	Name: _____
Title: EVP & Chief Financial Officer	Title: _____
Date: _____	Date: _____

INTERLOCAL AGREEMENT

This Agreement is made and entered into by and between the DALLAS COUNTY HOSPITAL DISTRICT d/b/a PARKLAND HEALTH & HOSPITAL SYSTEM, a political subdivision of the State of Texas, located in Dallas County, Texas, ("PARKLAND") and the CITY OF GARLAND, TEXAS, a home rule municipality, located in Dallas County, Texas ("CITY") (collectively, the "Parties").

WITNESSETH

WHEREAS, the Interlocal Cooperation Act, Chapter 791, V.T.C.A., Texas Government Code provides authorization for any local government to contract with one or more local governments to perform governmental functions and services under the terms of the Act; and

WHEREAS, PARKLAND and the CITY are local governments as defined in Texas Government Code, Section 791.003(4), have the authority to enter into this Agreement, and have entered into this Agreement by action of its governing body in the appropriate manner prescribed by law; and

WHEREAS, PARKLAND provides biomedical on-line supervision pre-hospital emergency medical control services known as the BioTel/EMS System, which is staffed by physicians, paramedics, registered nurses, licensed social workers and clerical staff, and was created on July 1, 1980, to provide medical control for paramedics in the field via radio and telemetered patient data; and

WHEREAS, PARKLAND is a participant in Social Services designed to assist local public safety departments to focus more on acute public safety and emergency medical response rather than emergency mental health service delivery or social service resource connection for routine low acuity or primary care services; and

WHEREAS, the CITY and PARKLAND wish to develop a coordinated approach to persons experiencing behavioral and physical health resource connection and case management needs in their region; and

WHEREAS, PARKLAND desires to contract with the CITY and the CITY desires to purchase from PARKLAND the BioTel/EMS System social work support for public safety services; and

WHEREAS, both PARKLAND and the CITY represent to one another that each respective party has the authority to enter into this Agreement and perform the obligations and duties stated herein; and

NOW THEREFORE, PARKLAND and the CITY herby enter into this Interlocal Agreement in considerations of the aforementioned recitals, and for the mutual considerations stated herein:

I.
DESCRIPTION OF SERVICES

1.01 For the consideration hereinafter agreed to be paid to PARKLAND by the CITY, PARKLAND shall provide licensed master social work (LMSW) (1.0 FTE) services for the CITY's health department hereinafter called the "Services."

1.02 The Services are to be performed according to acceptable standard professional practices and to conform to the Scope of Services attached hereto as Exhibit A.

II.
HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996 (HIPAA)

2.01 The term Protected Health Information (hereinafter "PHI") shall have the same meaning as set forth in 45 C.F.R. 160.103. Except as is permitted by applicable law and to satisfy the requirements of this Agreement, PARKLAND agrees that it will not use or disclose PHI it obtains from the CITY for any purpose. However, the Parties agree that PARKLAND will receive PHI from the CITY for treatment purposes as described in this Agreement and that such PHI will no longer be considered the CITY's PHI once it has been received by PARKLAND for these treatment purposes. Any PHI the CITY provides PARKLAND for treatment purposes shall thereafter belong to PARKLAND.

2.02 As this Agreement is subject to the Health Insurance Portability and Accountability Act of 1996 ("HIPAA"), , the administrative regulations and/or guidance which have issued or may in the future be issued pursuant to HIPAA, including but not limited to the Department of Health and Human Services regulations on privacy and security, and Texas state laws pertaining to medical privacy (collectively, "Privacy Laws"), the Parties agree to comply with all Privacy Laws that are applicable to this Agreement and to execute the Business Associate Addendum attached to this Agreement.

III.
COORDINATION

3.01 All Services under this Agreement shall be coordinated under and performed in accordance with the Agreement and the Scope of Services to the reasonable satisfaction of the Director of Health of the CITY, or his/her designated representative, hereinafter called "Director." The Director shall have authority to approve payment for Services that have been properly provided in accordance with the terms of this Agreement. If at any time PARKLAND fails to properly furnish all or a portion of the Services called for by this Agreement, the CITY is authorized to withhold payment of funds associated with the Services not properly performed hereunder until any deficiency has been, if possible, cured. It is further agreed between PARKLAND and the CITY that should any dispute or questions arise respecting the reasonableness of the withheld amount of payment attributable to PARKLAND's failure to fully perform, the Parties agree to meet and make a good faith effort to resolve the dispute. Prior to

the CITY withholding any payment pursuant to this provision, the CITY must provide PARKLAND with notice of any deficiencies and provide PARKLAND ten (10) business days to remedy any deficiencies. The CITY will release any withheld funds associated with the Services not properly performed once the deficiencies are remedied.

IV.
TERM

4.01 The initial term of this Agreement shall commence on October 1, 2021, and terminate on September 30, 2022, unless sooner terminated in accordance with the provisions of this Agreement. The Parties may renew the Agreement for successive twenty-four (24) month periods upon the same terms and conditions as set forth in this Agreement by jointly executing written notice of the intent to renew. The Parties shall indicate in the written renewal agreement the agreed-upon amount of consideration for that particular renewal period.

V.
PAYMENT

5.01 The Agreement's initial term is one (1) year. Total payments by the CITY during the Agreement's initial term shall be One hundred twenty-one thousand seven hundred forty-seven dollars ($121,747). The initial Payment shall be made upon execution of this Agreement.
5.02 Upon renewal, CITY shall pay PARKLAND the mutually agreed upon renewal fee within sixty (60) days of both parties' executing the notice of intent to renew.

VI.
INDEPENDENT CONTRACTOR

6.01 PARKLAND's status and the status of all social workers performing work related to this Agreement shall be that of an Independent Contractor and not any of the following: an agent; servant; employee; member of CITY's workforce; or representative of the CITY in the performance of these Services. No term or provision of this Agreement or act of PARKLAND or the CITY under this Agreement shall be construed as changing that status.

VII.
INDEMNIFICATION

7.01 PARKLAND, to the extent permitted by the laws of the State of Texas, shall indemnify, defend and hold harmless the CITY and all of its officers, agents and employees from any suits, actions or claims whatsoever that might arise on account of any injury or damage received or sustained by any person or property as a result of PARKLAND's conduct of any activity or operation in connection with PARKLAND's use of the BioTel/EMS System. To the extent permitted by law, PARKLAND shall pay any judgment, together with costs, including but not limited to litigation expenses and reasonable attorney's fees, which may be obtained against the CITY, or any of its officers, agents or employees as a result of such injury or damage.

7.02 The CITY shall give PARKLAND prompt notice of any matter covered by Section 7.01above, and shall forward to PARKLAND every demand, notice, summons, or process received in any claim or legal proceeding covered by Section 7.01 above.

7.03 PARKLAND shall not be obligated to indemnify, defend or hold harmless the CITY or any of its officers, agents, or employees when the injury or damage to a person or property is caused by the negligence of the CITY, its officers, agents or employees. In the event of joint and concurrent negligence of PARKLAND and the CITY, responsibility and indemnity, if any, shall be apportioned in accordance with the laws of the State of Texas.

7.04 The CITY, to the extent permitted by the laws of the State of Texas, shall indemnify, defend and hold harmless PARKLAND and all of its officers, agents and employees from any suits, actions or claims whatsoever that might arise on account of any injury or damage received or sustained by any person or property as a result of the CITY's conduct of any activity or operation in connection with the CITY's use of the BioTel/EMS System. To the extent permitted by law, the CITY shall pay any judgment, together with costs, including but not limited to litigation expenses and reasonable attorney's fees, which may be obtained against PARKLAND, or any of its officers, agents or employees as a result of such injury or damage.

7.05 PARKLAND shall give the CITY prompt notice of any matter covered by Subsection VII.4 above, and shall promptly forward to the CITY every demand, notice, summons, or process received in any claim or legal proceeding covered by Section 7.04 above.

7.06 The CITY shall not be obligated to indemnify, defend or hold harmless PARKLAND or any of its officers, agents, or employees when the injury or damage to a person or property is caused by the negligence of PARKLAND, its officers, agents or employees. In the event of joint and concurrent negligence of the CITY and PARKLAND, responsibility and indemnity, if any, shall be apportioned in accordance with the laws of the State of Texas.

7.07 No part of this Agreement shall be interpreted to constitute a waiver of any defense of the Parties available to the CITY and PARKLAND under Texas law and the immunities or limits of liability granted to PARKLAND or the CITY under the Texas Torts Claim Act or elsewhere in Texas law.

7.08 The provisions of this section are solely for the benefit of the Parties hereto and not intended to create or grant any rights, contractual or otherwise, to any other person or entity.

VIII.
TERMINATION

8.01 The CITY may, at its option and without prejudice to any other remedy it may be entitled at law or in equity, or elsewhere under this Agreement, terminate further work under this Agreement, in whole or in part by giving at least one hundred eighty (180) days prior written notice thereof to PARKLAND, with the understanding that all Services being terminated shall cease upon the date specified in such notice. The CITY shall compensate PARKLAND in accordance with the terms of this Agreement for the Services properly performed prior to the

date specified in such notice, following inspection and acceptance of same by the CITY's Director. PARKLAND shall not, however, be entitled to lost or anticipated profits should the CITY choose to exercise its option to terminate.

8.02 PARKLAND may, at its option and without prejudice to any other remedy it may be entitled at law or in equity, or elsewhere under this Agreement, terminate further work under this Agreement, in whole or in part by giving at least one hundred eighty (180) days prior written notice thereof to the CITY, with the understanding that all Services being terminated shall cease upon the date specified in such notice.

IX.
NOTICES

9.01 All notices, communications and reports under this Agreement shall be mailed or delivered to the respective Parties as follows:

To: Dallas County Hospital District
d/b/a Parkland Health & Hospital System
5200 Harry Hines Blvd.
Dallas, Texas 75235
Attention: EVP & Chief Nursing Officer

With copy to: Dallas County Hospital District
d/b/a Parkland Health & Hospital System
5200 Harry Hines Blvd.
Dallas, Texas 75235
Attention: General Counsel, Legal Affairs

To: The City of Garland, Texas
1720 Commerce St.
Garland, Texas 75040
Attention: Health Administrator, Health Department

X.
MISCELLANEOUS

9.01 This Agreement is entered into subject to the Charter and ordinances of the CITY, as amended, and applicable Texas State and Federal laws. The provisions of this Agreement shall be construed in accordance with the laws and court decisions of the State of Texas; and exclusive venue for any litigation that may be filed by either party hereto in connection with this Agreement shall be in Dallas County, Texas.

9.02 In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provisions thereof and this Agreement shall be

considered as if such invalid, illegal or unenforceable provision has never been contained in this Agreement.

9.03 This Agreement may be executed in any number of counterparts, each of which shall be deemed an original and constitute one and the same instrument.

9.04 This Agreement can be revised at any time by mutual consent of the Parties and shall be revised by written amendment(s) to this Agreement and signed by both Parties. No oral modifications can be made to this Agreement.

9.05 The captions to the various clauses of this Agreement are for informational purposes only and shall not alter the substance of the terms and conditions of this Agreement.

9.06 This Agreement embodies the complete agreement of the Parties hereto, superseding all oral or written previous and contemporary agreements between the Parties relating to matters in this Agreement.

9.07 **Right to Audit.** PARKLAND shall keep true, complete, and accurate books and records of all costs for which it seeks reimbursement from the City under this Agreement. The City shall have the right, upon reasonable notice and during business hours, to audit those books and records and to obtain copies of those books and records at the expense of the City.

Dallas County Hospital District d/b/a Parkland Health & Hospital System

By: Richard Humphrey
Richard Humphrey (Aug 23, 2021 09:37 CDT)

Name: Richard Humphrey

Title: EVP & Chief Financial Officer

Date: Aug 23, 2021

The City of Garland, Texas

By: DBeeler

Name: Diane Beeler

Title: Director of Health

Date: 9/15/21

Exhibit A

Scope of Services for Public Safety Licensed Master Social Work Services

1. Background

The Garland Health Department Social Worker program provides a holistic approach to the mental and physical health needs of the citizens of Garland eight (8) hours per day Monday through Friday. The team is comprised of distinct but integrated components including license master level social worker (LMSW) or a license clinical social worker (LCSW). The primary role of the social worker is to provide a coordinated approach to persons struggling to appropriately and effectively access mental, physical and behavioral health care services. Citizens can be identified through 911 use or persons referred by community stake holders or public safety officers. Garland citizens can also been identified through the Parkland Health and Hospital System Community Oriented Primary Care, Parkland Acute Response Clinic, Parkland Emergency Department or acute hospital admission. Engagement with the Garland Health Department Social Worker will be limited to the citizens of the city of Garland. Expansion of the services of the Garland Health Department Social Worker program to residence outside of Garland city limits is up to the discretion of both Garland Health Department leadership and BioTel leadership. The Garland Health Department and Social Worker program will assist will resource connection and for all referred citizens, but in the event that a referral comes from outside of Dallas County, connection to the Parkland Health and Hospital system may be limited.

The overarching goal of the Garland Health Department Social Worker program is the improvement of citizen's overall health and well-being, the decrease in over-utilization of scarce EMS and law enforcement resources for lower acuity, non-medical or criminal justice needs, the connection of citizens to the appropriate level of physical health and psychiatric care and the maintenance of their overall wellbeing through the coordination and connection to ongoing service providers. By utilizing a partnership between an LMSW and emergency medical services, the Garland Health Department Social Worker program increases the ability of law enforcement and EMS to focus on providing acute medical services and addressing community safety needs while providing an avenue for first responders to refer citizens for more intensive evaluation and service coordination. The Garland Health Department Social Worker program will ensure continuity of care following intervention in the community, hospital transport or emergency detention, and provide prevention and intervention services. The Garland Health Department Social Worker program is a referral based, follow up, and homeless outreach program and is not intended to serve as a primary response team to emergency 911 calls for behavioral health, mental health or emergency medical services.

2. **Staffing**
    A. 1 full time (1.0 FTE) Licensed Master Level Social Worker (LMSW) employed by Parkland will provide coverage Monday through Friday from 8:00 AM- 4:30 PM to the Garland Health Department.
        i. If additional hours of coverage are needed then the option of PRN BioTel LMSW can be utilized if available at an additional cost per hour at the Parkland overtime rate.
    B. Any changes to the schedule will need to be discussed and agreed upon with BioTel leadership team.

3. **Roles and Responsibilities**

    A. The LMSW primary role is the identification and connection to community resources. They are uniquely suited to assess citizens for biopsychosocial needs and coordinate efforts to gain scheduled routine access to care and decrease the dependence on 911 for those services.

    B. The LMSW is responsible for assessment of citizens with mental, behavioral or physical health needs, recommendation of appropriate community resources for mitigation and management of those needs.

    C. The LMSW is responsible for maintaining documentation in regards to care plans for identified citizens in the mutually agreed upon care record, Parkland's EPIC EHR system.

    D. The LMSW is also uniquely suited to address issues related to both medical and behavioral health service coordination; social determinants of health, de-escalation and mediation in families and individuals. The LMSW is responsible for knowledge of both medical and behavioral health resources in the community and the ability to successfully connect people with complex needs to those resources.

E. The LMSW will be directly supervised by BioTel Social Work leadership. Any changes or additions to roles and responsibilities will be discussed and approved through BioTel Leadership chain of command.

4. Additional Services

A. Periodic meetings, at least quarterly, will be attempted to be scheduled between Garland's Health Administer and Parkland BioTel representatives to assess the program and services provided and recommended improvements.

B. LMSW can assist with the coordination and development of education related to their area of expertise for City of Garland Public Safety workers. This could include education on working with vulnerable or at-risk populations, mental or behavioral health issues, continuum of care issues, cultural sensitivity or other areas identified by city leadership.

Business Associate Addendum
to
Interlocal Agreement

This Business Associate Addendum to the Interlocal Agreement (the "Addendum") is entered into by and between the City of Garland, Texas, a home rule municipality ("Business Associate") and the Dallas County Hospital District d/b/a Parkland Health & Hospital System, ("Covered Entity").

RECITALS

This Addendum is made and entered into contemporaneously with the Interlocal Agreement by and between Business Associate and Covered Entity for the provision of public safety LCSW services (the "Services") .

Under the Interlocal Agreement (the "Agreement"), Business Associate may perform or assist in performing a function or activity on behalf of Covered Entity that involves the Use and/or Disclosure of Protected Health Information (as defined in 45 C.F.R. 160.103 and as may be amended from time to time ("PHI")).

The Parties desire that the Agreement to include certain requirements regarding the Use and/or Disclosure of PHI as required by the Health Insurance Portability and Accountability Act of 1996 ("HIPAA"); any and all regulations promulgated thereunder including the standards for privacy of individually identifiable health information at 45 C.F.R. Parts 160 and 164 ("Privacy Rule") and the standards for the security of electronic protected health information at 45 C.F.R. Parts 160, 162, and 164 ("Security Rule") (collectively, the Privacy Rule and the Security Rule are referred to herein as the "HIPAA Rules"); any applicable state law or regulation; and the Health Information Technology for Economic and Clinical Health Act ("HITECH") provisions of the American Recovery and Reinvestment Act of 2009 ("ARRA").

NOW, THEREFORE, for and in consideration of the representations, warranties and covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereto agree as follows:

AGREEMENT

1. **Terms Used**. Terms used, but not otherwise defined, in this Addendum, shall have the same meaning as those terms in the HIPAA Rules.

2. **Permitted Uses and Disclosures of PHI**. Except as otherwise limited in the Agreement or this Addendum, Business Associate may Use and/or Disclose PHI to perform the functions, activities, or services for or on behalf of Covered Entity as specified in the Agreement provided that such Use and/or Disclosure would not violate the HIPAA Rules if done by Covered Entity. All other Uses or Disclosures not authorized by the Agreement or this Addendum are prohibited.

3. Business Associate agrees to:

3.1. Not Use and/or Disclose PHI other than as permitted or required by the Agreement or this Addendum or as Required By Law.

3.2. Use appropriate safeguards to comply with Subpart C of 45 CFR Part 164 with respect to electronic PHI and to implement and use appropriate safeguards to reasonably and appropriately protect the confidentiality, integrity and availability of PHI and to prevent the Use and/or Disclosure of PHI other than as provided for by the Agreement or this Addendum.

3.3. Report to Covered Entity, through its Privacy Officer, any Use or Disclosure of PHI not provided for by the Agreement or this Addendum within three (3) business days of discovering the unauthorized Use or Disclosure. Additionally, within three (3) business days of discovery, Business Associate agrees to report any potential Breach of unsecured PHI as that term is defined in 45 CFR 164.402 and any successful Security Incident as that term is defined in 45 CFR 164.304. Unsuccessful Security Incidents shall be reported to Covered Entity only upon request. Business Associate shall permit Covered Entity to investigate any report submitted pursuant to this provision and shall allow Covered Entity to examine Business Associate's premises, records, and practices. In the event Covered Entity is required to provide notice to Individuals impacted by a Breach caused by Business Associate or its subcontractors and agents, Business Associate shall reimburse Covered Entity for the reasonable costs relating to the provision of such notice.

3.4. Ensure that all subcontractors and agents to whom it provides PHI received from, or created or received by, Business Associate on behalf of Covered Entity sign a business associate agreement meeting the requirements of 45 CFR 164.504 and agree in writing to the same restrictions, conditions, and requirements that apply to Business Associate pursuant to this Addendum. This shall include, without limitation, ensuring that agents and subcontractors implement administrative, physical, and technical safeguards that reasonably and appropriately protect the confidentiality, integrity, and availability of electronic PHI created, received, maintained, stored, or transmitted on behalf of Covered Entity. Business Associate shall be fully liable to Covered Entity for any acts, failures or omissions of its subcontractors and agents as if the acts, failures or omissions were Business Associate's own acts, failures or omissions.

3.5. Provide access (at the request of, and in a reasonable time and manner designated by, Covered Entity) to PHI in a Designated Record Set in order to meet the requirements under 45 C.F.R. 164.524. In the event an Individual submits a request for access directly to Business Associate, Business Associate shall promptly forward the request to Covered Entity through its Privacy Officer. Business Associate is not required to provide access to PHI if it does not maintain a Designated Record Set on behalf of Covered Entity.

3.6. Make any amendment(s) (at the request of, and in a reasonable time and manner designated by, Covered Entity) to PHI in a Designated Record Set that Covered Entity directs pursuant to 45 C.F.R. 164.526. In the event an Individual submits a request for amendment directly to Business Associate, Business Associate shall promptly forward the request to Covered Entity

through its Privacy Officer. Business Associate is not required to amend PHI if it does not maintain a Designated Record Set on behalf of Covered Entity.

3.7. Make internal practices, books, and records relating to the Use and Disclosure of PHI received from, created, or received by Business Associate on behalf of Covered Entity available to the Secretary of the Department of Health and Human Services or his/her designee (the "Secretary"), in a reasonable time and manner as designated by the Secretary, for the purposes of determining compliance with the Privacy Rule and this Addendum. Business Associate shall promptly notify Covered Entity of communications with the Secretary regarding PHI provided by or created by Covered Entity and shall provide Covered Entity with copies of any information Business Associate has made available under this provision. Notwithstanding the foregoing, no attorney-client, accountant-client, or other legal privilege shall be deemed waived by Business Associate or Covered Entity by virtue of this Addendum.

3.8. Document disclosures of PHI and information related to such disclosures as would be required for Covered Entity to respond to a request by an Individual for an accounting of disclosures of PHI in accordance with 45 C.F.R. 164.528 as may be amended from time to time, and incorporating exceptions to such accounting designated under the regulation. Accounting of disclosures shall be in accordance with the policies and procedures of the Covered Entity and shall be made within a reasonable time specified by Covered Entity. The first accounting in any 12 month period requested by an Individual shall be provided without charge; a reasonable charge may be made for subsequent accountings if Business Associate informs the Individual in advance of the fee and the Individual is afforded an opportunity to withdraw or modify the request. In addition, to the extent that Business Associate maintains PHI in an electronic health record, Business Associate agrees to account for all disclosures of electronic PHI upon request of an Individual for a period of at least three (3) years prior to the request (but no earlier than the Effective Date of this Addendum) as required by HITECH. Such accounting shall be directly to the Individual if requested by the Covered Entity.

3.9. Provide to Covered Entity, in a reasonable time and manner designated by Covered Entity, information collected in accordance with Section 3.8. of this Addendum, to permit Covered Entity to respond to a request by an Individual for an accounting of disclosures of PHI in accordance with 45 C.F.R. 164.528.

3.10. Ensure that all Uses and Disclosures of PHI are subject to the principle of "minimum necessary," i.e., only PHI that is the minimum necessary to accomplish the intended purpose of the Use, Disclosure, or request may be Used or Disclosed.

3.11. Mitigate, to the extent practicable, any harmful effect of an unauthorized Use or Disclosure of PHI and any Breach or Security Incident by Business Associate or its subcontractors or agents of which Business Associate becomes aware.

3.12. Provide adequate training to members of its Workforce and to its subcontractors and agents regarding the requirements of the HIPAA Rules, HITECH, and this Addendum.

3.13. Provide Business Associate's policies and procedures for maintaining the confidentiality of records in a Designated Record Set as required by the Privacy Rule and this Addendum to Covered Entity at its request.

3.14. Comply with all applicable federal and state privacy and security requirements.

4. Covered Entity agrees to:

4.1. Provide Business Associate with its notice of privacy practices if a limitation in the notice of privacy practices may affect Business Associate's Use or Disclosure of PHI under the Agreement of this Addendum.

4.2. Provide Business Associate with any changes in, or revocation of, permission by an Individual to the Use and/or Disclosure of PHI, if such changes affect Business Associate's permitted or required Uses and/or Disclosures. Covered Entity will further notify Business Associate of any restriction on the Use and/or Disclosure of PHI agreed to by Covered Entity in accordance with the provisions of 45 CFR 164.522 and any restriction requested by an Individual that Covered Entity is required to comply with in accordance with the provisions of HITECH.

5. Specific Uses and Disclosures Permitted by Business Associate. Except as otherwise limited in the Agreement and this Addendum, Business Associate may:

5.1. Use or Disclose PHI for the proper management and administration of Business Associate or to carry out the legal responsibilities of Business Associate provided that such Uses and Disclosures are required under state and federal laws, or Business Associate obtains reasonable assurances from the person to whom the information is disclosed that the information will remain confidential and used or further disclosed only as required by law or for the purposes for which it was disclosed to the person, and the person notifies business associate of any instances of which it is aware in which the confidentiality of the information has been breached..

5.2. Use PHI to provide Data Aggregation services to Covered Entity as permitted by 42 C.F.R. 164.504(e)(2)(i)(B).

6. **LIABILITY LIMITATIONS.** All Parties agree to be responsible for their own negligent acts or omissions or other tortious conduct in the course of performance of this Agreement, without waiving any sovereign immunity, governmental immunity or available defenses available to the Parties under Texas law. Nothing in this paragraph shall be construed to create or grant any rights, contractual or otherwise, in or to any third persons or entities. All Parties agree that any such liability or damages occurring during the performance of this Agreement caused by the joint or comparative negligence of the Parties, or their employees, agents or officers shall be determined in accordance with comparative responsibility laws of Texas.

7. **Term and Termination.**

7.1. **Term.** This Addendum shall be effective contemporaneously with the Interlocal Agreement and shall terminate when all of the PHI provided by Covered Entity to Business Associate, or created or received by Business Associate on behalf of Covered Entity, is destroyed

or returned to Covered Entity, or, if it is infeasible to return or destroy PHI, protections are extended to such PHI, in accordance with Section 7.3 below.

7.2. **Termination for Cause**. Covered Entity may immediately terminate the Agreement and this Addendum if Covered Entity determines that Business Associate has breached a material term of this Addendum. Alternatively, the Covered Entity may choose, in its sole discretion, to: (i) provide the Business Associate written notice of the existence of an alleged material breach; and (ii) afford the Business Associate an opportunity to cure said alleged material breach upon mutually agreeable terms. Nonetheless, in the event that mutually agreeable terms cannot be achieved within ten (10) days, Business Associate must cure said breach to the satisfaction of the Covered Entity within thirty (30) days from the date of the original notice. Failure to cure in the manner set forth in this paragraph is grounds for the immediate termination of the underlying Agreement and this Addendum.

7.3. **Effect of Termination.**

7.3.1. Except as provided in paragraph 7.3.2 of this Section, upon termination of the Agreement or this Addendum, for any reason, Business Associate shall return or destroy all PHI received from Covered Entity, or created or received by Business Associate on behalf of Covered Entity. This Section shall also apply to PHI that is in the possession of subcontractors or agents of Business Associate. Business Associate shall retain no copies of the PHI.

7.3.2. In the event that Business Associate determines that return or destruction of the PHI is infeasible, Business Associate shall provide in writing to Covered Entity notification of the conditions that make return or destruction infeasible. Upon mutual written agreement of the Parties that return or destruction of the PHI is infeasible, Business Associate shall extend the protections of this Addendum to such PHI and limit further Uses and Disclosures of such PHI to those purposes that make the return or destruction infeasible, for so long as Business Associate maintains such PHI.

8. **Rights to Proprietary Information; Injunctive Relief**. Covered Entity retains any and all rights to the proprietary information, confidential information, and PHI it releases to Business Associate. Business Associate understands and acknowledges that any disclosure or misappropriation of any of PHI in violation of this Addendum will cause Covered Entity irreparable harm, the amount of which may be difficult to ascertain, and therefore agrees that Covered Entity shall have the right to apply to a court of competent jurisdiction for specific performance and/or an order restraining and enjoining any such further disclosure or breach and for such other relief as Covered Entity shall deem appropriate. Such right of Covered Entity is to be in addition to the remedies otherwise available to Covered Entity at law or in equity.

9. **Miscellaneous.**

9.1. **Amendment**. The Parties agree to take such action as is necessary to amend this Addendum from time to time to comply with the requirements of applicable federal or state laws or regulations governing the Use or Disclosure of Individually Identifiable Health Information.

9.2. **Survival**. The respective rights and obligations of Business Associate under Section 7 of this Addendum shall survive the termination of the Agreement and this Addendum.

9.3. **Interpretation**. Any ambiguity in this Addendum shall be resolved in favor of a meaning that permits the Parties to comply with HIPAA and HITECH. The provisions of this Addendum shall prevail over any provisions in the underlying Agreement that may conflict or appear inconsistent with any provision in this Addendum.

9.4. **No Third Party Beneficiary**. Nothing in this Addendum is intended, nor shall be deemed, to confer any benefits on any third party.

9.5. **Counterparts; Facsimiles**. This Addendum may be executed in any number of counterparts, each of which shall be deemed an original. Facsimile copies hereof shall be deemed to be originals.

9.6 **Supercedure**. In the event that any term or provision of any agreement between the Parties conflicts with a term or provision of this Addendum, this Addendum shall control.

IN WITNESS WHEREOF, the Parties hereto have caused this Addendum to be executed by their respective duly authorized representatives.

Dallas County Hospital District d/b/a Parkland Health & Hospital System	**The City of Garland, Texas**
By: Richard Humphrey (Richard Humphrey (Aug 23, 2021 09:37 CDT))	By: DBeeler
Name: Richard Humphrey	Name: Diana Beeler
Title: EVP & Chief Financial Officer	Title: Director of Health
Date: Aug 23, 2021	Date: 9/15/21

GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda **11.**

Meeting Date: 09/19/2023

Item Title: Adopt by minute action the Master Plan for the Garland Fire Department

Submitted By: Mark Lee, Fire Chief

Summary of Request/Problem

This item is to approve the adoption of the Garland Fire Department Master-Plan as presented by the Center for Public Safety Management in a previous City Council Work Session. The Master-Plan and associated Strategic Plan will be the guiding documents for the future of the Garland Fire Department. This plan contains many near, mid, and long term goals and objectives. The purpose of the plan is to provide effective fire and EMS services to the community of Garland. Adjustments to the plan were made after the presentation in the areas of Mobile Integrated Health and Community Risk Reduction as recommended by the Council.

Recommendation/Action Requested and Justification

Staff recommends approval by minute action to adopt the Master-Plan for the Garland Fire Department.

Attachments

GFD Master Plan

CENTER FOR PUBLIC SAFETY MANAGEMENT, LLC

Fire Master Plan

Garland, Texas

Final Report: August 2023

CPSM®

CENTER FOR PUBLIC SAFETY MANAGEMENT, LLC
475 K STREET NW, STE. 702 • WASHINGTON, DC 20001
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ICMA

Exclusive Provider of Public Safety Technical Services for
International City/County Management Association

THE ASSOCIATION & THE COMPANY

The International City/County Management Association is a 109-year old, nonprofit professional association of local government administrators and managers, with approximately 13,000 members located in 32 countries.

Since its inception in 1914, ICMA has been dedicated to assisting local governments and their managers in providing services to its citizens in an efficient and effective manner. ICMA advances the knowledge of local government best practices with its website (www.icma.org), publications, research, professional development, and membership. The ICMA Center for Public Safety Management (ICMA/CPSM) was launched by ICMA to provide support to local governments in the areas of police, fire, and emergency medical services.

ICMA also represents local governments at the federal level and has been involved in numerous projects with the Department of Justice and the Department of Homeland Security.

In 2014, as part of a restructuring at ICMA, the Center for Public Safety Management (CPSM) was spun out as a separate company. It is now the exclusive provider of public safety technical assistance for ICMA. CPSM provides training and research for the Association's members and represents ICMA in its dealings with the federal government and other public safety professional associations such as CALEA, PERF, IACP, IFCA, IPMA-HR, DOJ, BJA, COPS, NFPA, and others.

The Center for Public Safety Management, LLC, maintains the same team of individuals performing the same level of service as when it was a component of ICMA. CPSM's local government technical assistance experience includes workload and deployment analysis using our unique methodology and subject matter experts to examine department organizational structure and culture, identify workload and staffing needs, and align department operations with industry best practices. We have conducted 341 such studies in 42 states and provinces and 246 communities ranging in population from 8,000 (Boone, Iowa) to 800,000 (Indianapolis, Ind.).

Thomas Wieczorek is the Director of the Center for Public Safety Management.
Leonard Matarese serves as the Director of Research & Program Development.
Dr. Dov Chelst is the Director of Quantitative Analysis.

CENTER FOR PUBLIC SAFETY MANAGEMENT PROJECT CONTRIBUTORS

Thomas J. Wieczorek, Director
Leonard A. Matarese, Director, Research & Project Development
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SECTION 1. INTRODUCTION

Purpose of the Plan

The 2023 Garland Fire Department *Fire Master Plan* serves as a strategic planning guide for the delivery of Fire, EMS, Community Risk Reduction, Training and Education, and department support programs over the near, mid, and longer terms. The Fire Master Plan strives to provide a balanced approach between Fire and EMS services and fiscal responsibility, while also considering the demand for service and meeting that demand with essential resources. The Fire Master Plan is constructed to meet the needs and circumstances of the City of Garland as assessed against the community risk, planned community growth, industry trends and benchmarks, and the current Garland Fire Department (GFD) operating platform.

The Fire Master Plan is citywide and department wide in scope and includes a gap analysis of: Fire and EMS service delivery; training and education; succession planning; health, safety, and wellness of fire department employees; review of policies and procedures; fire department connection to the city's 911-dispatch center; all-hazards community risk profile; fire department infrastructure that includes the fleet and facilities; and current and planned station locations and staffing. Throughout the gap analysis, the current GFD operating platform was benchmarked against national standards that include the National Fire Protection Association, Insurance Services Office, and the Center for Public Safety Excellence best practices.

The primary objective of the Fire Master Plan is to provide all stakeholders with a document that includes measurable and achievable strategic planning goals and objectives, which are recommendations to improve all facets of Fire and EMS service deliverables and reduce community risk.

The Fire Master Plan contains five strategic planning goals and objectives that focuses on priority areas of the GFD and the city in terms of Fire and EMS service delivery, the community, and the GFD as an organization, as outlined in the gap analysis, and information received through stakeholder meetings. These include:

- Goal 1: Staff a highly trained workforce to meet the demand for calls for service.
- Goal 2: Recruit and retain quality staff.
- Goal 3: Deploy and maintain resources efficiently and effectively.
- Goal 4: Communicate clearly to and between all levels of staff.
- Goal 5: Work with the community to improve fire safety response.

Additionally, this plan updates the GFD's Mission and Vision statements, as well as the Value Statements of the department.

Project Methodology

To develop this Fire Master Plan, CPSM followed two paths that intersected in the development of the strategic planning goals and objectives.

The first path included the collection of documents, information, and response data from the fire department. This included data from the computer-aided dispatch (CAD) system for response time and workload information and GFD's National Incident Reporting System (NFIRS) records management system. CPSM consultants were also furnished with numerous reports and

summary documents that included information specific to the GFD and the city. Follow-up phone calls, emails, and virtual meetings were used to clarify information as needed.

The second path included on-site and virtual meetings with GFD staff and the public to learn more about the organization and the city, and to gather stakeholder input regarding the GFD's strengths and weaknesses, vision, values, and operations. During the site visit CPSM visited each fire station for the purpose of visualizing facility and fleet infrastructure. During the facility visits CPSM took the opportunity to dialogue with on-duty crews regarding strengths and weaknesses of the department. The site visit was also utilized for the purpose of gathering valuable first-hand knowledge of the building risks in the city.

Once all information was obtained, CPSM developed the Fire Master Plan gap analysis (current state-where the GFD should be), which then served, along with master planning meetings with internal and external stakeholders, to build the strategic planning goals and objectives that serve as the path forward for the GFD.

Historical Fire and EMS Planning

Since 1996, the GFD has evolved Fire and EMS service deliverables into what they are currently, and which includes an eleven station Fire and EMS agency that provides services through six engines (a 7th is cross staffed with a truck company), five ladder apparatus, one heavy rescue (cross-staffed at station 1) and an additional rescue (cross-staffed at station 8), a light & air unit (cross-staffed at station 10), a type 6 engine (cross staffed at Station 7), and eleven advanced life support ambulances. Prior to the eleven station concept the GFD currently operates under, the GFD operated fourteen pieces of fire apparatus and six ambulances. The evolution includes:

- 1996: Former Fire Chief unveils 11 station concept.
- 1997: Stations 8 and 9 open.
- 2002: Old Station 4 closes as new Station 4 opens.
- 2004: New Station 11 opens.
- 2005: Old Station 2 closes as new Station 2 opens.
- 2006: Construction begins on new fire administration building and fire training tower/facility.
- 2007: New Station 10 opens.
- 2007: New fire administration building, and fire training tower/facility opens.
- 2008: Old Station 3 closes as new Station 3 opens.
- 2008: 2 engine companies close, and staff are shifted to open 3 ambulances.
- 2008: Reduced staffing by 4 personnel.
- 2015: Staffing reduced by 1.
- 2017: Old Station 5 closes as new Station 5 opens.
- 2017: 3 new firefighter positions added.
- 2019: 7 new firefighter positions added.
- 2022: 3 new FD positions added.
- 2023: 9 new FD positions added.

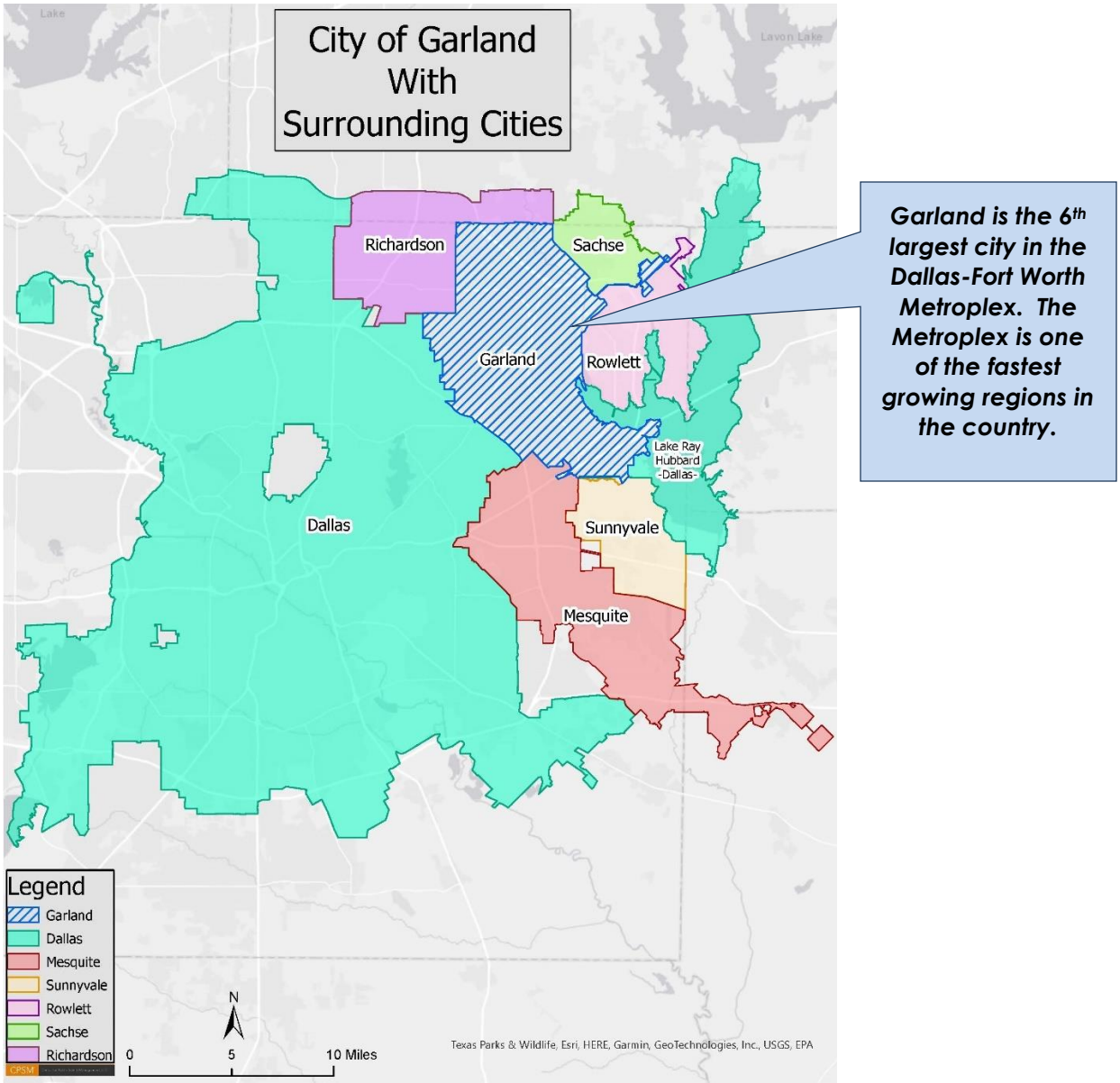
17 positions added 2008-2023

SECTION 2. ORGANIZATIONAL CHARACTERISTICS

City of Garland and GFD Overview

Garland is located in northeast Dallas County and is included in the Dallas-Fort Worth metroplex. Contiguous municipalities include Richardson, Sachse, Dallas, Rowlett, Sunnyvale, and Mesquite. Lake Ray Hubbard serves as a boundary to the south and southeast portions of the city. The total area of the city is 57.1 square miles, and the 2020 decennial census population is 246,018.

Figure 1: City of Garland and Surrounding Jurisdictions

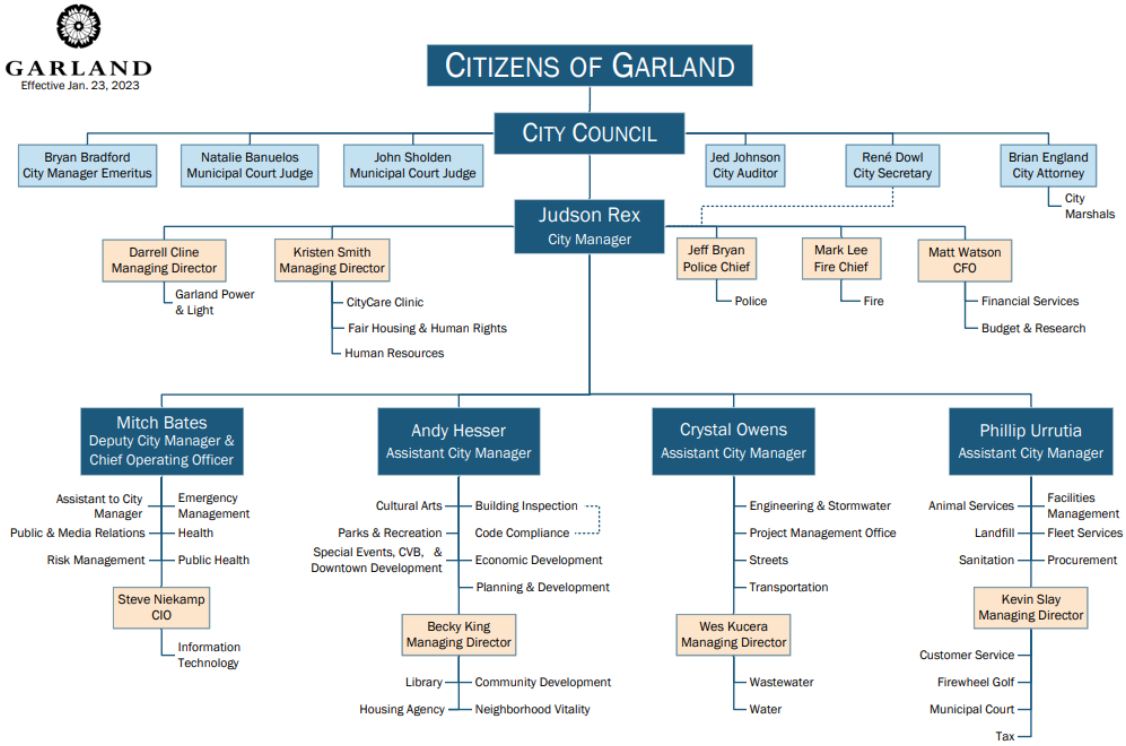


The city is a chartered Home Rule City (first adopted in 1951) and operates under the Council-Manager form of government. The City Manager is the Chief Executive Officer of the city. The Mayor and City Council enact local legislation, adopt budgets, determine policies, and appoint officials as outlined in the Charter, to include the City Manager who shall execute the laws and administer the government of the City.[1] [2]

Article VII §1 of the Charter establishes what departments shall be established in the City. This includes the Public Safety departments, which includes the fire department. Article VII §2 establishes the head of each department shall be a Director. In the case of the fire department this is the Fire Chief.[3]

Chapter 21 of the City of Garland Code of Ordinances (Fire Prevention and Protection) addresses the establishment and duties of fire prevention and the relevant fire code applicable to enforcement of same. Chapter 21 also establishes that the Garland Fire Department shall provide emergency ambulance services in the city and applicable user fees for same.[4]

Figure 2: City Organizational Chart



The GFD is a career fire department that employs full-time administrative, community risk reduction, training, support staff, and operational officers and firefighters. The GFD deploys seven engine companies (one is cross staffed), five truck companies, two rescue units (one heavy; cross-staffed with station staffing), one Type 6 engine (cross-staffed with station staffing), one light & air unit (cross staffed with station staffing), eleven EMS ground transport units, two

1. City Manager's Office | Garland, TX (garlandtx.gov)
2. City of Garland Home Rule Charter §2 Form of Government.
3. City of Garland Home Rule Charter VII §1, V11§2 Departments of the City.
4. City of Garland Code of Ordinances, Chapter 21.

operational Battalion Chiefs, and one EMS Captain/Supervisor from eleven operational stations. The operational Battalion Chiefs serve as district commanders (north and south) providing day-to-day operational supervision to assigned stations, as well as serving as the incident commander on assigned incident responses. Coordinating the day-to-day operations of EMS ground transport is a shift EMS Captain. The EMS Captain is city-wide.

Five of the truck companies are Quints (apparatus that has a fire pump; hose; water tank; engine and truck company equipment; and an elevated aerial device), which means they respond primarily as an engine company, but can serve as a ladder (truck) company as needed. The truck company apparatus at Station 1 (Truck 1) is cross staffed with personnel from Engine 1. Also, Engine 8 cross-staffs Rescue 8 and Ambulance 10 cross-staffs Squad 10.

There are 79 positions assigned to each operational shift. The deployment model outlined above requires minimum operational shift level staffing of 61 personnel per shift. The GFD allots 18 personnel per shift to cover scheduled and unscheduled leave. The GFD operates with a typical 24-hour shift. There are three operational shifts or platoons (A, B, C shifts).

Administrative, community risk reduction, training and support services staff and functions operate from a joint facility and compound that includes administrative office space, training classrooms, fleet and logistics areas, and a training complex that includes a training tower/live burn building and props, and other props for specific training.

The GFD is led by a Fire Chief who has overall responsibility for the management and leadership of the department. The Fire Chief is assisted by three Assistant Chiefs who are direct reports. Additional support to the Fire Chief includes civilian administrative support and technical staff that have assignments to include special projects, public life safety education, recruitment, and the day-to-day administrative, management, and technical work that a large agency such as the GFD includes. The Fire Chief's staff includes nine officers, uniform, and civilian staff.

The Assistant Chief of Operations manages the three operational shifts as described above. This includes all operational components and staffing. There are two operational Battalion Chiefs on duty each day (north and south). Each of the operational shift Battalion Chiefs as well as the Battalion Chief of EMS report directly to the Assistant Chief of Operations. The EMS shift operational Captains report to the shift Battalion Chiefs, and an EMS Program Manager reports to the Battalion Chief of EMS. The Assistant Chief of Operations also liaisons with the 911 Dispatch Center, which is managed by the Garland Police Department. There are 242 positions assigned to the Assistant Chief of Operations.

The Assistant Chief of Support Services/Training manages Fire and EMS training, which includes a Battalion Chief, two Lieutenants, and a firefighter who coordinate and manage department training and the training complex. The Assistant Chief of Support Services/Training also manages the department's supply chain, fleet services, clothing to include personal protective equipment, radios, and operational equipment. This division has additional support personnel that includes a mix of uniform and civilian staff. In all there are ten positions (not including the Assistant Chief) assigned to this division.

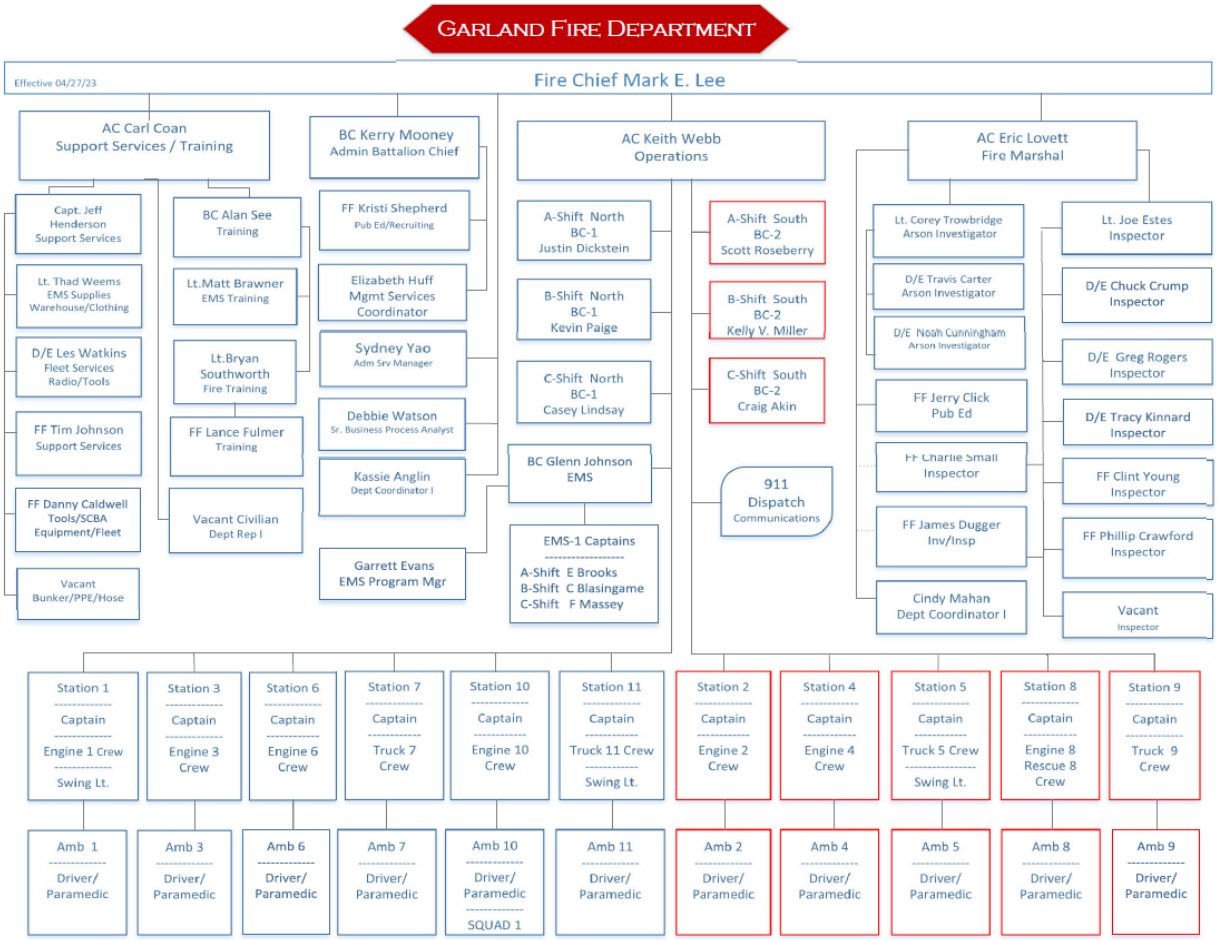
The Assistant Chief/Fire Marshal manages the community risk reduction (fire prevention) and fire origin and cause to include arson investigation. The community risk reduction component is

responsible for fire prevention code enforcement, fire protection plans review, and fire and life safety education. This division includes fourteen positions (civilian and sworn) not including the Assistant Chief.

The key elements of the GFD include:

- Fire protective services.
- EMS first-tier response (ALS level) and ground transport (ALS level).
- Fire prevention, fire code enforcement, fire protection plans review.
- Fire cause and origin/arson investigation.
- Technical rescue response and mitigation.
- Hazardous materials response and mitigation.
- Community outreach and life safety education.
- Employee training and education.
- Fleet, facility, and logistical support and management.
- Special event support.

Figure 3: GFD Organizational Chart



Organizational Supportive Elements

Training and Education

Training is, without question, one of the most essential functions that a fire and EMS department should be performing on a regular basis. One could even make a credible argument that training is, in some ways, more important than emergency responses because a department that is not well trained, prepared, and operationally ready will be unable to fulfill its emergency response obligations and mission. Education and training are vital at all levels of fire service operations to ensure that necessary functions are completed correctly, safely, and effectively. A comprehensive, diverse, and ongoing training program is critical to the fire department's level of success.

An effective fire and EMS department training program must cover all the essential elements of that department's core missions and responsibilities. The level of training or education required, given a set of tasks, varies with the jobs to be performed. The program must include an appropriate combination of technical/didactic training, manipulative or hands-on/practical evolutions, and training assessment to gauge the effectiveness of these efforts. Most of the training, but particularly the practical, standardized, hands-on training evolutions should be developed based upon the department's own operating procedures and operations while remaining cognizant of widely accepted practices and standards that could be used as a benchmark to judge the department's operations for any number of reasons.

Certain Occupational Safety and Health Administration (OSHA) regulations dictate that minimum training must be completed on an annual basis. The state of Texas does not operate an approved state OSHA program for public employees at the state or political sub-division (e.g.: municipal) level. OSHA Regulations and Standards Regulated employers located in the state of Texas are governed by the Federal OSHA health and safety standards found in the 29 Code of Federal Regulations (CFR). As such, the GFD should ensure the following courses are included in the training matrix for all uniform personnel:

- Annual review of the respiratory protection standard, self-contained breathing apparatus (SCBA) refresher and user competency training, SCBA fit testing (29 CFR 1910.134).
- Annual Blood Borne Pathogens Training (29 CFR 1910.1030).

Other training requirements the GFD must manage include:

- The ISO-PPC has certain training requirements for which fire departments receive credit during the ISO-PPC review.
- Texas Commission on Fire Protection Certifications and maintenance of certifications dependent of department position and includes:
    - Structural Fire Suppression
    - Fire Services Instructor
    - Fire Investigator and Fire Inspector
    - Head of Department

Because so much depends upon the ability of the emergency responder to effectively deal with an emergency, education and training must have a prominent position within an emergency responder's schedule of activities when on duty. Education and training programs also help to create the character of a fire service organization. Agencies that place a real emphasis on their

training tend to be more proficient in performing day-to-day duties. The prioritization of training also fosters an image of professionalism and instills pride in the organization. Overall, the GFD has a planned training program and there exists a dedicated effort focused on a wide array of training activities for all three shifts.

Training and education in the GFD are managed by a Battalion Chief who reports to the Assistant Chief of Support Services/Training. The Battalion Chief of Training is supported by two Lieutenants and one firefighter. Together this group plans, develops, and coordinates the various Fire and EMS training for the department (EMS training is coordinated with Medical Control/MCP who also provides the majority of this training).

The GFD has an external training facility located on the campus of the GFD fire administration building. This includes a burn building (gas fed props) incorporated into a training tower. Additional emergency scene props are also located on the training grounds. Formal classroom training occurs as well on the fire administration campus. This includes a contemporary auditorium, classrooms, and digital training. Company level training also occurs in GFD stations and is led by station officers. Multicompany training and specific building or risk training occurs on-site of the actual building or identified risk. Much of the multi-company live fire company level practical training is developed and coordinated by Shift Training Officers (STOs). There are three STOs on each shift.

The GFD has Administrative Directives that pertain to training and training compliance that include:

- Fire Training Division
- Probationary Skill and Knowledge Assessments
- Flashover Chamber Fires
- EMS Credentialing and Recertification

There are many operational Standard Operating Procedures as well that are incorporated into recruit and incumbent training. This training is completed at the station level and fire training facility for incumbents, and in recruit training where the probationary employees are provided their initial fire and EMS training.

Professional development occurs outside of the required state certifications. Department staff are availed to training opportunities at the national Fire Academy in Emmitsburg, MD, as well as Texas Commission of Fire Protection course offerings. Staff must be approved for these courses and any cost or time off must be approved as well.

The GFD should include in any strategic master planning strategies that are aimed at budgeting for and encouraging professional development of all staff members. Strategies should have a focus on leadership development opportunities and a training program that prepares and develops all staff for an all-hazards response that are present in Garland, and mitigation of emergencies involving these risks and hazards.

Succession Planning

One important organizational concept, which is or will experience turnover of personnel at the management and leadership ranks, is to implement programs that identify the future leaders of the organization; that is, programs that go beyond the technical courses for career advancement preparation. A key to this is to develop and implement a formal succession plan, focused on developing potential successors (company officers, middle managers such as battalion and division level chiefs, and senior level chief officers) to ensure organizational leadership stability, and also serve as a retention plan. This type of planning is typically designed to identify, develop, and nurture potential future leaders.

There are a few examples of succession planning that work well in fire departments:

- Development-Based Processes: A succession planning model that equips an employee or group of employees for future roles and responsibilities through diverse organizational program exposure and assignments.
- Replacement Planning: A process of identifying replacement staff for key positions and functions and developing these employees over the short term.
- Career Path Training: A program that identifies technical and organizational development courses and/or formal education that must be completed as employees prepare to elevate responsibility or position in the organization. Ideally the officer candidate for any officer level in the department is experienced and has the foundational technical and formal education and training to be successful with each new level promoted to. To ensure this and to ensure the GFD is preparing future officers, a formal program that identifies those foundational technical and organizational courses germane to each level in the organization should be selected and implemented. A growing number of fire departments are employing task books for personnel who aspire to (or in some cases have already been promoted to) higher rank. For the GFD, task books would be appropriate for firefighters, lieutenants, and captains. The successful completion of any task book for promotion to higher rank including captain, or alternatively, can be a required element of the post-hire/promotional evaluation process.
- Succession Planning: A more future-focused process of categorizing the knowledge, skills, and abilities needed to perform organizational functions. Linked to this is the development of a plan that has the intent of preparing multiple employees to potentially perform those functions and which creates opportunity for advancement in the organization.

Critical to the success of succession planning is the engagement and commitment of the senior leaders to the program, as well as the commitment of other members of the organization to their own personal and professional development. To be a part of the succession plan, one must commit to one's own professional development to be able to compete for and fill critical organizational leadership roles.

The recruitment of new employees is equally important as tenured employees retire, are promoted, or move on to other departments or career choices. Considerations for recruitment include:

- Proactive recruitment and hiring process planning will prevent long term disruption of the business activities (staffing and deploying emergency services) of the GFD.
- The department should continually evaluate its present and future staffing requirements such as planned retirements and promotions and be prepared to recruit, test, and hire new employees as often as needed.

- Continuation of the expansion of the recruitment and talent/applicant pool will create a wider and more diverse pool of qualified candidates. By this, recruitment should occur across the metro-plex through participation in job fairs and recruiting opportunities outside of Garland on a regular basis.

Basic recruiting involves discovering applicants, then testing each, hiring them to fill available positions, and completing the on-boarding process, which includes recruit training and the probationary period. Effective recruiting, on the other hand, is a mix of art and science and includes thinking outside the box to locate and hire the most diverse and brightest individuals the organization can.

The GFD should include in any strategic master planning near, mid, and long term strategies that focus on succession planning, employee professional development, and preparing the workforce for the future. Planning should include the development of a succession plan that is diverse, includes the entire organization, and has a focus on preparing current and future members to take on additional roles and responsibilities, and as well as prepares members for advancement and promotion into key roles in the organization.

The GFD should include in any strategic master planning a focus on recruitment and retention of employees. Recruitment should make every effort to continue to capture the best and the brightest candidates possible who meet the city and department requirements, and who are reflective of the City of Garland. Retention should be focused on professional development; the health, safety, and wellness of all employees; a shared vision; open and honest communication; and an inclusive organization where all employees feel they are being listened to and their input is received and considered.

Health, Safety, and Wellness

The prevention and reduction of accidents, injuries and occupational illnesses should be established goals of any fire-rescue department and should be primary considerations at all times (emergency and non-emergency activities). This concern for safety and health must apply to all members of the fire-rescue department and should include others who may be involved in fire department activities.

The GFD should strive to make every reasonable effort to provide a safe and healthy work environment, recognizing the dangers involved in the types of service fire-rescue departments deliver. Included in this effort should be appropriate and continuous training, supervision, procedures, program support and review to achieve department health and safety objectives in all department functions and activities.

Firefighting and to some degree EMS service delivery are inherently dangerous activities occurring in environments over which the participants have no engineering control. NFPA 1500, *Standard on Fire Department Occupational Safety and Wellness Programs* was developed to provide a "consensus standard for an occupational safety and health program for the fire service." NFPA 1500 is intended to be an umbrella document, establishing the basic framework for a comprehensive safety and health program, and providing for its implementation and management.

The Health and Safety function in the GFD is handled primarily by the Assistant Chief of Operations and operational officers. The following GFD policies and or procedures address health and safety:

- Directive 123 addresses tobacco usage.

- Directive 126 addresses the Fire Department Safety Officer (incident safety officer).
- Directives 127 and 144 address a Peer Support Team to promote good mental health.
- Directive 133 addresses hearing protection.
- Directive 235 addresses Health and Wellness (annualizes medical evaluation).
- Directive 236 addresses bi-annual physical fitness evaluations.
- Directive 238 addresses the Personal Alert Safety System utilized when personnel have donned a self-contained breathing apparatus and are operating in an immediately dangerous to life and health atmosphere.
- Directive 608 addresses Workforce Self-Screening (to prevent exposure of others to one's own illness).
- Directive 612 addresses isolation procedures for COVID-19.
- Directive 646 & 654 addresses employee self-protection from violent/belligerent persons.
- Directive 647 addresses the department's Infection Control Plan and Policy.
- Directive 665 addresses staff contaminated clothing.
- Directive 705 addresses protective clothing for fire investigators.

The GFD has a comprehensive collection of Standard Operating Procedures (SOPs) that address emergency response and emergency scene procedures, guidelines, and specific direction. Almost all of these SOPs address the health and safety of responding members of the GFD.

In 2021, the NFPA produced *The Fifth Needs Assessment of the U.S. Fire Service* and revealed the following:

- 72 percent of departments lack a program to maintain basic firefighting fitness and health.
- 61 percent of departments don't provide medical and physical evaluations for all firefighters that comply with *NFPA 1582: Standard on Comprehensive Occupational Medical Program for Fire Departments.*
- 73 percent of departments lack a behavioral health program (larger departments are much more likely to have such a program).
- 56 percent of fire stations aren't equipped for exhaust emissions control; this number rises to 82 percent in the smallest communities.
- Many departments don't engage in cancer prevention best practices.[5]

A successful health, safety, and wellness program requires:

- Senior Management buy-in.
- The establishment of a Health & Wellness Committee (The GFD currently does not have in place).
- A department needs assessment.
- The establishment of obtainable goals and objectives.

5. Creating a Health & Wellness Program for Your Department, Firehouse Magazine, October 2022.

- The establishment of a budget for health, safety, and wellness.
- Implementation.
- Evaluation.[6]

Primary goals of a comprehensive health, safety, and wellness should include:

- Reducing injury leave and light duty due to on-the-job injuries.
- Potentially lowering workers' compensation and employee health care costs.
- Reduction of injuries.[7]

Firefighter injuries and deaths are devastating to families, fellow responders, local governments, and the community. The National Institute for Occupational Safety and Health (NIOSH) has studied firefighter fatality root causes, and found five key factors, which are commonly referred to as the NIOSH 5:

- Lack of fireground firefighter accountability.
- Lack of fireground communication methods.
- Lack of standard operating procedures related to response and fireground operations.
- Lack of incident management/command.
- Lack of appropriate risk assessment of the incident as whole, the building, the emergency scene, and basic fireground knowledge to understand the risk.

These five fireground factors should be etched in every firefighter's brain. A fire department training regimen, equipment, guidelines, and culture should center on these five factors. A lack of understanding of these five factors leads to sloppy, ineffective, and unsafe fireground operations. ***They should be taken seriously.***

Managing the health, safety, and wellness components of a fire and EMS department are as important as any other, as the concepts of health, safety, and wellness apply to both emergency and non-emergency activities. For the GFD this takes dedicated staff hours and oversight from a command and station level.

That said, the GFD should include in any strategic master planning, strategies that focus on the health, safety, and wellness of the workforce with an emphasis on reducing carcinogenic exposures, employee behavioral health issues and challenges, and safety during emergency and non-emergency work. This should include a health, safety, and wellness committee, which includes the City's Human Resources Department, and the development of a contemporary comprehensive health, safety, and wellness initiative that aligns with NFPA 1500, Standard on Fire Department Occupational Safety and Wellness Programs, 2021 edition.

Policies and Procedures

The GFD operates under policy guidance from the city regarding employment, human resources, and related municipal matters. In addition, the fire department operates under Standard Operating Procedures (SOPs) and Administrative Directives that are specific to its

6. ibid
7. ibid

internal operations. Fire departments typically manage and direct operational and administrative matters in the same manner as described here.

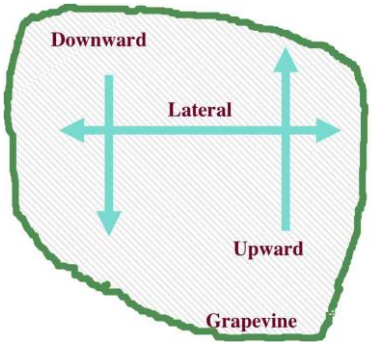
In review of the GFD SOPs and Administrative Directives in place, we found most which are oriented to operations, which is normal in Fire and EMS organizations. Although these policies and procedures are necessary and establish the basis for all department operations in the station and on the emergency scene, CPSM found that, due to the large number of these documents, understanding and following all policies can be cumbersome and complicated.

Additionally, we found that there are current SOPs and Administrative Directives that have considerable age and may have exceeded their life expectancy (some date back to the late 1980s). While older policies may still have their relevancy in part, the Fire and EMS disciplines are dynamic and evolve with each new NFPA standard, contemporary medical field intervention or protocol, or other innovation or health and safety issue or theme these disciplines contend with. For these reasons, fire and EMS departments should make every effort to maintain up-to-date policies and directives, which are consistent with NFPA documents, particularly those that involve Fire and EMS operations, health, and safety.

The GFD should include in any strategic master planning the reorganization and reformatting of department Standard Operating Procedures and Guidelines with a focus on consistency, and to ensure they represent a contemporary Fire and EMS department.

Organizational Communication

In any organization, effective communication is critical to success. Fire and EMS departments operate in a decentralized format meaning, with exception of fire administration staff and other staff assigned the fire administration building or office, the largest component of the workforce is in facilities external to department leadership. Further complicating organizational communication in a fire and EMS department is shift work. The shift work schedule of rotating 24-hour shifts complicates communication in that two-thirds of the largest component of the organization is not at work when a communication is directed out and down from organizational leadership.

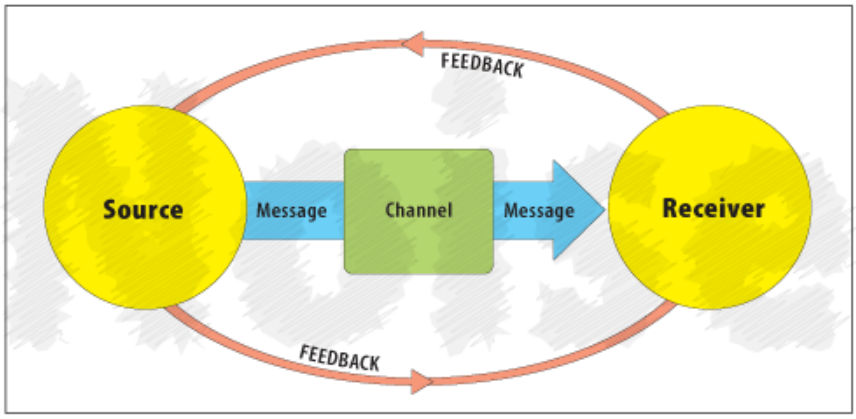


The inherent communication challenges and breakdowns in an organization, both vertically and laterally, with a decentralized workforce and one that deploys employees on shift work, often result in miscommunication. Usually, the lack of formal communication channels will feed communication through the "grapevine," which is where most employees will get their information. These organizational communication challenges feed the fodder for the rumor mill. In discussion with the GFD senior leadership, they communicated that the GFD experiences these communication challenges.

Despite the tremendous advances in communication and information technology, communication among people in organizations leaves much to be desired. The importance of effective communication, established communication processes, and ongoing follow-up cannot be overstated. The development of a communication model that provides a consistent means for communication within and among various levels of the organization and encourages

feedback that can be integrated into continuous improvement and accountability supports a healthy organizational culture. [8]

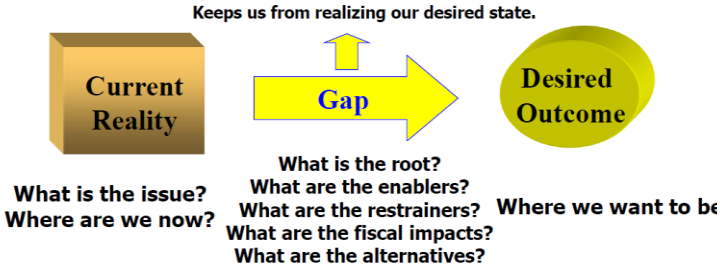
Developing a basic communication model that, when followed, enhances communication across any organization, particularly those experiencing communication challenges regardless of where the root cause lies. Having a "channel" by which information flows is key to ensuring effective ongoing communication - written and oral. The lateral flow of information between the fire chief, fire senior staff, and mid-level managers affects the vertical flow of information to the frontline staff. A lack of effective communication and direction, or disconnect at the channeling stage, particularly between senior staff and middle managers creates morale issues, promotes inconsistencies, and fuels grapevine communication and informal leadership.



From Communication Model, Sanctioning Agent Communication Consultancy

Before the GFD will be able to improve the efficiency or effectiveness of its organizational communications, it must first improve the delivery of messages from senior staff to middle managers, who are the conduit to the front-line personnel (uniform and civilian staff). Managers must seek to understand the people they manage, provide, and encourage feedback, ***and follow up on the communication that takes place.***

High performing organizations communicate effectively both laterally and vertically with fact and not perception regarding organizational planning; issues and challenges and the resolutions to the issues and challenges; and decision-making. Consideration is given to the current reality of the issue and where the organization is in the present, and where the organization wants to be. Communication generally occurs when the root cause is not communicated, or when enablers, restrainers, fiscal impacts, and alternatives are clearly and factually communicated.



8. See James L. Gibson, John M. Ivancevich, James H. Donnelly, and Robert Konopaske, *Organizations: Behavior, Structure, Processes,* Eighth Edition (New York: Irwin/McGraw-Hill, 2002).

The GFD should include in any strategic master planning strategies that are aimed at closing communication gaps in the organization, improving consistent messaging and actions across the organization, and creating a shared vision all members of the organization can work towards.

911-Dispatch

911-dispatch services for all emergency services in Garland are handled by the Garland Police Department Communications Unit (911-Center). The 911-Center also serves as the primary Public Safety Answering Point (PSAP) for fire and EMS calls for service. Once the call is received in the 911-Center, the call is processed as law enforcement, fire, or EMS and the appropriate units are dispatched according to public safety discipline. The GFD has a response matrix for Fire and EMS responses, which is outlined later in this report.

From a fire and EMS perspective, the communications center is measured on three critical points in the overall cascade of events linking the event to the incident response force. These are ***how the call is routed through the public safety network and its capabilities*** (wireline phone, wireless phone, E911capabilities, Voice over Internet Protocol (VoIP), mobile satellite services, telematics, and Text Telephone Devices (TTYs)), ***time to answer*** (the time it takes to answer an incoming and call on the emergency phone line), ***and alarm processing time*** (the time it takes to process and create the event and then notify the emergency response unit(s)).

National Fire Protection Association (NFPA) Standard 1710, *Standard for Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments*, 2020 edition, includes national consensus standards (performance objectives) for emergency communication PSAPS and dispatch centers. Section 4.1.2.3 of this standard outlines several performance objectives for communications center operations for fire and EMS events. Included in the benchmarks are the following components:

Call answering time: The call arrives at the PSAP by phone or other means such as text and is processed as outlined in the standard as follows:

- 95 percent of alarms shall be answered in not more than 15 seconds, and no more than 40 seconds 99 percent of the time.

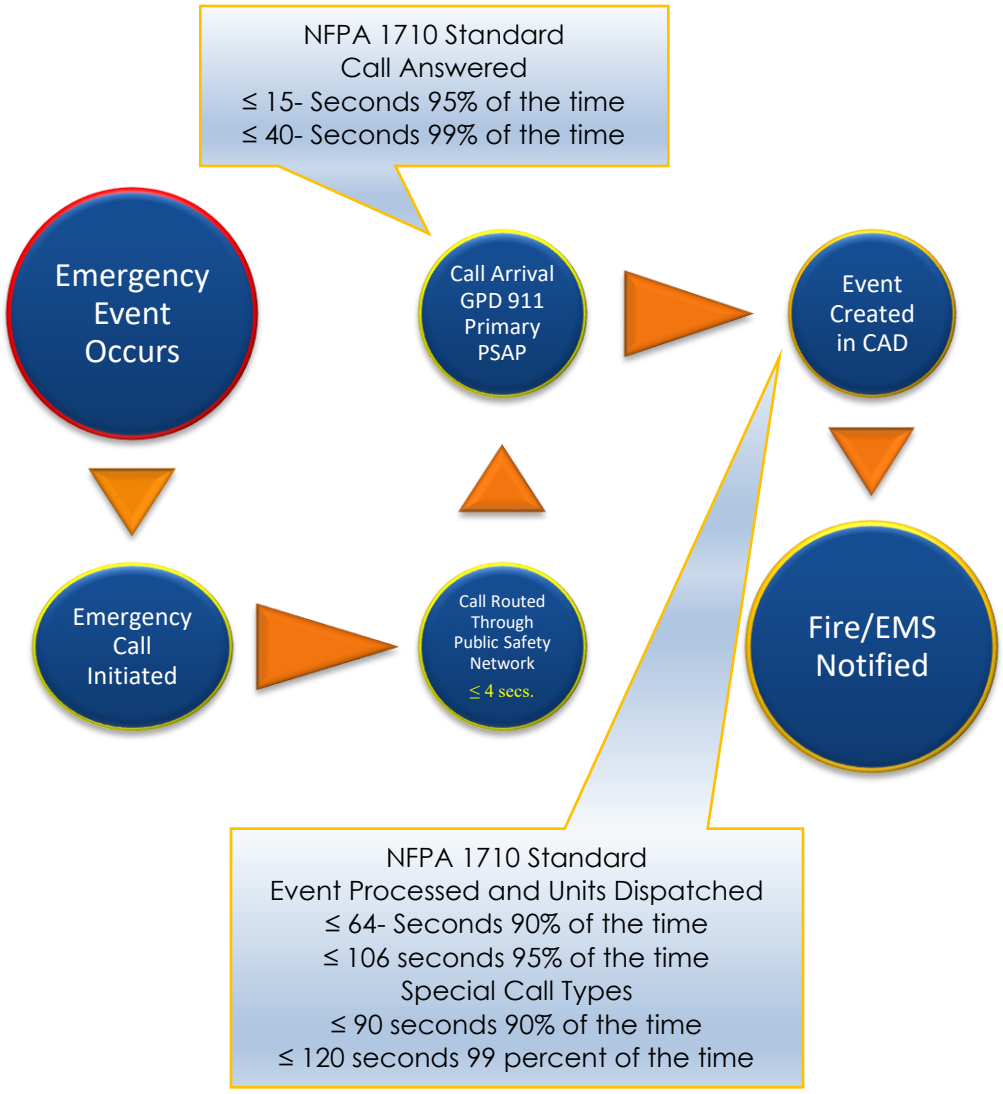
Alarm processing time: Event processing times at the 911-Center shall be completed in no more than 64 seconds 90 percent of the time and not more than 106 seconds 95 percent of the time.

Alarm processing time for the following call types shall be completed within 90 seconds 90 percent of the time and within 120 seconds 99 percent of the time:

- *Calls requiring Emergency Medical Dispatch.*
- *Calls requiring language translation.*
- *Calls requiring TTY/TTD receipt of events.*
- *Calls of criminal activity that require information vital to emergency responder safety prior to dispatching units.*
- *Haz-Mat incidents.*
- *Technical rescue incidents.*
- *Incomplete location.*
- *Calls received by text message to the communications center.*

The next figure illustrates the event timeline when the primary PSAP receives a 911 call, processes the call, and then dispatches the appropriate Fire or EMS unit(s).

Figure 4: Event Timeline for 911 Call Receipt, Transfer, and Processing



The 911-Center call processing times as analyzed by CPSM in our data analysis are:

- On average for EMS: 66 seconds
- On average for Fire: 72 seconds
- 90th percentile for EMS: 126 seconds
- 90th percentile for Fire: 138 seconds

This is outside of GFD control and responsibility, but internal to city operations.

At the 90th percentile the 911-Center is deficient when benchmarked against the NFPA standard.

The 911-Center has an emergency medical dispatch (EMD) program that has been modified. It was communicated to CPSM that the current modifications are not allowing the EMD system to function to its fullest potential.

An EMD system utilizes clinical protocols and call taking processes to assign a response determinant or code to an EMS request generated in the 911-Center. These response determinants or codes are used in EMS systems to determine the priority of a response, and the appropriate level of care likely necessary to meet the patient's clinical needs. The response determinants also aid in informing the responding units specifically what type of medical call to which they are responding. If approved by local protocol, an EMD system can also be used to assign *response priorities* and *modes of response* such as lights and siren or a cold response without lights and siren (low acuity calls), as well as make determinations regarding the response configuration for the EMS response (ambulance only; engine and ambulance).

Appropriate use of an EMD system typically includes the active engagement of a physician Medical Director, and a robust quality assurance (QA) process, which helps assure that EMD call taking, EMD determinant or code assignments, and pre-arrival instructions if included in the program, are being conducted appropriately and reliably.

Many EMS systems across the country are using EMD, to reduce the incidence of HOT responses so as to make providers and the public safer, as well as preserve crucial first medical response resources for 911 medical calls that are time-sensitive (cardiac arrest, choking, heart attack, etc.). Lights and siren (HOT) responses dramatically increase the risk of crashes and injuries to responding personnel and the public. In February 2022, 14 national EMS associations, including the International Association of Fire Chiefs, and the National Association of EMS Physicians, published a joint position statement ***encouraging EMS systems to reduce HOT responses to less than 30 percent of EMS calls, and less than 5 percent of ambulance transports***.[9]

The EMD system can be used effectively to determine which EMS responses are time-sensitive and if the presence of a medical first response unit could make an impact on patient outcomes. The effective use of this system would preserve crucial first response medical units for those responses that are time sensitive.

The GFD should include strategic master planning strategies that focus on reducing the deployment of heavy fire apparatus responding to EMS incidents through the use of Medical Priority Dispatch in the city's 911-center. This effort will take dedicated resources in the 911-center, will reduce overall response of heavy fire apparatus on EMS incidents, which will create efficiencies, and will create resilience in the GFD overall response workload.

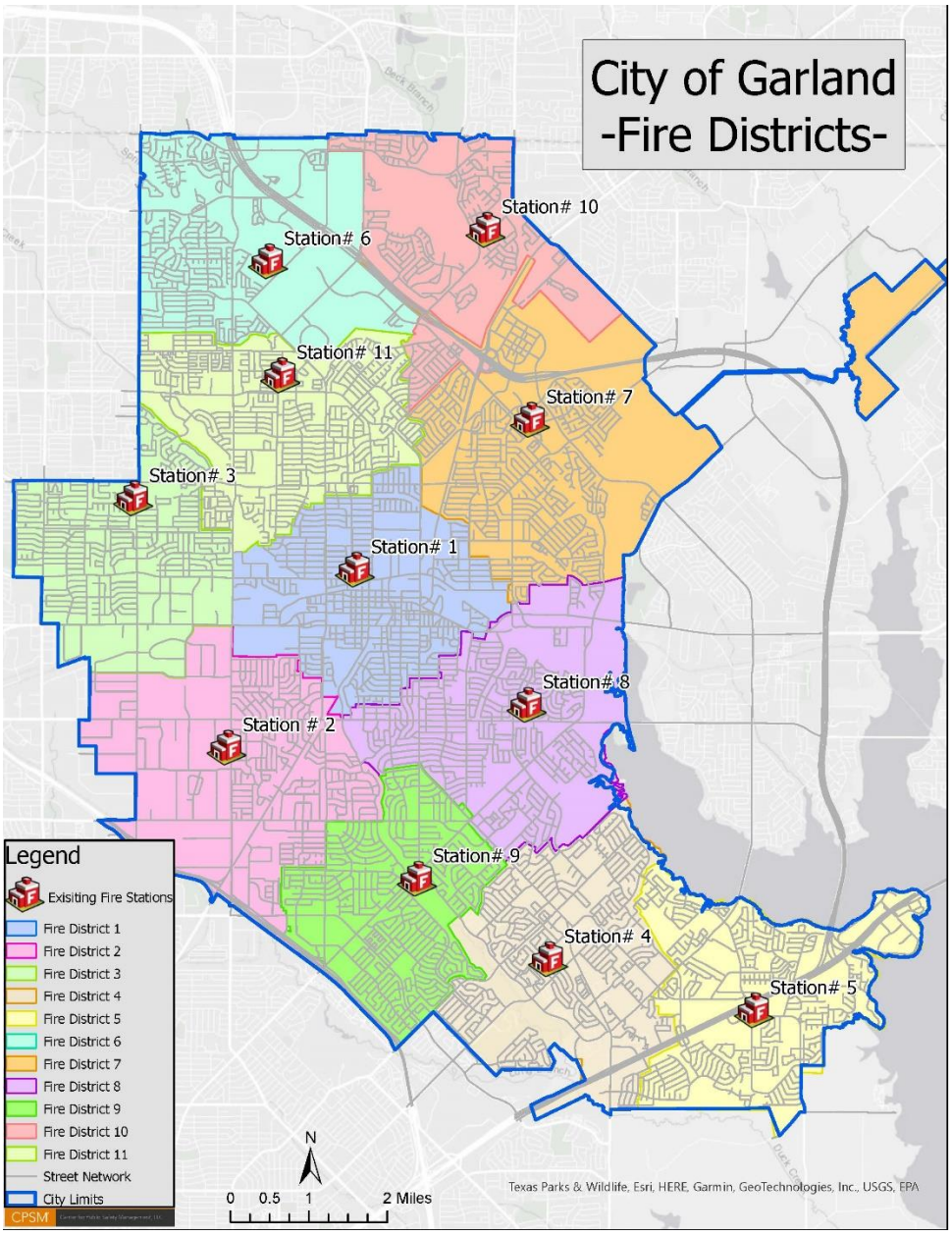
§§§

9. https://www.hmpgloballearningnetwork.com/site/emsworld/news/top-ems-groups-issue-joint-statement-ls-responses

GFD Service Area and Call Demand

The service area for the GFD includes 57 square miles of urban and suburban neighborhoods that includes single and multi-family residential buildings of varying number of floors and heights; commercial; industrial; parks; mass transit; local roads and limited access highways/freeways; lakefront boundary, and contiguous urban and suburban municipalities.

Figure 5: City of Garland Boundaries and Fire Station Locations



*Truck 1 is cross staffed with Engine 1 crew.

GFD Fire and EMS Resources

Station 1
Engine, Truck*, Ambulance

Station 2
Engine
Ambulance

Station 3
Engine
Ambulance

Station 4
Engine
Ambulance

Station 5
Truck
Ambulance

Station 6
Engine
Ambulance

Station 7
Truck
Ambulance
Utility 7

Station 8
Engine
Ambulance
Rescue 8

Station 9
Truck
Ambulance

Station 10:
Engine
Ambulance
Squad 10

Station 11
Truck
Ambulance

The service demands on the department generated from the service area are numerous and include EMS first response; fire suppression; technical rescue; hazardous materials; and transportation emergencies to include extensive vehicle traffic, and other non-emergency responses typical of an urban/suburban fire departments.

CPSM analyzed GFD workload for a one year period (April 1, 2021-March 31, 2022). In all, the GFD responded to 28,790 incidents during this time period as outlined in the next table.

Table 1: GFD Fire Incident Workload by Call Type

Call Type	Total Calls	Calls per Day
False alarm	1,326	3.6
Good intent	626	1.7
Hazard	572	1.6
Outside fire	402	1.1
Public service	3,174	8.7
Structure fire	220	0.6
Technical rescue	44	0.1
Fire total	**6,364**	**17.4**

22% of all calls

Table 2: GFD EMS Workload by Call Type

Call Type	Total Calls	Calls per Day
Breathing difficulty	3,297	9.0
Cardiac and stroke	2,604	7.1
Fall and injury	3,381	9.3
Illness and other	6,473	17.7
MVA	2,011	5.5
Overdose and psychiatric	451	1.2
Seizure and unconsciousness	2,450	6.7
EMS total	**20,667**	**56.6**

72% of all calls

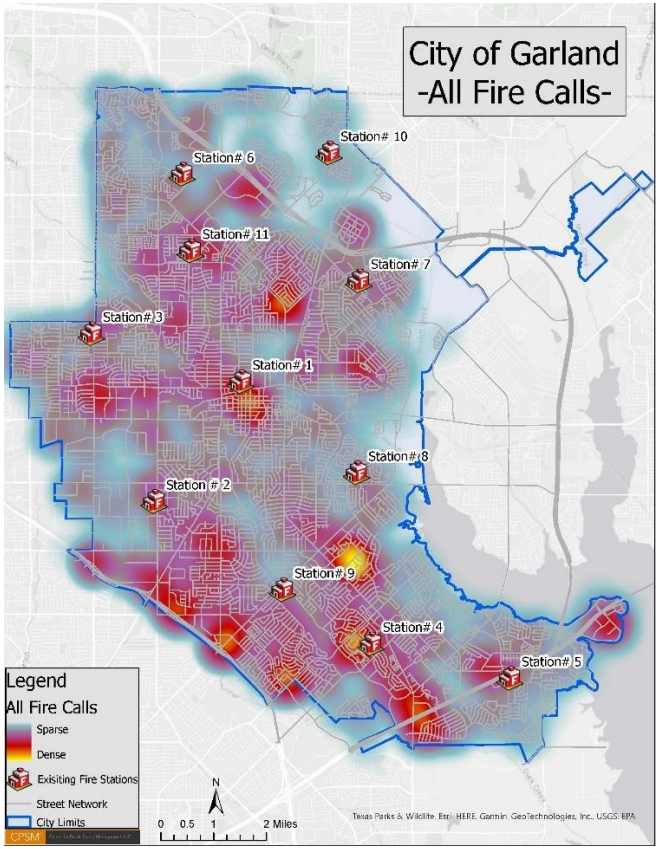
Included in the overall workload are cancelled calls, which calls the GFD was dispatched to, and whether cancelled enroute or prior to responding (issue resolved and GFD not needed). There were 1,690 canceled calls during the study period. Additionally, the GFD provided 69 automatic/mutual aid responses to neighboring jurisdictions.

Analyzing where the Fire and EMS incidents occur, and the demand density of Fire and EMS incidents, helps to determine adequate fire management zone resource assignment and deployment. The following figures illustrate all Fire and EMS demand in the city.

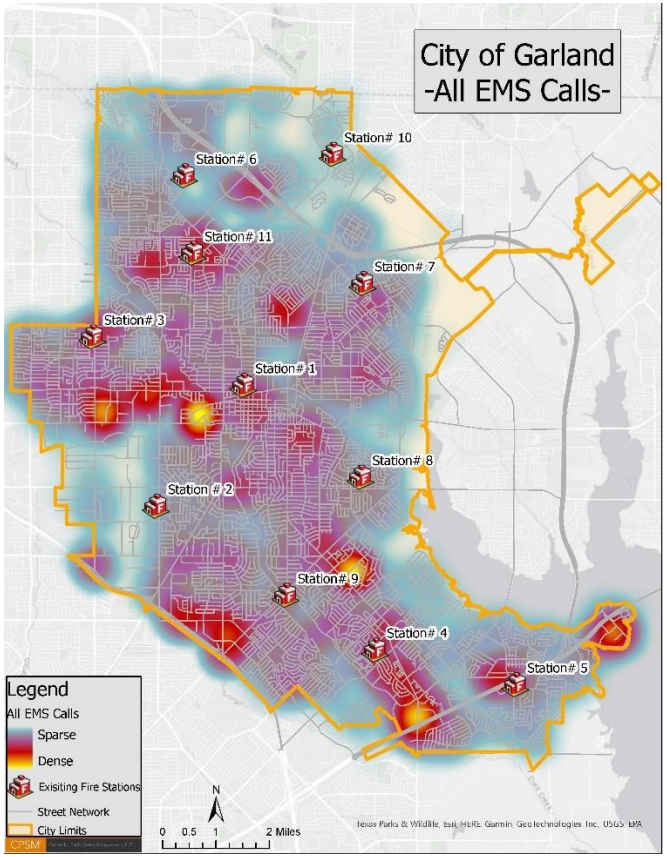
As indicated in the demand maps below, all fire districts with the exception of Station 10 have a densified Fire and EMS call demand. Stations 1, 3, 4, 9, and 11 have the highest workload for EMS. Stations 1, 2, 4, 9, and 11 have the highest workload for fire responses.

Figure 6: Fire, EMS, MVA Call Demand

Fire Demand



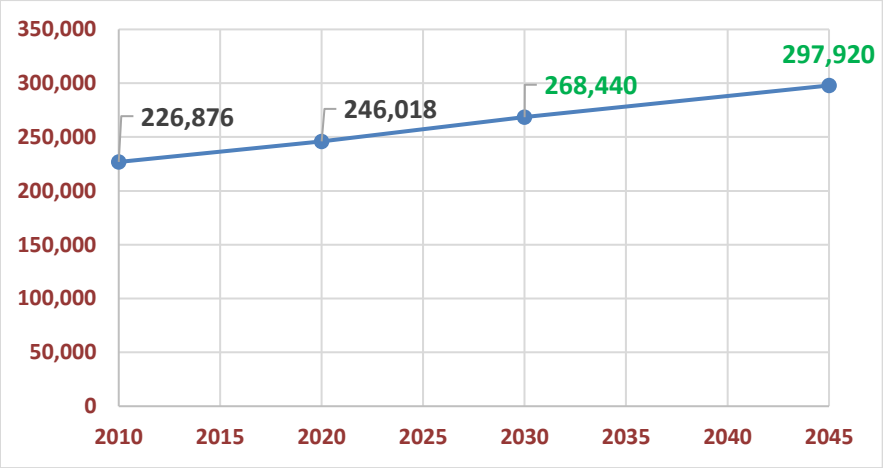
EMS Demand



Population and Growth

The U.S. Census Bureau indicates the population of the City of Garland in 2020 was 246,018. This is an 8.4 percent increase in population since the 2010 census of 226,876 (July 1, 2022, estimates: 240,854; -2.1%). The city has 57 square miles of land mass. The population density is 4,306 people per square mile. This is an increase of 332 people per square mile over the 2010 census numbers. The North Central Texas Council of Governments estimates the city's population will grow to 268,440 by 2030 and to 297,920 by 2045.

Figure 7: City of Garland Projected Population Growth: 2030-2045



In terms of fire and EMS risk, the age and socio-economic profiles of the population can have an impact on the number of requests for fire and EMS services. Evaluation of the number of seniors and children by fire management zones can provide insight into trends in service delivery and quantitate the probability of future service requests. In a 2021 National Fire Protection Association (NFPA) report on residential fires, the following key findings were identified for the period 2015–2019:[10]

- Males were more likely to be killed or injured in home fires than females and accounted for larger percentages of victims (57 percent of the deaths and 55 percent of the injuries).
- The largest number of deaths (19 percent) in a single age group was among people ages 55 to 65.
- 59 percent of the victims of fatal home fires were between the ages of 39 and 74, and three of every five (62 percent) of the non-fatally injured were between the ages of 25 and 64.
- Slightly over one-third (36 percent) of the fatalities were aged 65 or older; only 17 percent of the non-fatally injured were in that age group.
- Children under the age of 15 accounted for 11 percent of the home fire fatalities and 10 percent of the injuries. Children under the age of 5 accounted for 5 percent of the deaths and 4 percent of the injuries.
- Adults of all ages had higher rates of non-fatal fire injuries than children.

10. M. Ahrens, R. Maheshwari "Home Fire Victims by Age and Gender," Quincy, MA: NFPA, 2021.

- Smoking materials were the leading cause of home fire deaths overall (23 percent) with cooking ranking a close second (20 percent).
- The highest percentage of fire fatalities occurred while the person was asleep or physically disabled and not in the area of fire origin, key factors to vulnerable populations.

In Garland, the following age and socioeconomic factors are considered herein when assessing and determining risk for fire and EMS preparedness and response:[11]

- Children under the age of five represent 6.8 percent of the population.
- Persons under the age of 18 represent 26.6 percent of the population.
- Persons over the age of 65 represent 12.2 percent of the population.
- Female persons represent 50.3 percent of the population.
- There are 3.08 persons per household in Garland.
- The median household income in 2020 dollars was $65,278.
- People living in poverty make up 12.7 percent of the population.

Hispanic or Latino represent 43.1 percent of the population. The remaining percentage of population by race includes White alone at 27.2% percent (not Hispanic or Latino), Black or African American alone at 15 percent, Asian alone at 10.9 percent, two or more races at 14.9 percent, and American Indian or Alaska Native alone at 0.8 percent.

The demographics in Garland overall pose a moderate risk in totality. While not a high risk, a single call involving vulnerable population (Fire or EMS) poses a higher risk on that particular response. Through pre-fire planning and response district knowledge of residential and other structures, housing, and vulnerable population as identified above, the GFD will have the necessary situational awareness and be better prepared on arrival at the incident.

Certain socioeconomic characteristics will help to identify those individuals or target populations most likely to use and/or benefit from public sector programs and services, and community outreach programs. This includes Fire and EMS services (more predominately EMS).

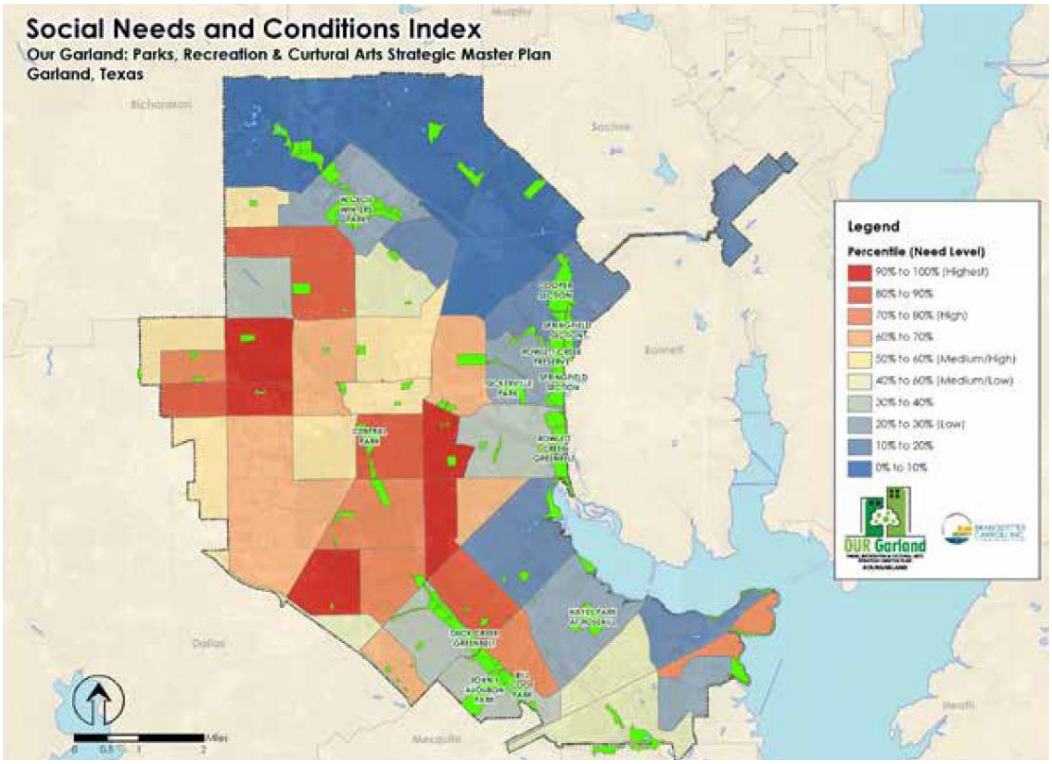
The *Garland Parks, Recreation & Cultural Arts Strategic Master Plan* includes a social needs and conditions analysis. The process in this plan included ten demographic and socioeconomic factors to measure the need in the 46 census tracts in the city. The results point to what areas of the city would most likely benefit from community services. The ten factors include:[12]

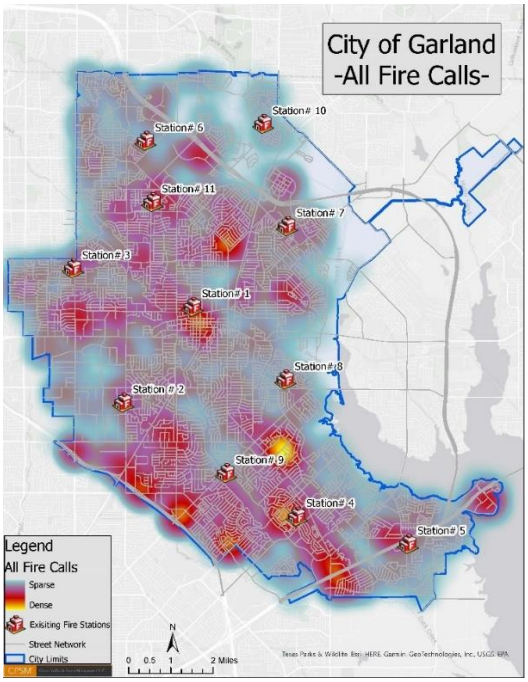
- Median Household Income
- Education Level
- Unemployment
- Single Parent Households
- Crime
- Residents Under the Age of 18
- Residents Over the Age of 18
- Residents with Disabilities
- Poverty (weighted by 2)[13]
- Population Density (weighted by 2)[14]

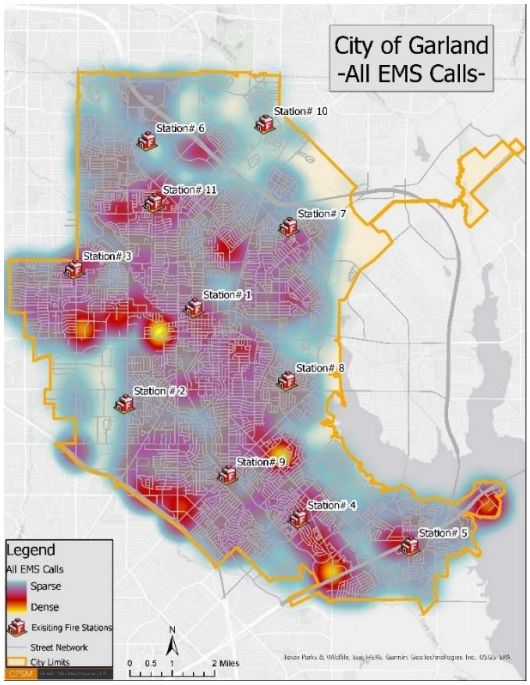
11. U.S. Census Bureau QuickFacts: Garland, Texas
12. Our Garland: Parks, Recreation & Cultural Arts Strategic Master Plan, 2020
13. Mathematical formula used to reflect the average poverty as experienced by residents of the urban area within their subareas.
14. Mathematical formula used to reflect the average density as experienced by residents of the urban area within their subareas.

The next figure illustrates the results of the social needs and conditions analysis. The GFD Fire and EMS demand maps are included to illustrate the similarities of Fire and EMS demand in the higher percentile need level areas.

Figure 8: Garland Social Needs and Conditions Analysis with GFD Fire and EMS Demand







Regarding future growth, the City of Garland *2030 Comprehensive Plan* has determined that the city faces build out (all of the vacant land available for development has been utilized). This challenge drives the future development of redeveloped and/or renovated properties.

When the *2030 Comprehensive Plan* was published in 2012, the predominate land use in Garland was residential (48%). Residential land use remains the highest percent today. Other land use types outlined in the *2030 Comprehensive Plan* are illustrated in the next figure.

The *2030 Comprehensive Plan* outlines the current and future land use for the city and includes:

- Traditional Neighborhoods

  Traditional neighborhoods are currently found throughout Garland and provide areas for low to moderate density single-family detached residential housing. Traditional neighborhoods also accommodate convenience retail (goods and services), office space, and public services.

- Compact Neighborhoods

  Compact neighborhoods provide areas for moderate increases in residential density, including single-family attached and single-family detached housing. It expands housing options through infill and redevelopment, while continuing walkable development patterns. The Compact Neighborhood is primarily characterized as moderate residential (between six and twelve dwelling units per acre).

- Urban Neighborhoods

  Urban neighborhoods are higher density residential developments. This residential option may utilize vertical mixed-use integrated into the surrounding area, reflecting the area's dominant character or, when desired, promoting a new character. Urban neighborhoods are characterized by moderate to high density single-family attached and multifamily residential units, greater than 12 dwelling units per acre.

- Neighborhood Centers

  Neighborhood centers provide a mix of retail, services and community gathering places. This center should be appropriately scaled to adjacent residential areas. Neighborhood centers are generally five to ten acres. Developments within this land use pattern generally consist of one or more buildings including 30,000 to 100,000 square feet of leasable area.

- Community Centers

  Community centers are areas with compact development, primarily non-residential, serving a collection of neighborhoods. This type of development consists of a mix of uses, including retail, services, office use, multi-family residential, and entertainment. Community centers are generally ten to 30 acres. Developments within this land use pattern generally consist of one or more buildings including 100,000 to 450,000 square feet of leasable area.

- Regional Centers

  Regional centers are areas with a higher concentration of activity that serve as a destination for residents and visitors. Uses within this development type provide a mix of retail, services, entertainment, and employment and may include residential uses. Regional centers generally cover an area greater than 30 acres and consist of one or more buildings with more than 450,000 square feet of gross leasable area.

- Transit Oriented Centers

  Transit-oriented centers are areas of concentrated activity and increased density with maximum access to public transportation options. This type of center should be developed as mixed-use with live/work/play/shop opportunities. Transit-oriented development is characterized by moderate to high density residential greater than twelve dwelling units per acre. Land use opportunities for four identified transit-oriented development areas should be unique to the needs and character of the larger area.

- Business Center

  Business centers provide a cluster of business offices and/or low impact industry, including campus-type development, that cumulatively employ large numbers of people.

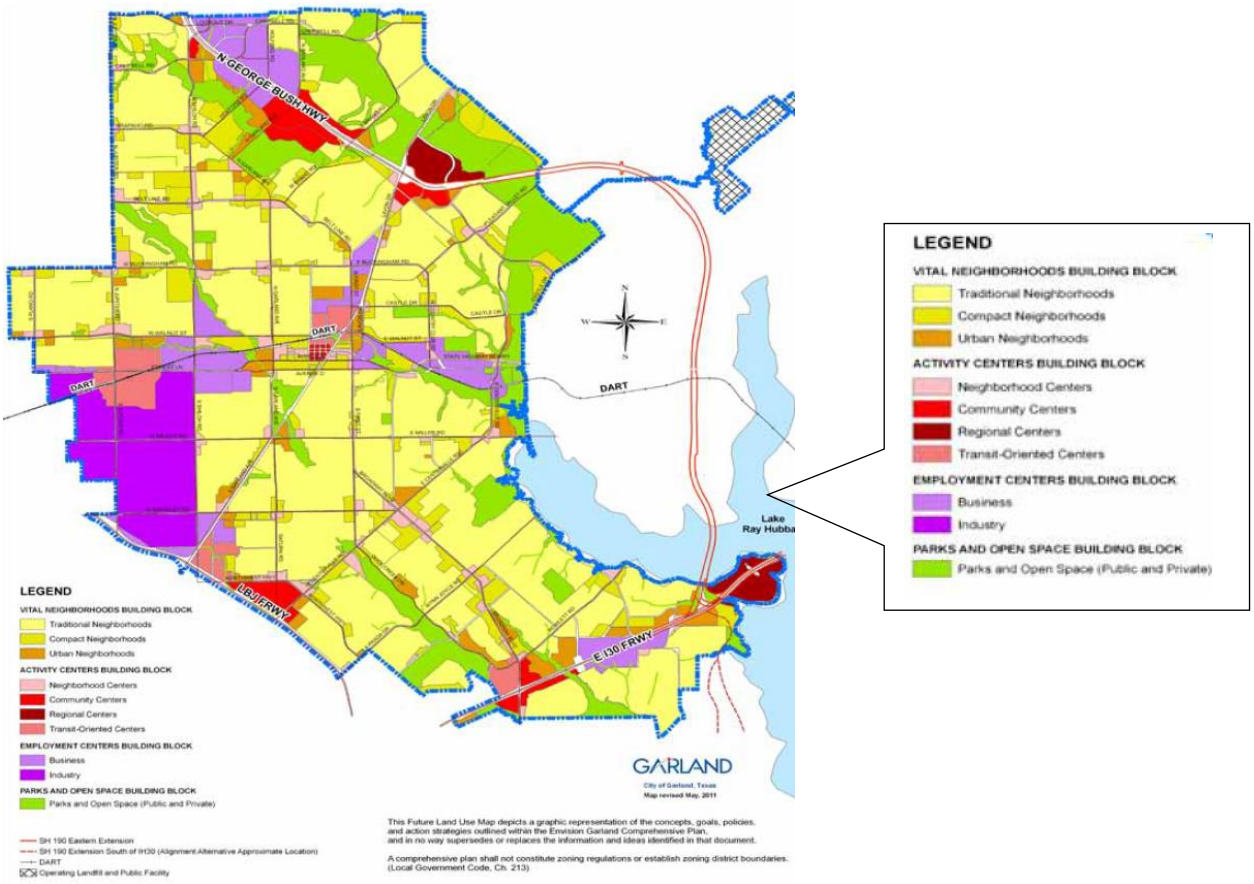
- Industry Center

  Industry centers provide a cluster of trade and industry that cumulatively employ large numbers of people.

- Parks and Open Space

  Public and Private Parks and Open Space areas include a vast array of parks, recreation, and open space lands. Public Parks and Open Space areas offer a variety of publicly owned parks, plazas, and natural areas for passive and active recreation as well as informal gathering places.

Figure 9: *2030 Comprehensive Plan* Future Land Use Map



The following residential projects are either under construction, recently completed, or in the permitting process.

Single-Family Developments

▪ Heritage Park 74 single-family residential homes	▪ Parks at Rosehill 127 single-family home lots
▪ Pulte Homes: Bridgewater 89 single-family residential homes	▪ Parkside 149 single-family home lots
▪ Riverplace 143 single-family home lots	▪ Crescent Heights Townhouses 43 Townhomes
▪ Hidden Oaks 67 single-family home detached lots	▪ My Possibilities/Mission Hills 300 single-family homes

Multi-Family Developments

▪ Wolff Development 300 units	▪ Alta Firewheel 250 multi-family units
▪ The Draper 155 units in phase 1 30 units in phase 2 (Chase Bank Bldg. adaption)	▪ The Lively at Firewheel 319 multi-family units
▪ Senior Living-Woodlands Area 74 independent living units 46 assisted living units	▪ The Reserve at Shiloh 106 multi-family units
▪ Carriage Homes on the Lake 184 units	▪ ParcHaus 242 single-family style-multi-family rentals
▪ Embree Eastside Apartments 107 dwelling units	▪ Urban Village at Rosehill 300 multi-family units (urban style mixed-use development) 58 townhouses
▪ PDG Bunker Hill 356 multi-family units	▪ Trumont Group-Firewheel Apartments 298 multi-family units
▪ ArchCo Bunker Hill 148 townhouse style multi-family units	▪ LCG Firewheel 344 multi-unit units
▪ Millennium Village 199 multi-family units	

Population, demographics, and growth impacts on the GFD must be included in any strategic master planning the GFD conducts in the near, mid, and long terms. Increases in development will increase call demand and will impact the deployment analysis in future ISO-PPC community ratings, and the ability of the GFD to meet NFPA deployment benchmarks.

Environmental Risk

The City of Garland is prone to and will continue to be exposed to certain environmental hazards and risks that may impact the community and which will create call demand for the GFD. The most common natural hazards prevalent to the region, according to the City of Garland Hazard Mitigation Action Plan, include:[15]

Hazard	Frequency	Severity of Impact	Risk Rank
Tornado	Highly Likely	Substantial	High

The City of Garland lies in Tornado Alley, a portion of the united states that is prone to tornadic activity. Since 1952 there have been ninety seven tornados recorded in Dallas County. On December 16, 2015, an EF4 Tornado impacted Garland impacting 440 single family homes, 753 Apartment units, 17 commercial buildings, and 2 places of worship.[16]

Hazard	Frequency	Severity of Impact	Risk Rank
Severe Winter	Highly Likely	Substantial	High

The entire Dallas-Fort Worth Metroplex is prone to severe winter weather including extreme low temperatures, ice, wind, snow, and sleet. These events can last for several days. Impacts include freezing precipitation on roadways and sidewalks, increased use of auxiliary heating devices, carbon monoxide emergencies, increase in medical and injury emergencies, increase in fire responses, and stress on utility infrastructure.

Hazard	Frequency	Severity of Impact	Risk Rank
Flood	Highly Likely	Major	Moderate

Flooding in Garland will typically occur from heavy rains and include urban type flooding that occurs when heavy downpours overpower the urban stormwater drainage system; and fluvial flooding that may occur if Lake Ray Hubbard or Duck Creek, Rowlett Creek, Spring Creek, Mills Branch or its tributaries rise above their banks and spill over to adjacent land and or roads. The Garland Hazard Mitigation Action Plan discusses several flood events that have occurred in the city between 1949 and 2015. The City is prone to flooding as described above.

Hazard	Frequency	Severity of Impact	Risk Rank
Earthquake	Likely	Major	Moderate

According to the Garland Hazard Mitigation Action Plan, the City does have a probability of earthquake activity. As recent as January 6, 2015, Dallas County has recorded earthquake activity. There were eleven earthquake activities recorded between 2008-2012. Garland is vulnerable to earthquake activity and the impacts (building-structural, to infrastructure, life safety, and interuption of businesses).

15. City of Garland Hazard Mitigation Action Plan, 2017.
16. ibid

Hazard	Frequency	Severity of Impact	Risk Rank
Severe Thunderstorm/Wind/Lightning	Highly Likely	Minor	Moderate

Garland is subject to severe weather that includes severe thunderstorms producing heavy rain, straight-line winds, tornadic activity, and lightning. Impacts include power outages, power surges, property damage, and the potential for lightning strikes to persons causing traumatic injury and to structures causing damage and fire.

Hazard	Frequency	Severity of Impact	Risk Rank
Drought	Likely	Minor	Moderate

Drought occurs when substantial rainfall is absent from a locality/region and persists from year to year. Droughts impact vegetation (triggering wildfires), drinking water, agriculture, livestock, and structure damage (primarily foundations) from expansive soil. Historically Garland has experienced droughts that includes seven drought years (28 months) since 1996.[17]

Hazard	Frequency	Severity of Impact	Risk Rank
Extreme Heat	Highly likely	Limited	Low

Extreme heat is characterized as a combination of high temperatures and humidity. If these conditions persist, the event is classified as a heat wave. While buildings and infrastructure can be damaged by extremely high temperatures, the impacts of these events are typically life safety. Garland is subject to extreme heat events. According to the Garland Hazard Mitigation Action Plan, a number of extreme heat events have occurred in Dallas County since 1996.

Hazard	Frequency	Severity of Impact	Risk Rank
Expansive Soil	Highly Likely	Limited	Low

Expansive soils contain minerals such as smectite clays that are capable of absorbing water. When they absorb water, they increase in volume. The more water they absorb, the more their volume increases. Expansions of ten percent or more are not uncommon. This change in volume can exert enough force on a building or other structure to cause damage. Expansive soil will also shrink when they dry out. This shrinkage can remove support from buildings or other structures, and result in damaging subsidence. Fissures in the soil can also develop. These fissures can facilitate the deep penetration of water when moist conditions or runoff occurs. This produces a cycle of shrinkage and swelling that places repetitive stress on structures.[18] The entire City of Garland is subject to expansive soils.

Hazard	Frequency	Severity of Impact	Risk Rank
Hail	Highly Likely	Limited	Low

Hail (formation of ice pellets of balls) typically occurs with severe thunderstorms. Primary impacts include property damage and may include injury to persons from direct strikes or from slip and fall events, or motor vehicle accident events.

§§§

17. ibid
18. ibid

Building and Target Hazard Risk

A community risk and vulnerability assessment will evaluate the community, and regarding buildings, it will review all buildings and the risks associated with each property and then classify the property as either a high-, medium-, or low-hazard depending on factors such as the life and building content hazard and the potential fire flow and staffing required to mitigate an emergency in the specific property. According to the NFPA *Fire Protection Handbook*, these hazards are defined as:

High-hazard occupancies: Schools, hospitals, nursing homes, explosives plants, refineries, high-rise buildings, and other high life-hazard (vulnerable population) or large fire-potential occupancies.

Medium-hazard occupancies: Apartments, Condos, mixed use residential, offices, and mercantile and industrial occupancies that may require extensive rescue by firefighting forces.

Low-hazard occupancies: One-, two-, or three-family dwellings and scattered small business and industrial occupancies.[19]

Garland has the following building types.

- 62,589 Single family housing units.
- 24,484 Multifamily housing units (townhomes, duplexes, etc.).
- 170 Apartment building units–garden style (2 + stories).
- 1,356 Commercial/industrial structures.
- 222 Strip malls.
- Educational and day-care facilities.
- Multi-story Hotel/Motel buildings.
- Multi-story office buildings.

Residential over commercial does exist in the city posing additional risks.

In terms of identifying target hazards, consideration must be given to the activities that take place (public assembly, life safety vulnerability, manufacturing, processing, etc.), the number and types of occupants (elderly, youth, handicapped etc.), and other specific aspects related to the construction of the structure.

Garland has a variety of target hazards that have been assigned a hazard class by the GFD and which include:

High Hazard

- Hospital and medical facilities that may be occupied 24/7/365.
- Commercial facilities that include assisted living/nursing/development disability.
- Residential facilities for senior/assisted living.
- Public and private educational and day care facilities.
- Facilities classified as high hazards due to processes/hazardous materials use.

[19]. Cote, Grant, Hall & Solomon, eds., *Fire Protection Handbook* (Quincy, MA: National Fire Protection Association, 2008), 12.

Medium Hazard

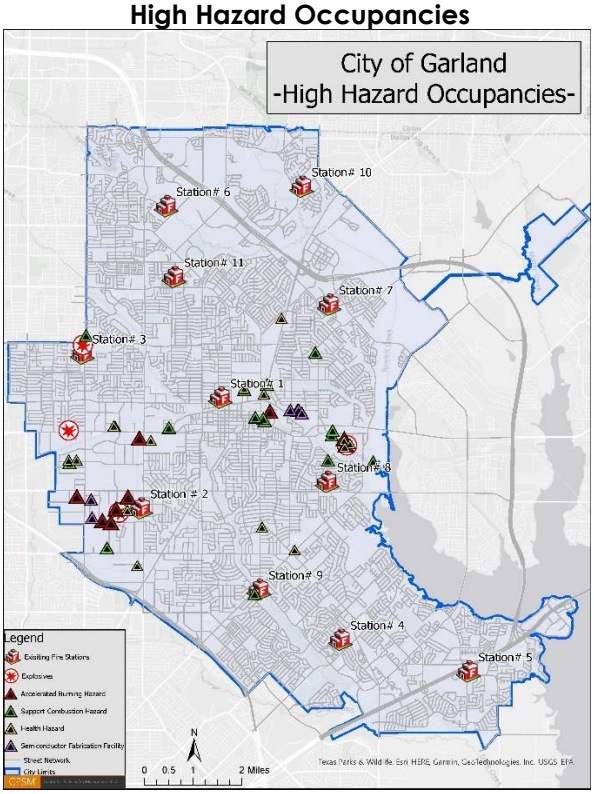
- Commercial properties of 100,000 square feet or more.
- 38 Garland Power and Light Substations.
- 6 Oncor substations.
- 700+ businesses classified as Public Assembly.
- 38 shopping centers/retail suites/strip malls.
- Federal, state, and local government buildings/offices.

The greatest amount of building risk in Garland is of a low hazard (single family dwellings-predominately wood frame construction). Garland does have a significant number of high risk/vulnerable population risks (nursing/assisted living facilities), educational facilities and multifamily residential structures (apartments/condos). All of these building risks present the GFD with life-safety concerns. The industrial and mercantile building risk, and large footprint commercial buildings while a lower life safety risk, is generally a higher hazard risk based on processes, storage, and overall occupancy type.

The following figures illustrate GFD-designated target hazards in Garland.

Figure 10: GFD Target Hazards

High Hazard Occupancies



Vulnerable Population

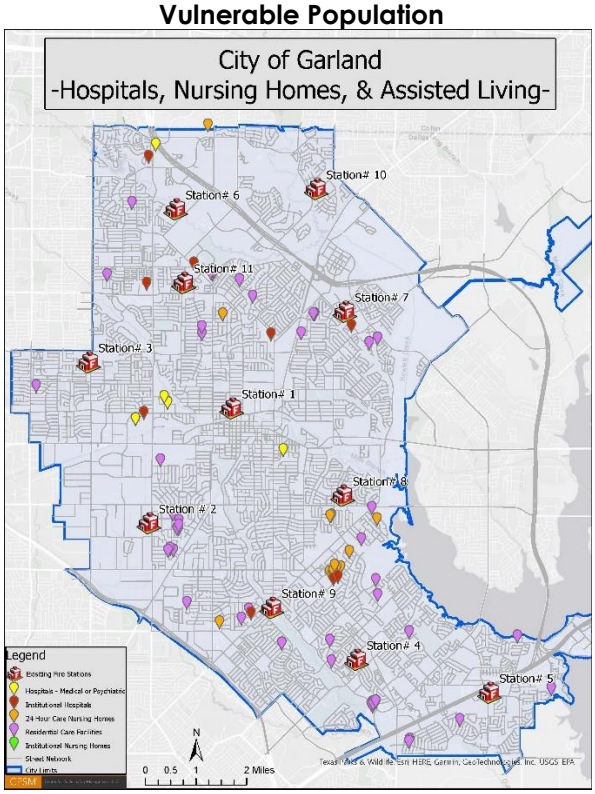
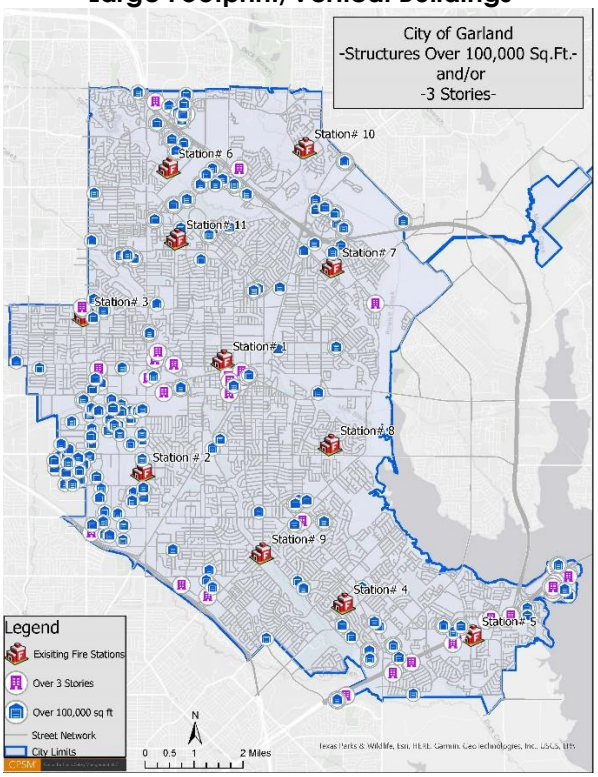
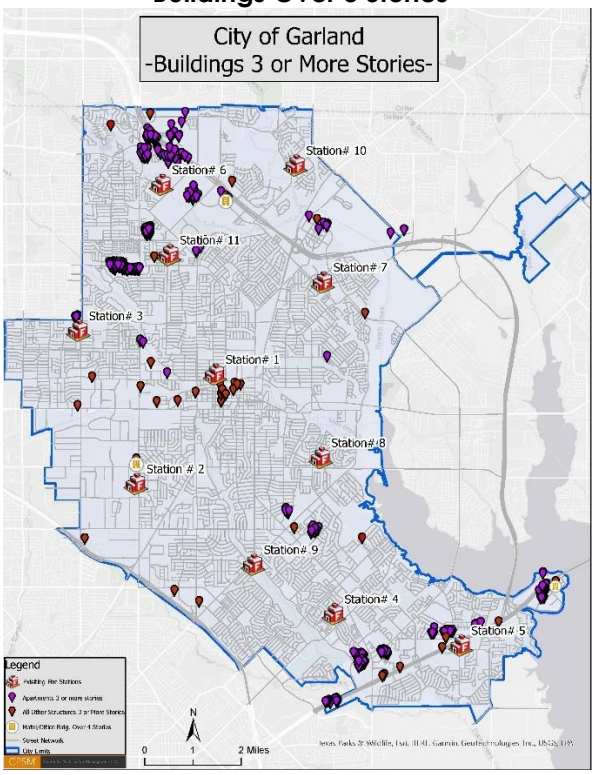


Figure 11: GFD Target Hazards

Large Footprint/Vertical Buildings



Buildings Over 3 Stories



Garland Fire Department should include in any strategic master planning the GFD conducts over the near, mid, and long terms, planning objectives focused on increasing deployable assets (apparatus and staffing) to respond to high and medium risk target hazards that include high risk/vulnerable population risks (nursing/assisted living facilities), educational facilities, multifamily multi-story residential structures (apartments/condos), mercantile building risk, and large footprint commercial buildings while a lower life safety risk, is generally a higher hazard risk based on processes, storage, and overall occupancy type. This should include the addition of staffed/separate ladder companies in strategically located stations in the city.

Transportation Risk

The Garland road transportation system is typical of urbanized municipalities and includes:[20]

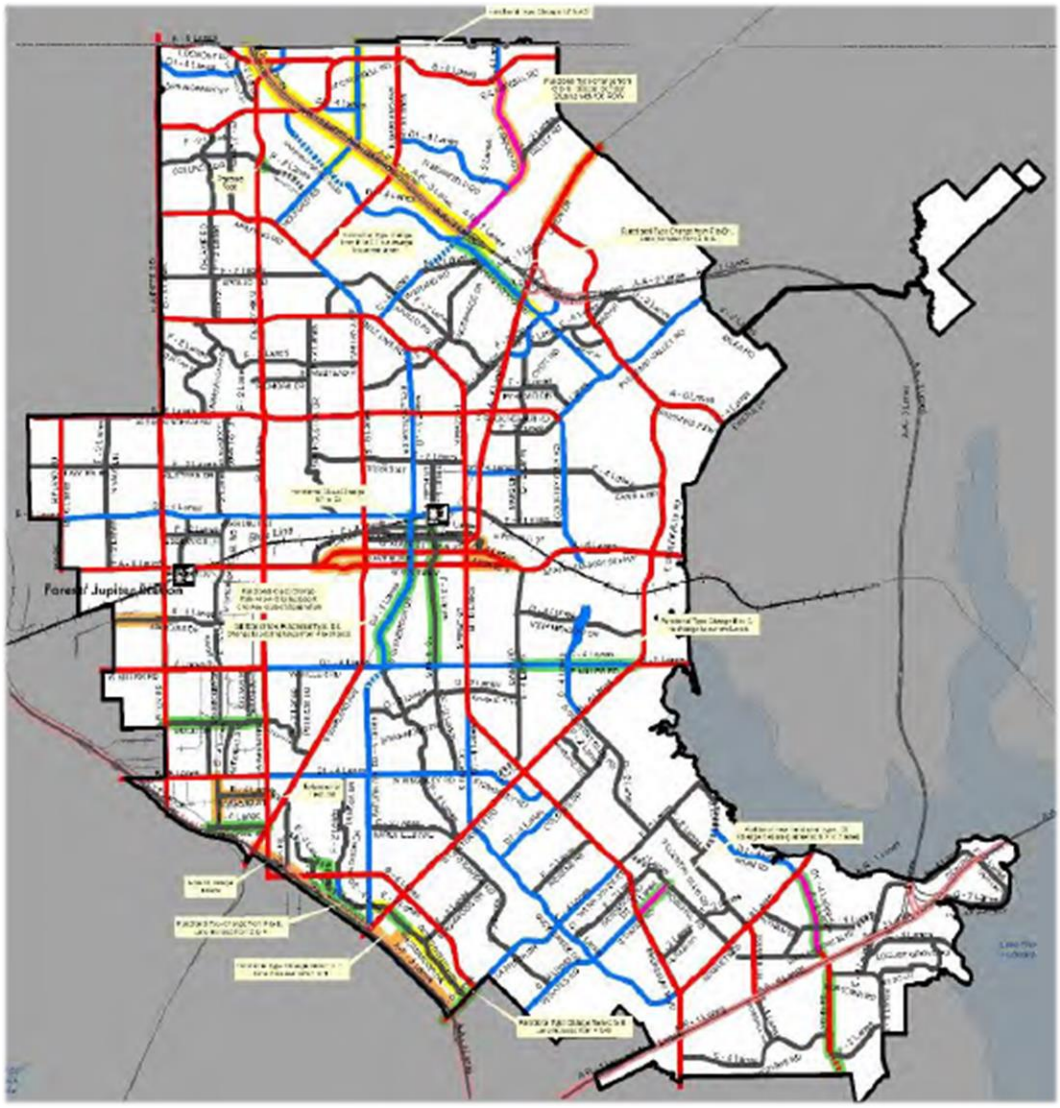
- Regional arterials: High traffic volumes with moderate to high speeds; 6 lanes.
- Arterials: Connect different areas of the city moderate volume and moderate speeds; 4 lanes.
- Major collectors: Provide access to and from neighborhoods and commercial areas with moderate volume and moderate speed; 2-4 lanes.
- Minor collectors: Provide access to and from neighborhoods and commercial areas with low volume and low speed; 2-4 lanes.

20. Garland thoroughfare plan map, 2015.

- Local roads: provides access to residential and businesses with low volume and low speed; 2 lanes.
- Highway/Freeway/Tollway with main lanes, frontage lanes, and access ramps; lanes, speed, and volume vary.

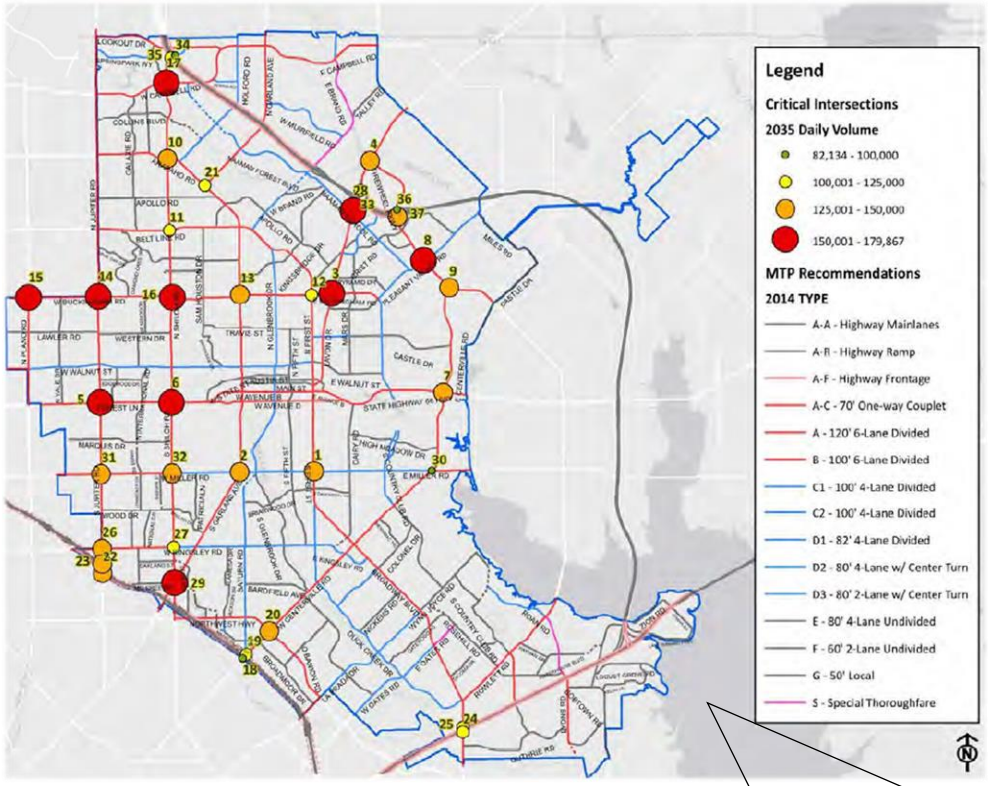
The next figures illustrate this road network in Garland and motor vehicle accident activity.

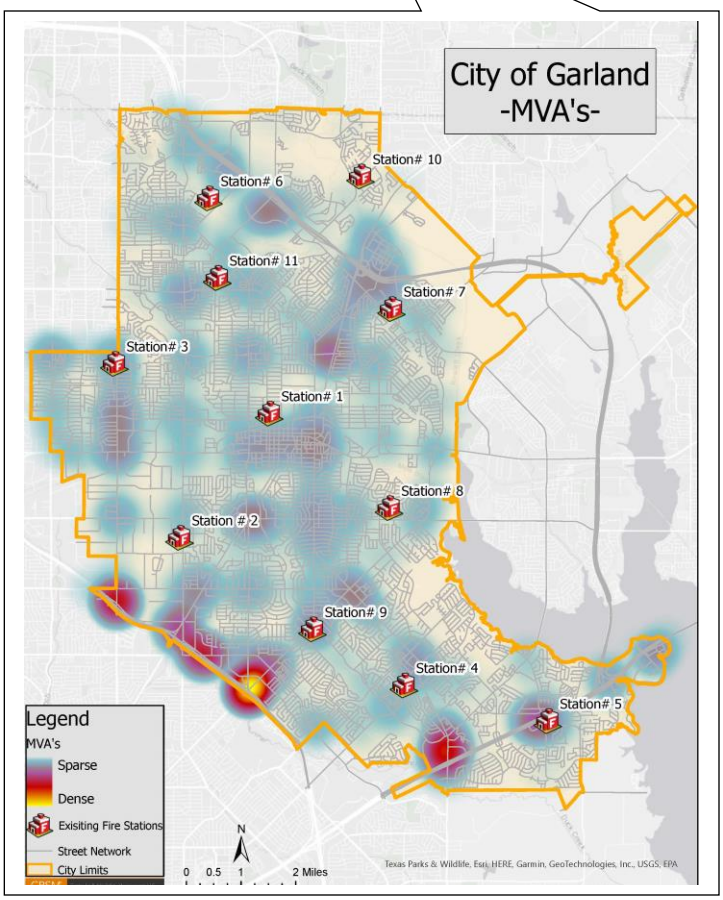
Figure 12: Garland Road Network[21]



21. ibid

Figure 13: Garland Road Network: Critical Intersections





The Dallas Area Rapid Transit (DART) operates a ground mass transit system in Garland that includes bus services, paratransit, and on-demand transit through GoLink. Bus routes include: Route 22; and the South Garland Transit Center that connects Routes 20, 18, and 16.

The road and transportation network described herein poses risks for a vehicular accident, some at medium to greater than medium speeds, as well as vehicular-versus-pedestrian risks. There are additional transportation risks since tractor-trailer and other commercial vehicles traverse the roadways of Garland to deliver mixed commodities to business locations. Fires involving these products can produce smoke and other products of combustion that may be hazardous to health.

Garland also has rail transportation risks that include freight and light rail (mass transit).

Light rail: DART also operates a mass transit systems (Light Rail) that link riders to Dallas and twelve surrounding cities. Light rail is available in Garland from two train stations. These stations are:

- Forest/Jupiter located in central-west Garland near the intersection of S. Jupiter Rd. and Forest Ln.
- Downtown Garland station in central east Garland located near the intersection of W. Walnut St. and N. 5th Street.

Freight rail includes east-west and north-south track with many spurs serving the heavy industrial and commercial industry in Garland. Rail lines operating in Garland include:

- Dallas, Garland, and Northeastern Railroad
- Kansas City Southern Railroad

Both rail lines interchange freight in Garland

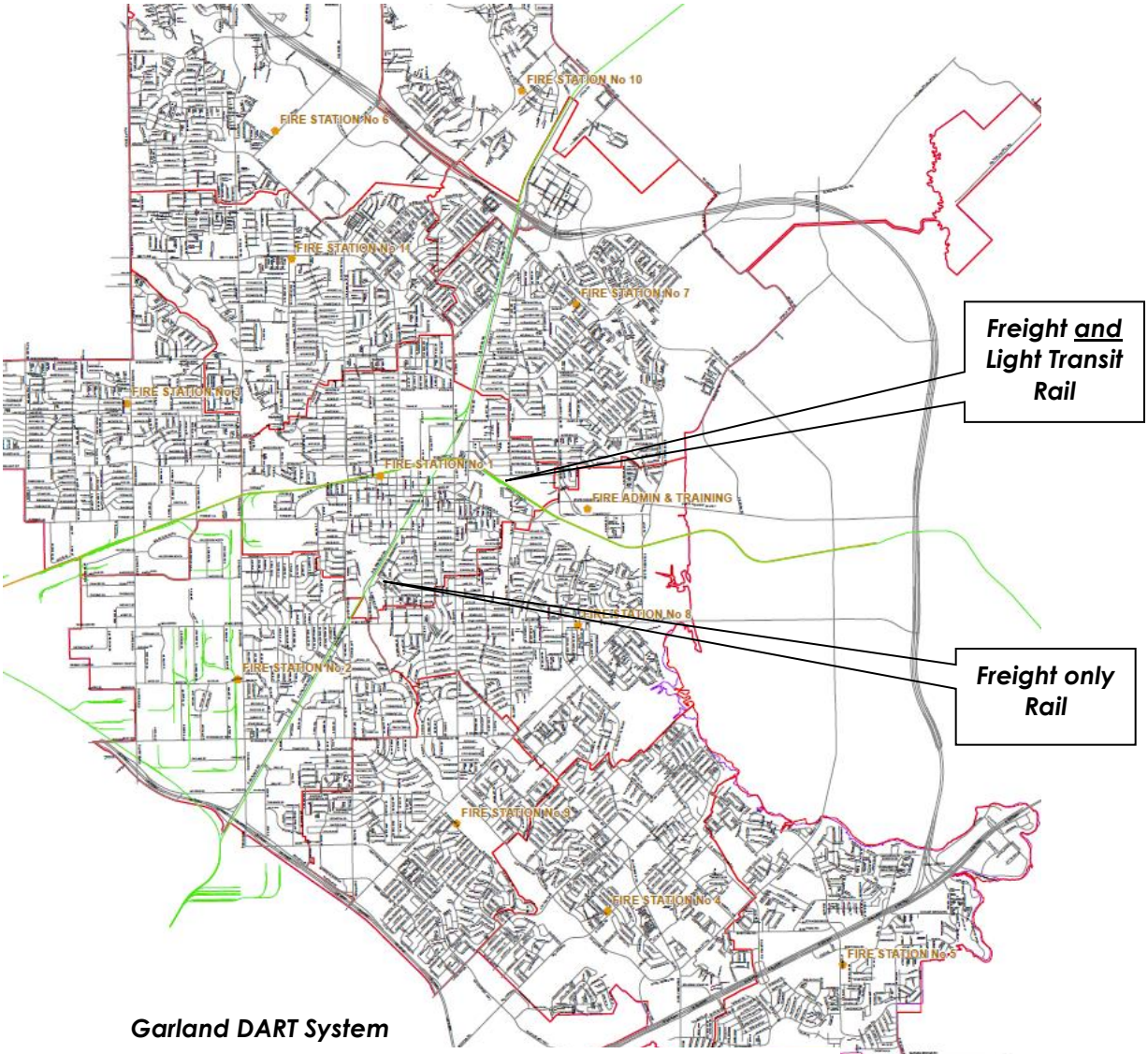
Typical consists for both railroads include: chemicals (some hazardous); food products in various forms; lumber and paper products; equipment; plastic resins; textiles; pipe; electronics; scrap metals, and aggregates such as stone and sand.

The Dallas, Garland, and Northeastern Railroad has a transloading location in Garland that includes warehousing (248,000 square feet) and transloading operations (up to six railcar spots for this operation).[22] The Kansas City Southern Railroad also has a transloading location in South Garland.[23]

Fires involving the potential commodities passing through and stored in sidings in Garland can produce smoke and other products of combustion risks that may be hazardous to health. Hazardous materials (existing or waste) themselves present hazards to health risks if being transported and involved in a rail accident.

22. Custom Form Transportation – Genesee & Wyoming Inc. (gwrr.com)
23. Network Map | Kansas City Southern | US & Cross-border Railroad (kcsouthern.com)

Figure 14: Rail and Bus Routes in Garland



Garland DART System

Garland Fire Department should include in any strategic master planning the GFD conducts over the near, mid, and long terms, annual planning objectives focused on mass-transit/mass-casualty incidents involving DART commuter rail and bus transportation.

Community Loss and Save Information

Fire loss is an estimation of the total loss from a fire to the structure and contents in terms of replacement. Fire loss includes contents damaged by fire, smoke, water, and overhaul. Fire loss does not include indirect loss, such as business interruption.

In a 2021 report published by the National Fire Protection Association on trends and patterns of U.S. fire losses, it was determined that home fires still cause the majority of all civilian fire deaths, civilian injuries, and property loss due to fire. Key findings from this report include:[24]

- Public fire departments responded to 1,338,500 fires in 2020, a 7.5 percent increase from the previous year.
- 490,500 fires occurred in structures (37 percent). Of these fires, 379,500 occurred in residential structures and 86,000 occurred in apartments or multifamily structures.
- 2,230 civilian fire deaths occurred in residential fires, and 350 deaths occurred in apartments or multifamily structures.
- Home fires were responsible for 11,500 civilian injuries.
- An estimated $21.9 billion in direct property damage occurred as a result of fire in 2020 (includes fires in the California wildland-urban interface and a large loss naval ship fire in California).

The following table shows overall fire loss in Garland in terms of dollars for the year as assessed and estimated by the GFD. This information should be reviewed regularly and discussed in accordance with response times to actual fire incidents, company level training, effectiveness on the fireground, and effectiveness of incident command. Property loss information should also be included in any strategic planning discussions regarding response times, training, incident command, staffing, and deployment of resources.

Table 3: Historical Property and Content Loss in Garland[25]

2017	2018	2019	2020	2021
$5,713,260.00	$5,119,426.00	$4,521,342.00	$4,281,819.00	$5,449,680.00

Resiliency

Resiliency is an organization's ability to quickly recover from an incident or event, or to adjust easily to changing needs or requirements. Greater resiliency can be achieved by constant review and analysis of the response system and focuses on three key components:

- Resistance: The ability to deploy only resources necessary to control an incident and bring it to termination safely and effectively.
- Absorption: The ability of the agency to quickly add or duplicate resources necessary to maintain service levels during heavy call volume or incidents of high resource demand.

24. *Fire Loss in the United States During 2020*, National Fire Protection Association.
25. Based on GFD reporting-reflects estimates from NFIRS fire reports.

- Restoration: The agency's ability to quickly return to a state of normalcy.

For the CPSM data analysis study period, GFD Fire and EMS units responded to 28,790 calls for service. The following tables and figure analyze GFD resiliency. In this analysis, CPSM included all calls that occurred inside and outside Garland (to include cancelled calls). We did this because responses outside of the city (although few) and canceled calls impact the resiliency of the department to respond to calls.

The first two tables examine the workload in terms of runs for each station. Station 1 has the highest workload in the North District; Station 4 has the highest workload in the South District.

Each station's availability to respond to calls in their first due area is examined in the third table. The lower the percentage the less resilient the entire station's fire management zone (district) is. Station 10 has the least resiliency. Station 5 is the most resilient.

Table 4: Station Workload-South Fire District (Runs) *Primary Units Highlighted*

Station	Unit	Unit Type	Minutes per Run	Total Hours	Total Pct.	Minutes per Day	Total Runs	Runs per Day
S2	A2	Ambulance	43.2	1,715.0	5.8	281.9	2,380	6.5
	BK2	Blocker	53.6	67.0	0.2	11.0	75	0.2
	E2	Engine	23.2	938.1	3.2	154.2	2,429	6.7
	Total		**33.4**	**2,720.0**	**9.2**	**447.1**	**4,884**	**13.4**
S4	A4	Ambulance	42.8	1,887.2	6.4	310.2	2,645	7.2
	E4	Engine	23.2	992.5	3.4	163.2	2,567	7.0
	Total		**33.2**	**2,879.7**	**9.7**	**473.4**	**5,212**	**14.3**
S5	A5	Ambulance	40.4	1,400.3	4.7	230.2	2,081	5.7
	BK5	Blocker	59.9	147.8	0.5	24.3	148	0.4
	T5	Truck	23.3	676.0	2.3	111.1	1,744	4.8
	Total		**33.6**	**2,224.1**	**7.5**	**365.6**	**3,973**	**10.9**
S8	A8	Ambulance	49.7	1,828.7	6.2	300.6	2,209	6.1
	E8	Engine	22.4	732.4	2.5	120.4	1,966	5.4
	RES8	Rescue	41.6	36.8	0.1	6.0	53	0.1
	Total		**36.9**	**2,598.0**	**8.8**	**427.1**	**4,228**	**11.6**
S9	A9	Ambulance	47.6	2,065.6	7.0	339.5	2,604	7.1
	BC2	BC	29.3	167.6	0.6	27.5	343	0.9
	T9	Truck	24.8	1,025.0	3.5	168.5	2,477	6.8
	Total		**36.0**	**3,258.2**	**11.0**	**535.6**	**5,424**	**14.9**
Total			**34.6**	**13,680.0**	**46.3**	**2,248.8**	**23,722**	**65.0**

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Table 5: Station Workload-North Fire District (Runs) *Primary Units Highlighted*

Station	Unit	Unit Type	Minutes per Run	Total Hours	Total Pct.	Minutes per Day	Total Runs	Runs per Day
S1	A1	Ambulance	56.8	2,867.6	9.7	471.4	3,028	8.3
	A17	Ambulance	61.5	17.4	0.1	2.9	17	0.0
	BC1	BC	29.5	156.1	0.5	25.7	317	0.9
	E1	Engine	20.7	909.9	3.1	149.6	2,640	7.2
	EMS1	EMS Sup	28.3	205.9	0.7	33.8	437	1.2
	T1	Truck	23.7	26.8	0.1	4.4	68	0.2
	Total		**38.6**	**4,183.7**	**14.2**	**687.7**	**6,507**	**17.8**
S3	A3	Ambulance	43.6	1,894.8	6.4	311.5	2,609	7.1
	E3	Engine	20.3	785.8	2.7	129.2	2,327	6.4
	Total		**32.6**	**2,680.5**	**9.1**	**440.6**	**4,936**	**13.5**
S6	A6	Ambulance	41.6	1,245.1	4.2	204.7	1,796	4.9
	E6	Engine	26.0	685.2	2.3	112.6	1,583	4.3
	Total		**34.3**	**1,930.3**	**6.5**	**317.3**	**3,379**	**9.3**
S7	A7	Ambulance	43.4	1,413.0	4.8	232.3	1,952	5.3
	MULE7	Utility	103.1	5.2	0.0	0.8	3	0.0
	T7	Truck	23.0	682.1	2.3	112.1	1,781	4.9
	UTIL7	Utility	46.0	4.6	0.0	0.8	6	0.0
	Total		**33.7**	**2,104.8**	**7.1**	**346.0**	**3,742**	**10.3**
S10	A10	Ambulance	46.4	560.3	1.9	92.1	724	2.0
	E10	Engine	24.1	342.9	1.2	56.4	855	2.3
	S10	Squad	126.4	627.9	2.1	103.2	298	0.8
	Total		**48.9**	**1,531.1**	**5.2**	**251.7**	**1,877**	**5.1**
S11	A11	Ambulance	42.6	1,873.4	6.3	308.0	2,639	7.2
	T11	Truck	41.2	1,557.6	5.3	256.0	2,268	6.2
	Total		**42.0**	**3,431.0**	**11.6**	**564.0**	**4,907**	**13.4**

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Table 6: Station Availability to Respond to Calls

Station	Calls in Area	First Due Responded	Percent Responded	First Due Arrived	Percent Arrived	First Due First	Percent First
1	3,373	3,320	98.4	3,266	96.8	3,084	91.4
2	2,761	2,717	98.4	2,678	97.0	2,505	90.7
3	2,914	2,895	99.3	2,869	98.5	2,747	94.3
4	3,135	3,110	99.2	3,074	98.1	2,922	93.2
5	2,356	2,337	99.2	2,326	98.7	2,266	96.2
6	1,995	1,952	97.8	1,927	96.6	1,784	89.4
7	2,224	2,210	99.4	2,192	98.6	2,103	94.6
8	2,490	2,453	98.5	2,429	97.6	2,270	91.2
9	2,837	2,800	98.7	2,773	97.7	2,528	89.1
10	856	833	97.3	818	95.6	741	86.6
11	2,910	2,866	98.5	2,828	97.2	2,623	90.1
Total	**27,851**	**27,493**	**98.7**	**27,180**	**97.6**	**25,573**	**91.8**

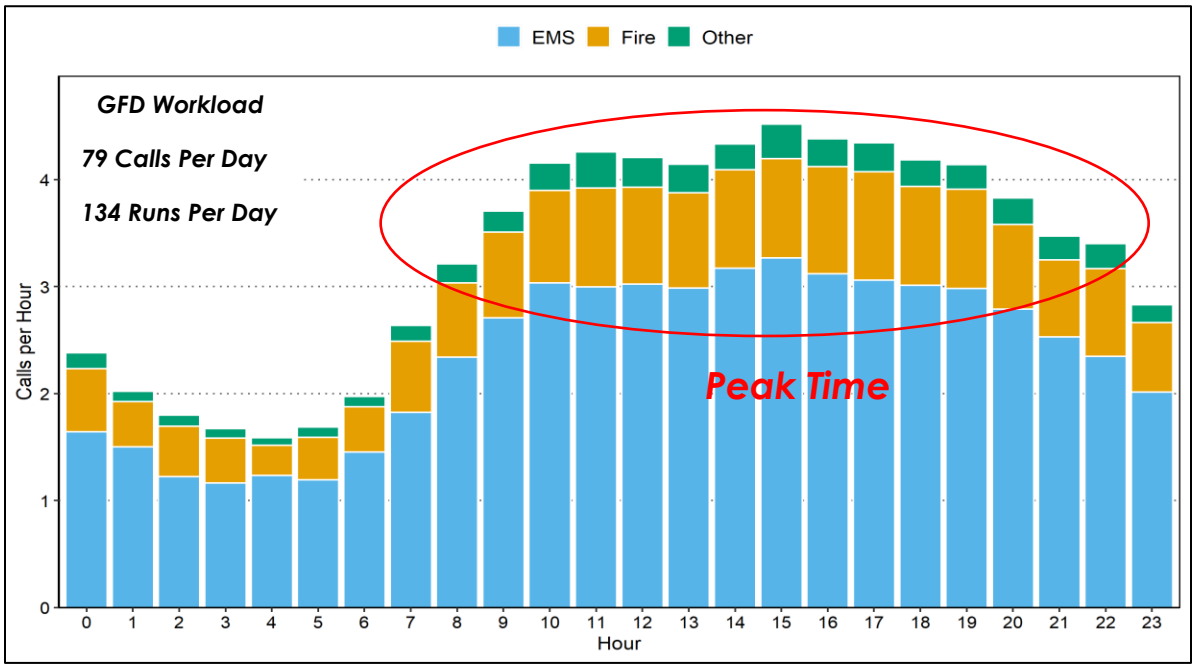
The next resiliency measure is the frequency distribution of calls, or how many calls are occurring in an hour. The next table tells us that citywide, 79 percent of the time there are two or more concurrent or overlapping calls.

Table 7: Frequency Distribution of the Number of Calls

Calls in an Hour	Frequency	Percentage
0	579	6.6
1	1,282	14.6
2	1,649	18.8
3	1,607	18.3
4	1,379	15.7
5	967	11.0
6	615	7.0
7	359	4.1
8	177	2.0
9	83	0.9
10	40	0.5
11+	23	0.3
Total	**8,760**	**100.0**

The next figure looks at when calls are occurring over a 24-hour period. In Garland, the peak time for calls is between the hours of 8:00 a.m. and 10:00 pm, with the greatest number of calls being EMS. This data should be a primary input when deciding future peak time EMS resources.

Figure 15: Average Calls by Hour of Day



Note: A call is an emergency service request or incident. A run is a dispatch of a unit (i.e., a unit responding to a call). Thus, a call may include multiple run (units).

The next table looks at frequency of overlapping calls in each fire management zone.

Table 8: Frequency of Overlapping Calls for Each Station

Station	Scenario	Number of Calls	Percent of All Calls
1	No overlapped call	2,637	76.4
	Overlapped with one call	727	21.1
	Overlapped with two calls	81	2.3
	Overlapped with three calls	6	0.2
	Overlapped with four calls	1	0.0
2	No overlapped call	2,487	85.7
	Overlapped with one call	394	13.6
	Overlapped with two calls	22	0.8
3	No overlapped call	2,516	83.4
	Overlapped with one call	468	15.5
	Overlapped with two calls	31	1.0
	Overlapped with three calls	1	0.0
4	No overlapped call	2,634	82.1
	Overlapped with one call	532	16.6
	Overlapped with two calls	42	1.3
	Overlapped with three calls	2	0.1
5	No overlapped call	2,121	86.8
	Overlapped with one call	293	12.0
	Overlapped with two calls	29	1.2
	Overlapped with three calls	1	0.0

Station	Scenario	Number of Calls	Percent of All Calls
6	No overlapped call	1,871	89.5
	Overlapped with one call	210	10.0
	Overlapped with two calls	9	0.4
	Overlapped with three calls	1	0.0
7	No overlapped call	1,927	83.4
	Overlapped with one call	360	15.6
	Overlapped with two calls	23	1.0
8	No overlapped call	2,152	84.0
	Overlapped with one call	392	15.3
	Overlapped with two calls	16	0.6
	Overlapped with three calls	1	0.0
	Overlapped with four calls	1	0.0
9	No overlapped call	2,434	83.4
	Overlapped with one call	451	15.5
	Overlapped with two calls	33	1.1
10	No overlapped call	850	94.5
	Overlapped with one call	47	5.2
	Overlapped with two calls	2	0.2
11	No overlapped call	2,350	78.7
	Overlapped with one call	588	19.7
	Overlapped with two calls	42	1.4
	Overlapped with three calls	4	0.1
	Overlapped with four calls	1	0.0

Stations 1 and 11 have the lowest percentage of no overlapped calls, meaning they frequently have concurrent calls. Stations 2, 5, 6, and 10 have higher percentages of no overlapping calls meaning they have concurrent calls less frequently.

The next table looks at the duration of calls, a measure that contributes to overlapping calls in a fire management zone, particularly those that last one or more hours.

In Garland

- 45 percent of all calls were handled in 30 minutes or less
- 29 percent of all calls were handled in 30 minutes to one hour
- 25 percent of all calls were handled in one to two hours
- 1 percent of all calls were handled in two or more hours.

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Table 9: Calls by Type and Duration

Call Type	Less than 30 Minutes	30 Minutes to One Hour	One to Two Hours	Two or More Hours	Total
Breathing difficulty	1,047	1,199	1,027	24	3,297
Cardiac and stroke	747	928	903	26	2,604
Fall and injury	929	1,025	1,376	51	3,381
Illness and other	1,836	2,493	2,092	52	6,473
MVA	685	726	552	48	2,011
Overdose and psychiatric	101	174	174	2	451
Seizure and unconsciousness	609	924	883	34	2,450
EMS Total	**5,954**	**7,469**	**7,007**	**237**	**20,667**
False alarm	1,171	138	15	2	1,326
Good intent	562	51	11	2	626
Hazard	327	107	75	63	572
Outside fire	259	93	41	9	402
Public service	2,869	259	40	6	3,174
Structure fire	87	44	47	42	220
Technical rescue	37	3	3	1	44
Fire Total	**5,312**	**695**	**232**	**125**	**6,364**
Canceled	**1,662**	**22**	**5**	**1**	**1,690**
Aid given	**32**	**17**	**18**	**2**	**69**
Total	**12,960**	**8,203**	**7,262**	**365**	**28,790**

The GFD does have moderate resistance issues based on the response matrix. Overall, 50 percent of calls where units arrived included two or more GFD units. EMS calls make up the highest percentage of two or more units responding (62 percent of all EMS calls).

The next set of tables reviews EMS transport resiliency.

Table 10: EMS Call to Transport Conversion Rate

Call Type	Number of Calls			Conversion Rate
	Non-transport	Transport	Total	
Breathing difficulty	1,394	1,903	3,297	57.7
Cardiac and stroke	1,031	1,573	2,604	60.4
Fall and injury	1,255	2,126	3,381	62.9
Illness and other	2,594	3,879	6,473	59.9
MVA	1,421	590	2,011	29.3
Overdose and psychiatric	135	316	451	70.1
Seizure and unconsciousness	922	1,528	2,450	62.4
EMS Total	**8,752**	**11,915**	**20,667**	**57.7**

Overall, the EMS call to transport ratio is 57.7 percent. There is ground transport resiliency built in to this conversion rate.

Table 11: Time Component Analysis for Ambulance Transport Runs by Call Type (in Minutes)

Call Type	Average Time Spent per Run				Number of Runs
	On Scene	Traveling to Hospital	At Hospital	Deployed	
Breathing difficulty	16.2	13.1	29.3	64.2	1,905
Cardiac and stroke	16.8	13.3	30.2	65.6	1,574
Fall and injury	18.1	15.9	29.6	69.4	2,132
Illness and other	16.8	14.3	27.0	63.8	3,884
MVA	15.2	15.2	33.4	70.2	677
Overdose and psychiatric	15.8	13.5	29.0	64.0	317
Seizure and unconsciousness	16.5	13.8	30.5	66.2	1,531
EMS Total	**16.8**	**14.2**	**29.1**	**65.8**	**12,020**

This table outlines an efficient EMS transport system with efficient on-scene times, efficient travel times to the hospital, and reasonable off-load times at the hospital.

Table 12: Calls by Call Type and Number of Arriving GFD Units

Call Type	Number of Units				Total Calls
	One	Two	Three	Four or More	
Breathing difficulty	314	2,971	9	1	3,295
Cardiac and stroke	191	2,393	18	2	2,604
Fall and injury	2,431	925	15	10	3,381
Illness and other	4,629	1,831	12	1	6,473
MVA	199	1,359	377	75	2,010
Overdose and psychiatric	39	409	3	0	451
Seizure and unconsciousness	149	2,288	11	2	2,450
EMS Total	**7,952**	**12,176**	**445**	**91**	**20,664**
False alarm	1,279	37	0	5	1,321
Good intent	480	96	9	37	622
Hazard	455	55	16	46	572
Outside fire	326	43	12	20	401
Public service	2,894	253	14	6	3,167
Structure fire	40	28	19	133	220
Technical rescue	32	8	1	3	44
Fire Total	**5,506**	**520**	**71**	**250**	**6,347**
Canceled	**568**	**255**	**9**	**8**	**840**
Aid given	**34**	**22**	**1**	**1**	**58**
Total	**14,060**	**12,973**	**526**	**350**	**27,909**

Overall, the GFD has moderate resiliency issues at Stations 1 and 11 in terms of workload. Stations 6, 9, and 10 have moderate resiliency issues when analyzing this station's ability to arrive first in its fire management zone. ***Stations 1 and 11 have the lowest percentage of no overlapped calls, meaning they more frequently have concurrent calls.*** All stations have concurrent calls that occur. When call concurrency goes beyond two calls in an hour, the fire management zone may not have a resource in the district station, as no station has more than two staffed primary response units.

The workload of all companies in terms of runs (calls where there are more than one unit responding) will have an effect on resiliency, as demand overall is high, and there are only two primary staffed resources available in each district station (1 fire; 1 EMS).

The GFD's ability to absorb multiple calls and restore response capabilities to a state of normal can be challenging at certain times such as during working structural fires and other multi-company responses (runs). Stations 1 and 11 should be monitored as they have the lowest percentage of no overlapped calls. Stations 6, 9, and 10 should also be monitored, as they are below the 90th percentile of arriving first in their fire management zone.

Garland Fire Department should include in any strategic master planning the GFD conducts over the near, mid, and long terms, planning objectives focused on deployable assets (staffing and apparatus) that has a focus on resiliency of fire and EMS assets in high call demand fire management zones. This should include a peak-time ambulance at Station 1 or Station 11 from 8 a.m. to 10 p.m.

The GFD should include strategic master planning strategies that continue and strengthen the liaison the department has with social and community services in the city regarding high users of the EMS and fire services.

Automatic and Mutual Aid

Automatic aid is a system whereby fire, rescue, and EMS units respond automatically to another community through agreement based on closeness of resources. Mutual aid is a system whereby surrounding communities provide fire, rescue, and EMS resources to another community through agreement and specific request (not automatically). In an automatic aid scenario, resources from neighboring jurisdictions are built into run cards in the home jurisdiction for again, an automatic response; this aid is designed to supplement and bolster the Effective Response Force of the home jurisdiction.

The GFD participates in automatic and mutual aid with contiguous and surrounding municipalities. This aid is both received and reciprocated with GFD providing resources external to Garland when needed. Aid given and received can be either emergency response of fire suppression, EMS ground transport, special or technical services, or command staff.

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Table 13: Aid Provided to and Received By

Aid Provided To	Aid Received By
Dallas City	Dallas City
Sunnyvale	Richardson
Sachse	Sachse
Rowlette	Rowlett
Richardson	Mesquite
Plano	
Mesquite	

The GFD should include in any strategic master planning the GFD conducts the continuation of mutual and automatic aid from contiguous jurisdictions with a focus on strengthening regional ties and the automatic aid concept and benefits.

Three-Axis Risk Analysis

A comprehensive risk assessment is a critical aspect of assessing and creating a deployment analysis to meet the community's risk and can assist the GFD in quantifying the risks that it faces. Once those risks are known and understood, the department is better equipped to determine if the current response resources are sufficiently staffed, equipped, trained, and positioned.

In this component, the factors that drive the service needs are examined and then link directly to discussions regarding the assembling of an effective response force (ERF) and when contemplating the response capabilities needed to adequately address the existing risks, which encompasses the component of critical tasking.

The risks that the department faces can be natural or manufactured and may be affected by the changing demographics of the community. With the information presented here, the GFD can begin to analyze the community's risks, and develop strategies to mitigate and minimize their effects through the proper deployment of resources.

Risk is often categorized in three ways: the probability the event will occur in the community, the impact on the fire department, and the consequence of the event on the community. The following three tables look at the probability of the event occurring, which ranges from unlikely to frequent; consequence to the community, which is categorized as ranging from insignificant to catastrophic; and the impact to the organization, which ranges from insignificant to catastrophic.

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Table 14: Event Probability

Probability	Chance of Occurrence	Description	Risk Score
Unlikely	2%-25%	Event may occur only in exceptional circumstances.	**2**
Possible	26%-50%	Event could occur at some time and/or no recorded incidents. Little opportunity, reason, or means to occur.	**4**
Probable	51%-75%	Event should occur at some time and/or few, infrequent, random recorded incidents, or little anecdotal evidence. Some opportunity, reason, or means to occur; may occur.	**6**
Highly Probable	76%-90%	Event will probably occur and/or regular recorded incidents and strong anecdotal evidence. Considerable opportunity, means, reason to occur.	**8**
Frequent	90%-100%	Event is expected to occur. High level of recorded incidents and/or very strong anecdotal evidence.	**10**

Table 15: Impact on GFD

Impact	Impact Categories	Description	Risk Score
Insignificant	Personnel and Resources	One apparatus out of service for period not to exceed one hour.	**2**
Minor	Personnel and Resources	More than one but not more than two apparatus out of service for a period not to exceed one hour.	**4**
Moderate	Personnel and Resources	More than 50 percent of available resources committed to incident for over 30 minutes.	**6**
Significant	Personnel and Resources	More than 75 percent of available resources committed to an incident for over 30 minutes.	**8**
Catastrophic	Personnel, Resources, and Facilities	More than 90 percent of available resources committed to incident for more than two hours or event which limits the ability of resources to respond.	**10**

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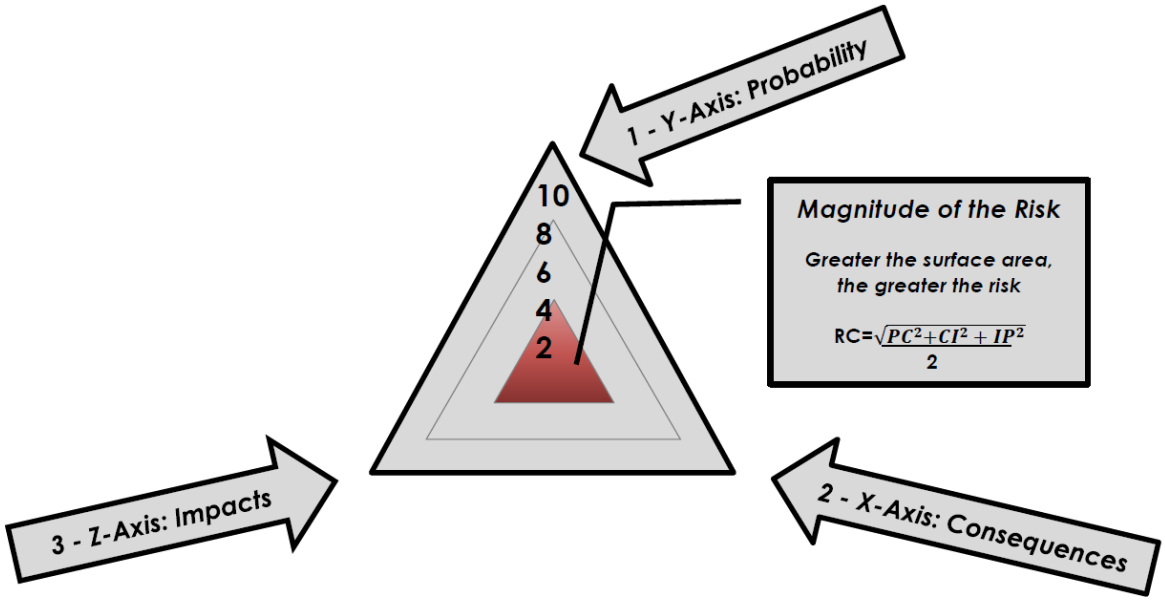
Table 16: Consequence to Community Matrix

Impact	Consequence Categories	Description	Risk Score
Insignificant	Life Safety	▪ 1 or 2 people affected, minor injuries, minor property damage, and no environmental impact.	**2**
Minor	Life Safety Economic and Infrastructure Environmental	▪ Small number of people affected, no fatalities, and small number of minor injuries with first aid treatment. Minor displacement of people for <6 hours and minor personal support required. ▪ Minor localized disruption to community services or infrastructure for <6 hours. Minor impact on environment with no lasting effects.	**4**
Moderate	Life Safety Economic and Infrastructure Environmental	▪ Limited number of people affected (11 to 25), no fatalities, but some hospitalization and medical treatment required. Localized displacement of small number of people for 6 to 24 hours. Personal support satisfied through local arrangements. Localized damage is rectified by routine arrangements. ▪ Normal community functioning with some inconvenience. Some impact on environment with short-term effects or small impact on environment with long-term effects.	**6**
Significant	Life Safety Economic and Infrastructure Environmental	▪ Significant number of people (>25) in affected area impacted with multiple fatalities, multiple serious or extensive injuries, and significant hospitalization. ▪ Large number of people displaced for 6 to 24 hours or possibly beyond. External resources required for personal support. Significant damage that requires external resources. Community only partially functioning, some services unavailable. Significant impact on environment with medium- to long-term effects.	**8**
Catastrophic	Life Safety Economic and Infrastructure Environmental	▪ Very large number of people in affected area(s) impacted with significant numbers of fatalities, large number of people requiring hospitalization; serious injuries with long-term effects. General and wide-spread displacement for prolonged duration; extensive personal support required. Extensive damage to properties in affected area requiring major demolition. ▪ Serious damage to infrastructure. Significant disruption to, or loss of, key services for prolonged period. ▪ Community unable to function without significant support. ▪ Significant long-term impact on environment and/or permanent damage.	**10**

Prior risk analysis has only evaluated two factors of risk: probability and consequence. Contemporary risk analysis considers the impact of each risk to the organization, thus creating a three-axis approach to evaluating risk as depicted in the following figure. A contemporary risk analysis now includes probability, consequences to the community, and impact on the organization, in this case the GFD. In this analysis, information presented and reviewed in this section (Community Risk Profile) has been considered. Risk is categorized as Low, Moderate, High, or Special.

Figure 16: Three-Axis Risk Calculation (RC)



The following factors/hazards were identified and considered:

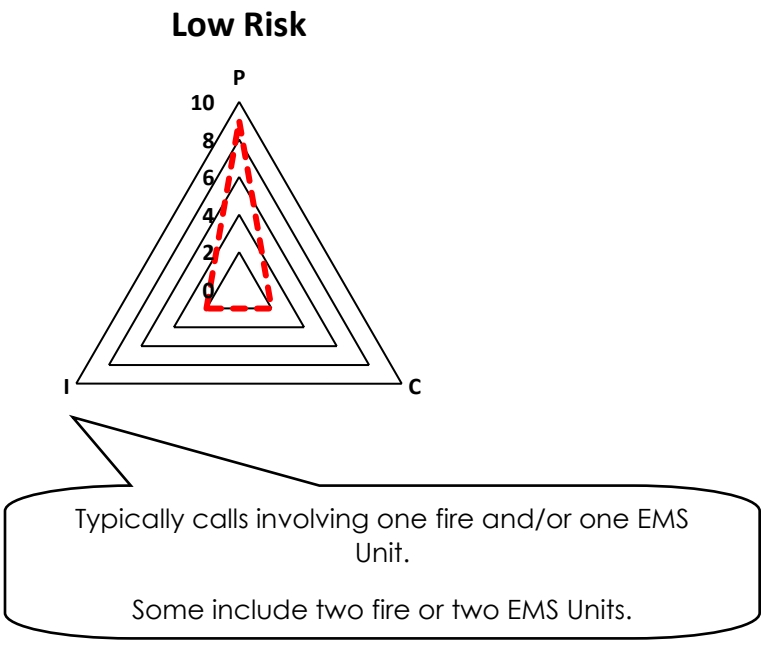
- **Demographic factors** such as age, socio-economic, vulnerability.
- **Natural hazards** such as flooding, snow and ice events, wind events, summer storms.
- **Manufactured hazards** such as transportation risks (road and rail) and target hazards.
- **Structural/building risks**.
- **Fire and EMS incident numbers and density**.
- **Resiliency.**

The assessment of each factor and hazard as listed below took into consideration the likelihood of the event, the impact on the city itself, and the impact on GFD's ability to deliver emergency services, which includes GFD resiliency and mutual aid capabilities as well. The list is not all inclusive but includes categories most common or that may present to the city and the GFD.

Low Risk

- Automatic fire/false alarms.
- Low-acuity BLS EMS Incidents.
- Low-risk environmental event.
- Motor vehicle accident (MVA)-no entrapment, 1-2 patients, low hazards.
- Good intent/hazard/public service fire incidents with no life-safety exposure.
- Outside fires such as grass, rubbish, dumpster, vehicle with no structural/life-safety exposure.

Figure 17: Low Risk



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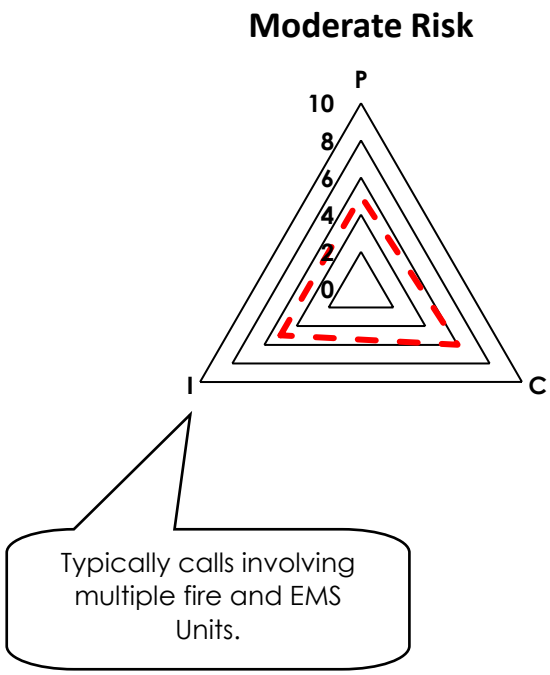
Moderate Risk

- Fire incident in a single-family dwelling where fire and smoke or smoke is visible, indicating a working fire.
- Suspicious substance investigation involving multiple fire companies and law enforcement agencies.
- ALS EMS incident.
- MVA with entrapment of passengers.
- Grass/brush fire with structural endangerment/exposure.
- Low-angle rescue involving ropes and rope rescue equipment and resources.
- Surface water rescue.
- Good intent/hazard/public service fire incidents with life-safety exposure.
- Rail or road transportation event with no release of product or fire, and no threat to life safety

Figure 18: Moderate Risk



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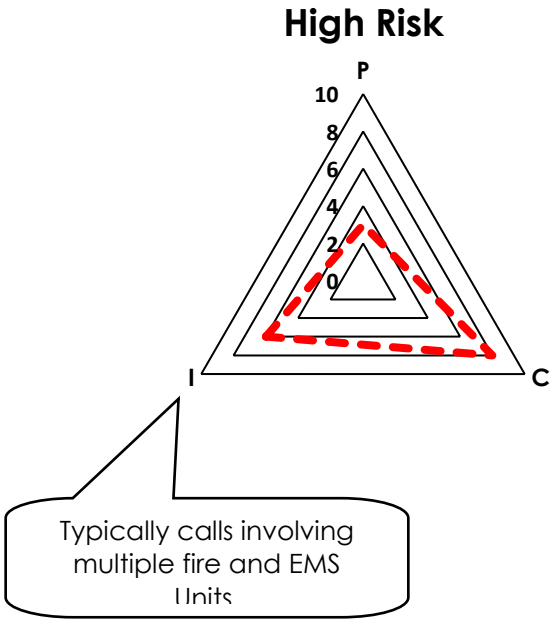
High Risk

- Working fire in a target hazard.
- Cardiac arrest.
- Mass casualty incident of more than 10 patients but fewer than 25 patients.
- Confined space rescue.
- Structural collapse involving life-safety exposure.
- High-angle rescue involving ropes and rope rescue equipment.
- Trench rescue.
- Suspicious substance incident with multiple injuries.
- Industrial leak of hazardous materials that causes exposure to persons or threatens life safety.
- Weather events that create widespread flooding, heavy snow or ice, heavy winds, building damage, and/or life-safety exposure.

Figure 19: High Risk



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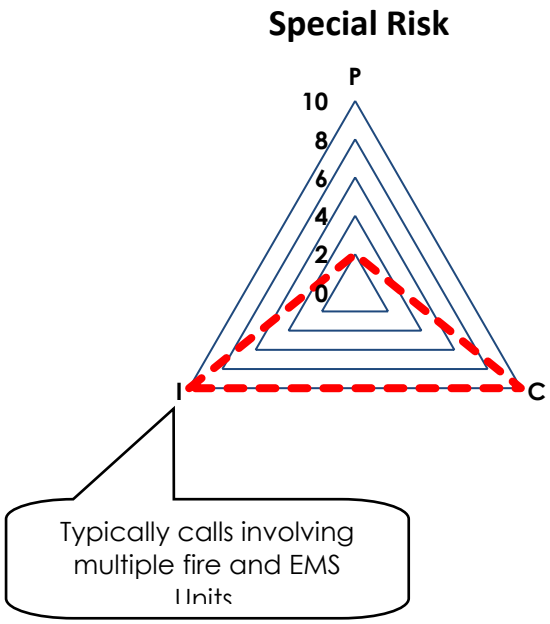
Special Risk

- Working fire in a structure of more than three floors.
- Fire at an industrial building or complex with hazardous materials.
- Fire in an occupied targeted hazard with special life-safety risks such as age, medical condition, or other identified vulnerabilities.
- Mass casualty incident of more than 25 patients.
- Rail or transportation incident that causes life-safety exposure or threatens life safety through the release of hazardous smoke or materials and evacuation of residential and business occupancies.
- Explosion in a building that causes exposure to persons or threatens life safety or outside of a building that creates exposure to occupied buildings or threatens life safety.
- Massive estuary flooding, fire in an occupied public assembly or medical institution, high-impact environmental event, pandemic.
- Mass gathering with threat fire and threat to life safety or other civil unrest, weapons of mass destruction release.

Figure 20: Special Risk



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Community Risk Reduction

Community Risk Reduction activities are important undertakings of a modern-day fire department. A comprehensive fire protection system in every jurisdiction should include, at a minimum, the key functions of fire prevention, code enforcement, inspections, and public education. Preventing fires before they occur, and limiting the impact of those that do, should be priority objectives of every fire department.

Fire investigation is a mission-important function of fire departments, as this function serves to determine how a fire started and why the fire behaved the way it did, providing information that plays a significant role in future fire prevention efforts.

Educating the public about fire safety and teaching them appropriate behaviors on how to react should they be confronted with a fire is also an important life-safety responsibility of the fire department.

Fire suppression and response, although necessary to protect property, have negligible impact on preventing fire. Rather, it is public fire education, fire prevention, and built-in fire protection systems that are essential elements in protecting citizens from death and injury due to fire, smoke inhalation, and carbon monoxide poisoning. The fire prevention mission is of utmost importance, as it is the only area of service delivery that dedicates 100 percent of its effort to the reduction of the incidence of fire.

Fire prevention should be approached in a systematic manner, and many community stakeholders have a personal stake and/or responsibility in these endeavors. It has been estimated that a significant percentage of all the requirements found in building/construction and related codes are related in some way to fire protection and safety. Various activities such as plan reviews, permits, and inspections are often spread among different departments in the municipal government and are often not coordinated nearly as effectively as they should be. Every effort should be made to ensure these activities are managed effectively between departments.

The Fire Marshal's Office is staffed by the Fire Marshal (Assistant Fire Chief) a Lieutenant who supervises the fire investigation section, and a Lieutenant who supervises the fire code enforcement section. The fire investigation section has four positions assigned to handle cause and origin and arson investigations. The fire code enforcement section has six positions assigned to handle fire inspections, plans review and related fire code work. There is also one position dedicated to public life safety education and one position assigned to assist with the administrative functions of a community risk reduction division.

The fire code enforcement section has a two-pronged role in terms of services: first, in a community capacity, as the entity responsible for assisting businesses to successfully occupy and continue to provide business services or maintain a residence in buildings covered by the fire code safely in accordance with established fire safety codes, and second, as the enforcement agency responsible for compliance with fire safety-related legislation.

At the time of this analysis the GFD Fire Marshal's Office was utilizing the following Building and Fire Codes:

- International Fire Code, 2015 edition with city amendments.
- International Building Code, 2015 edition with city amendments.
- The National Electrical Code, 2014 edition

- The International Mechanical Code, 2015 edition
- The International Plumbing Code, 2015 edition
- The International Fuel Gas Code, 2015 edition
- The International Residential Code, 2015 edition
- The International Energy Conservation Code, 2015 edition
- The International Property Maintenance Code, 2015 edition

At the time of this report, there were 7,590 occupancies in Garland that require fire code inspections. Annualized inspections are required pursuant to the adopted fire code and the Texas Administrative Code for certain public assembly, educational, high hazard, mercantile, auto repair facilities, and institutional occupancies. These may include occupancy inspections and/or inspection of fire protection system inspection/testing documents to ensure compliance with the fire code. The next table provides a historical analysis of GFD fire code inspections.

Table 17: GFD Fire Marshal's Office Fire Inspections Completed

2019	2020	2021	2022
4,587	3,754	2,307	8,175

The investigation of the cause and origin of fires is also an important part of a comprehensive fire prevention system. Determining the cause of fires can help with future prevention efforts. Officers on scene initiate the fire origin and cause determination process. When needed, particularly when the on-scene officers cannot determine the origin and cause of the fire, or they believe a crime has been committed, the Fire Marshals office will respond to determine the cause and origin of the fire. The next table provides a historical analysis of GFD fire investigations.

Table 18: GFD Fire Marshal's Office Fire Investigations

2019	2020	2021	2022
104	115	100	106

The Fire Marshal's Office also conducts building plan reviews to ensure fire protection and fire code elements are met pursuant to the adopted fire and building code. These include:

- Above Ground Storage Tanks
- Access Control/Egress Delay
- Automatic Extinguishing Systems/Non-Sprinkler
- Carnivals and Fairs-rides, tents, and temporary membrane structures
- Gates/Barricades Across Access Roads
- High Piled Storage
- Pyrotechnic and Special Effects Materials
- Fire Alram and Fire Detection Systems
- Fire Legacy Permits-Permits Plus Migrate
- Fire Protection Pumps and Related Equipment
- Fire Sprinkler Systems
  The largest number of reviews
- Standpipe Systems
- Temporary Membrane Structures and Tents
- Underground Fire Lines

The next table provides a historical analysis of GFD plan reviews.

Table 19: GFD Fire Marshal's Office Plan Reviews

2019	2020	2021	2022
377	436	343	349

It should be noted that many plan reviews, particularly those involving fire protection systems, site plan review, and fire department ingress and egress require a final fire inspection, which are coordinated and conducted by the Fire Marshal's Office as well.

The Fire Marshal's Office also delivers and coordinates fire operations life safety public education. These include educational deliveries such as:

- Public CPR
- Fire Drills
- Fire Safety
- First Aid/Stop the Bleed Training
- Emergency Preparedness
- Citizens Fire Academy
- GFD Recruiting Events/Fire Safety
- Fire Safety
- Fire Extinguisher Training
- Fire Evacuation Routes

The next table provides a historical analysis of GFD plan reviews.

Table 20: GFD Fire Marshal's Office Life Safety Education (count in persons)

2019	2020	2021	2022
7,506	2,895*	2,577**	18,745

*COVID-19 restricted **COVID-19 and staff restricted

The Fire Marshal's Office in Garland is a busy unit conducting regular fire code inspections and re-inspections, plans review, and plans review inspections, issuing permits, and conducting inspections on same when required, managing special events and permits associated with these events, and conducting fire investigations and life safety public education events. According to the Fire Marshal, not all occupancies in Garland are inspected annually, which is reflected in the data provided. This is not atypical in cities that have the type and number of building occupancies such as Garland. It is important though that occupancies requiring annualized inspections be completed as a priority. Through a realistic and comprehensive fire code inspection plan, those occupancies not included as required in the annual inspection plan, should be inspected bi-annually or others tri-annually as allowable though local and state laws. This will ensure these occupancies are inspected on a regular basis.

The GFD should include in any strategic master planning a focus on Community Risk Reduction that includes the expansion of public life safety education staff and programs over the midterm; a comprehensive fire prevention code enforcement plan that ensures the completion of required annualized inspections, and which details the remaining occupancy types and schedule identifying a bi-annual or tri-annual inspection of these occupancies; the expansion of fire code enforcement staff that matches the growth and demand of inspectable properties and plans review; and the development, implementation, and compliance methodology of a fire operations pre-fire plan program. In the near, mid, and long term this may include the addition of an additional fire code inspector in each planning period.

ISO-PPC Community Rating

In 2016, the City of Garland received a Class 1 Public Protection Classification (PPC) rating from the Insurance Services Office (ISO), a subsidiary of Verisk Analytics. The Verisk hazard mitigation team collects and evaluates information from communities across the United States regarding their capabilities to provide municipal fire protection. This information is analyzed utilizing the Fire Suppression Rating System from which individual section credits and points are tabulated and a Public Protection Classification for the community is assigned. Classifications range from 1 through 10, with one being the highest rating a community can achieve.[26]

It is important to understand the PPC is not just a fire department classification, but a compilation of community services that include the fire department, the emergency communications systems, the water supply system that includes an evaluation of available water matched to the amount needed to suppress fires (referred to as fire flow), and community efforts to reduce the risk of fire, including fire prevention codes and enforcement, public fire safety education, and fire investigation programs.[27]

A lower PPC does not always guarantee a lower property insurance rating as many factors feed into the formulas insurance companies utilize to determine rates. However, a PPC rating of 1, 2, or 3 alerts the property insurance underwriter that the service area of that fire department is well-equipped, positioned, and staffed to extinguish, mitigate, and prevent fires. Additionally, although insurance companies may use the Verisk-ISO-PPC information when deciding property insurance premiums, Verisk-ISO has nothing to do with insurance premium pricing.

A community's PPC grade depends on:

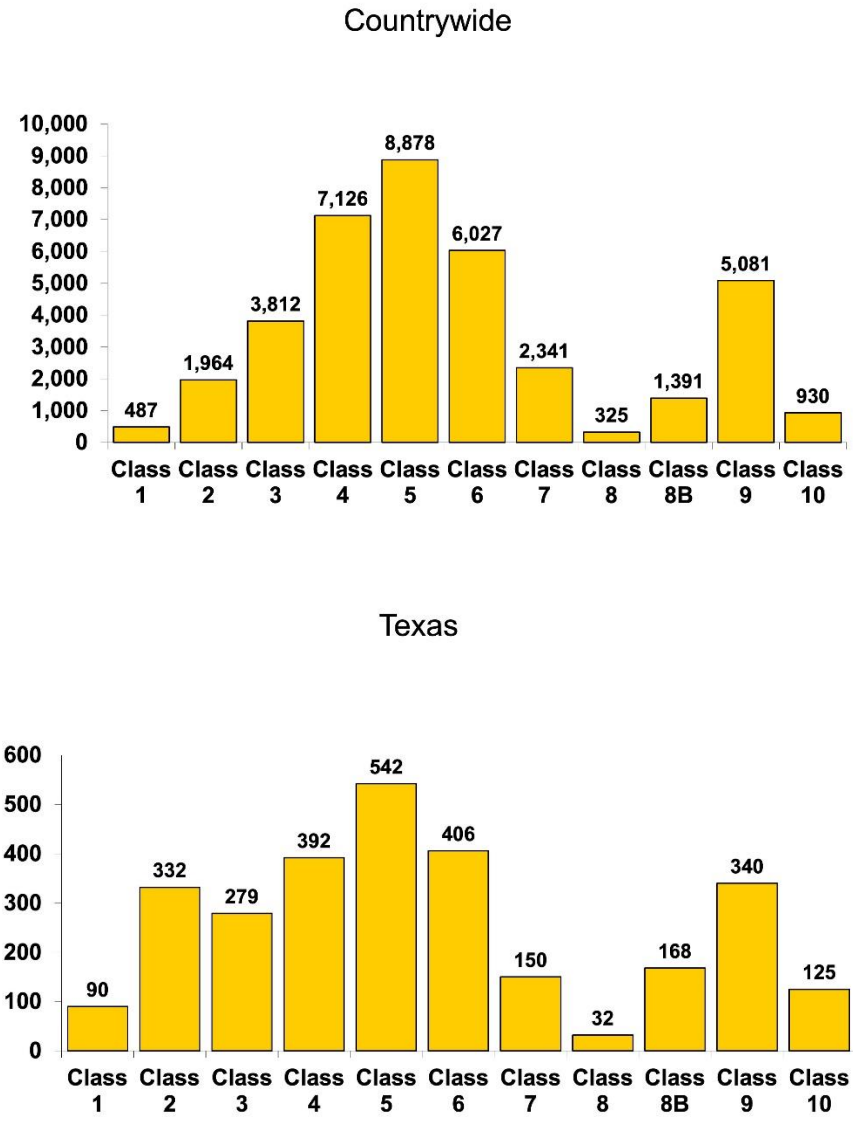
- **Needed Fire Flows** (building locations used to determine the theoretical amount of water necessary for fire suppression purposes).
  - The basic fire flow for Garland was determined to be 3500 gallons per minute (GPM).
- **Emergency Communications** (10 percent of the evaluation).
  - 9.40/10.00 credits earned.
- **Fire Department** (50 percent of the evaluation).
  - 39.10/50 credits earned.
- **Water Supply** (40 percent of the evaluation).
  - 39.20/40 credits earned.
- **Community Risk Reduction** (Additional credits received for Fire Prevention/Inspection, Public Education, and Fire Investigation activities)
  - 5.39/5.50 credits earned.

Overall, the community PPC rating yielded 90.13 earned credit points/106.50 credit points available. There was a 3.96 point diversion reduction assessed as well, which is automatically calculated based on the relative difference between the fire department and water supply scores. Additionally, the GFD received 1.00 credits for utilizing Compressed Air Foam (CAFS). **90.00 points or more qualify a community for a rating of 1.**

26. Verisk's Community Hazard Mitigation Services (isomitigation.com)
27. ibid

The following figures illustrate the PPC ratings across the United States and in Texas.

Figure 21: PPC Ratings in the United States and Texas[28]



The next table outlines credits earned by the GFD.

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28. https://www.isomitigation.com/ppc/program-works/facts-and-figures-about-ppc-codes-around-the-country/

Table 21: Garland Earned Credit Overview

FSRS Component	Earned Credit	Credit Available
414. Credit for Emergency Reporting	2.55	3
422. Credit for Telecommunicators	4.00	4
4.32. Credit for Dispatch Circuits	2.85	3
440. Credit for Emergency Communications	**9.40**	**10**
513. Credit for Engine Companies	6.00	6
523. Credit for Reserve Pumpers	0.50	0.50
532. Credit for Pump Capacity	3.00	3
549. Credit for Ladder Service	1.95	4
553. Credit for Reserve Ladder and Service Trucks	0.27	0.50
561. Credit for Deployment Analysis	6.80	10
571. Credit for Company Personnel	9.53	15
581. Credit for Training	8.73	9
730. Credit for Operational Considerations	2.00	2
590. Credit for Fire Department	**39.10**	**50**
616. Credit for Supply System	30.00	30
621. Credit for Fire Hydrants	3.0	3
631. Credit for Inspection and Flow Testing	6.20	7
640. Credit for Water Supply	**39.20**	**40**
Divergence	**-3.96**	-
1050. Community Risk Reduction	**5.39**	5.50
Texas Addendum Credit-CAFS	**1.00**	1.00
Total Credit	**90.13**	**106.50**

Areas of scoring that should be reviewed further internally by the city and the GFD for improvement and to sustain the current rating include:[29]

- Credit for Ladder Service: #549 (1.95/4.00).
  - This item reviews the number of response areas within the city with five buildings that are three or more stories (or 35 or more feet in height), or with five buildings that have a needed fire flow greater than 3,500 gallons per minute, or a combination of these two criterion. The number of ladder companies in the city is compared to the number needed and credit is given. The GFD deploys Quint apparatus as a combination engine/ladder response platform (four total) and cross staffs a Quint apparatus at Station 1 with the engine crew. The GFD receives credit for five ladder companies, however, is deficient in the total needed in the city. ***There are over 550 addresses in the city of buildings that are three or more stories and include each fire district.*** *This category has an expanded discussion later in this report.*

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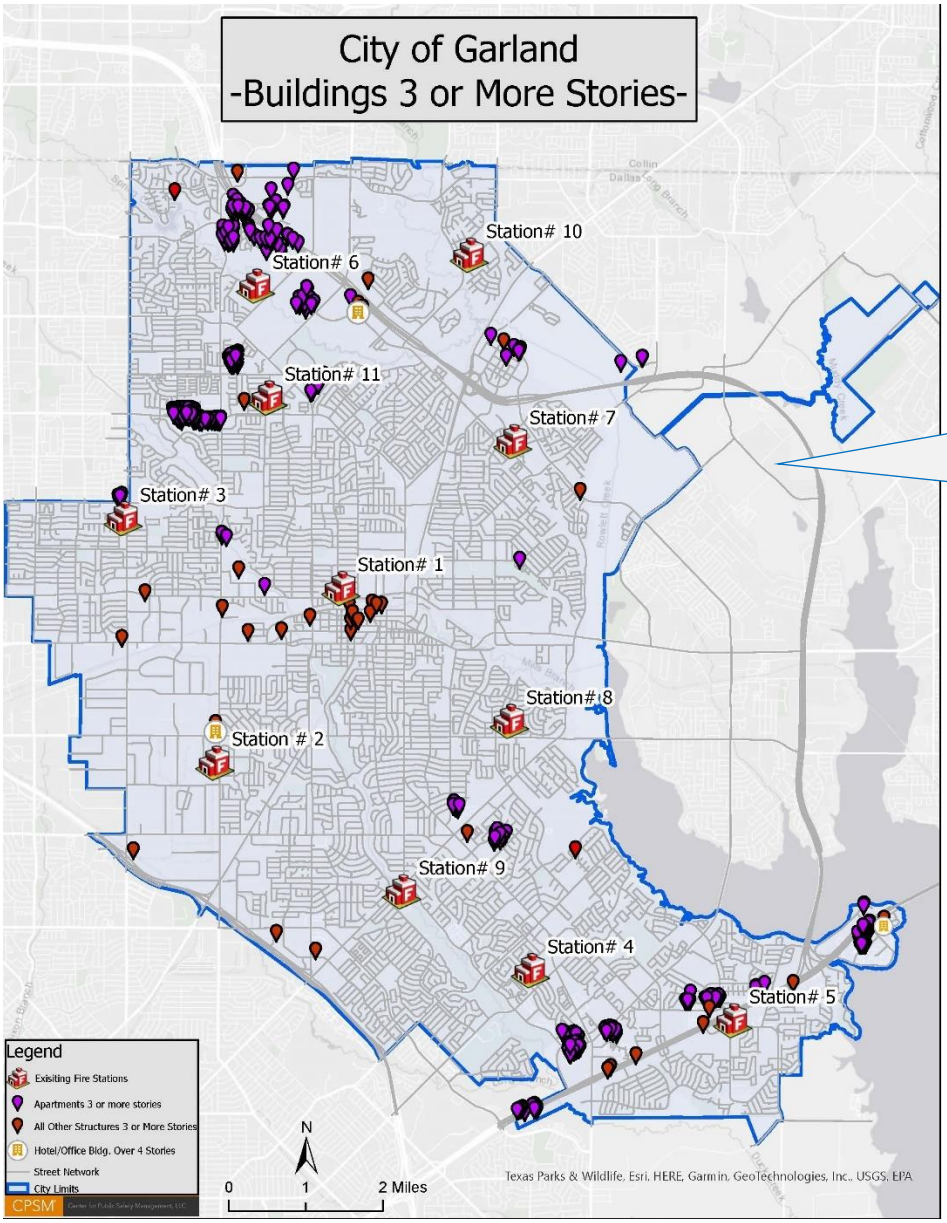
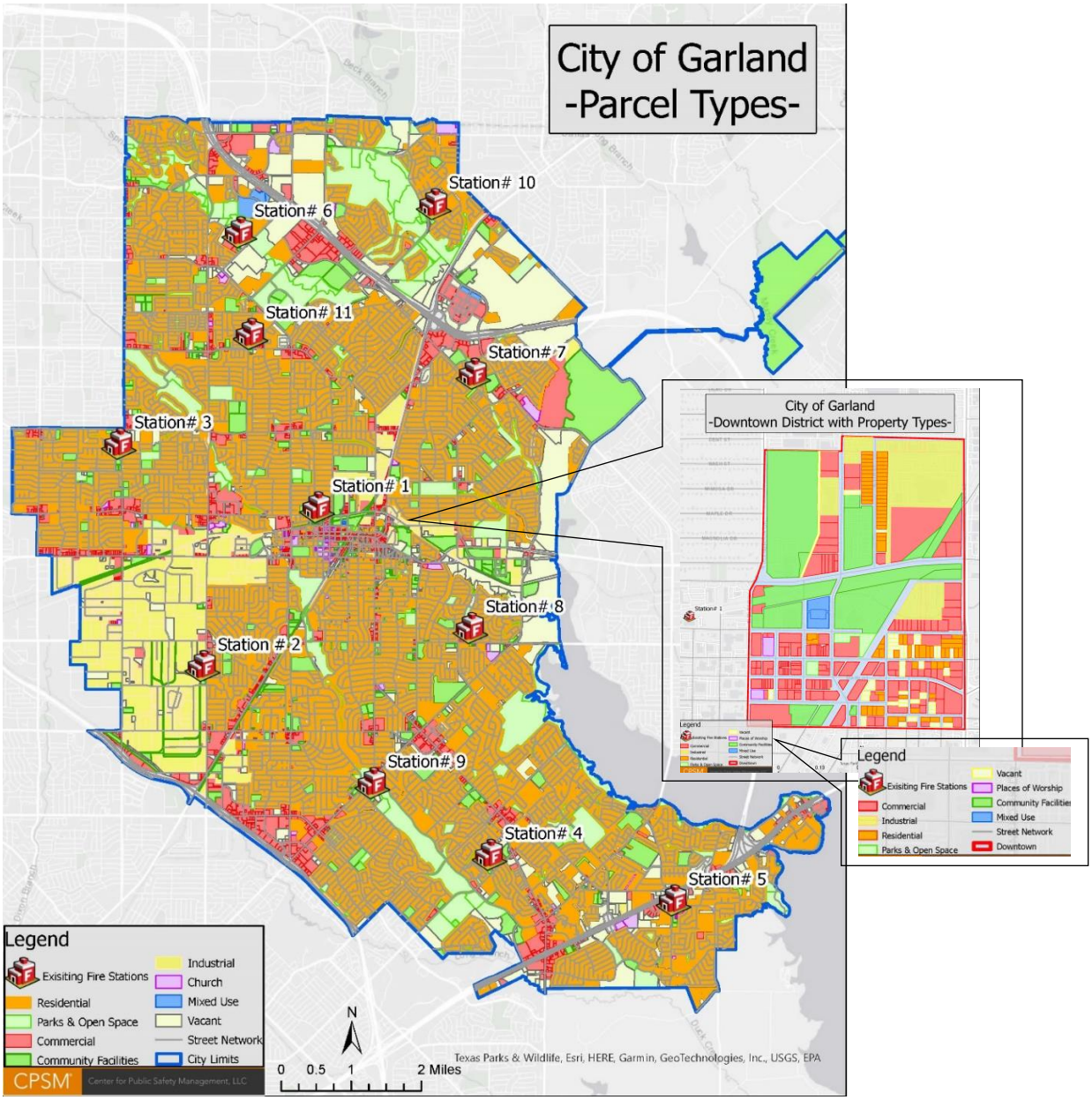
29. Public Protection Classification Summary Report, Garland, Texas, 2016.

Figure 22: Buildings Three Stories of More



- Credit for Deployment Analysis: #561 (6.80/10 credits).
  - This category contemplates the number and adequacy of engine and ladder companies to cover the built-upon areas of the city. Credits for engine companies (#513 - 6.00/6.00) and ladder companies (#549 – 1.95/4.00) are considered in this rating section. An alternative is to utilize the performance objectives from the NFPA 1710 *Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Departments*, 2020 edition. This alternative contemplates a department's ability to meet the initial engine company response objective of 240 second travel time, and the accumulation of the initial alarm assignment in 480 seconds. *This category has an expanded discussion later in this report.*

Figure 23: Garland Parcel Types-Built Upon Land



- Credit for Company Personnel: #571 (9.53/15.00 credits).
  - This category contemplates the average number of existing firefighters able to respond to structure fires. Firefighters staffing ambulances are counted, however they receive credit to the extent they are available to respond to fire calls. In Garland, EMS accounts for 72% of all calls. GFD minimum staffing is 61/day. The ISO-PPC credit in this category is 61 personnel. This category links to the deployment analysis and deficiencies in ladder companies.

Deficiencies in the ISO-PPC should be discussed and included in any strategic master planning the GFD conducts in the near, mid, and long terms. This should include the addition of staffed ladder apparatus (truck companies in stations that currently house single engine companies), which will create opportunity for a gain in deployment analysis, company personnel analysis, and ladder service analysis credit points, which will assist in sustaining optimum service deliverables and the ISO-PPC 1 community rating.

The City of Garland ISO-PPC community rating of 1 is vulnerable, as the total score achieved in 2016 to elevate to this level was 90.13 (90.00 -106.50 qualifies a community as ISO 1).

GFD Infrastructure: Fleet

The procurement, maintenance, and eventual replacement of response vehicles is one of the largest expenses incurred in sustaining a community's fire-rescue department. While it is the personnel of the GFD who provide emergency services within the community, the department's fleet of response vehicles is essential to operational success. Modern, reliable vehicles are needed to deliver responders and the equipment/materials they employ to the scene of dispatched emergencies within the city.

The GFD has a robust fleet of frontline and reserve heavy fire apparatus and ambulances. Additional fleet includes administrative vehicles and light response vehicles and trailers for specialty fire and EMS incidents. GFD apparatus maintenance is performed by the city's fleet services. Apparatus-specific work that cannot be performed in-house is performed by a vendor who specializes in fire and EMS apparatus work. This combination of maintenance and repair work is common practice across the country. The intricacies and scope of fire pumps and fire pump controls, aerial ladder hydraulic systems and controls, and apparatus electrical control systems (the main components outside of the motor, chassis, and drive train) are best left in the hands of specialists for diagnosis, maintenance, and repair.

Table 22: GFD Frontline EMS Apparatus

Unit Number	Year of Purchase
Ambulance 1	2022
Ambulance 2	2018
Ambulance 3	2018
Ambulance 4	2020
Ambulance 5	2022
Ambulance 6	2019
Ambulance 7	2020
Ambulance 8	2022
Ambulance 9	2020
Ambulance 10	2019
Ambulance 11	2022

The GFD also has six reserve ambulances. The year of purchase for these units is:

- 2016
- 2017
- 2018
- 2017
- 2018
- 2018

Table 23: GFD Frontline Fire Apparatus

Unit Number	Year of Purchase
Engine 1	2015
Truck 1 (Quint)	2020
Engine 2	2020
Engine 3	2018
Engine 4	2020
Truck 5 (Quint)	2013
Engine 6	2015
Truck 7 (Quint)	2020
Engine 8	2015
Truck 9 (Quint)	2014
Engine 10	2018
Truck 11 (Quint)	2017

The GFD also has five reserve engine apparatus and three reserve ladder apparatus. The year of purchase for these units is:

Engines
- 2004
- 2004
- 2004
- 2006
- 2006

Ladders
- 2006
- 2006
- 2007

The GFD also utilizes other first-line apparatus that is not staffed per-se, meaning if needed staffing is committed from on-duty station resources typically assigned to fire apparatus. These include:

- Blocker 2: 1994 engine apparatus-primarily utilized for blocking emergency scenes on high speed limited access highways/freeways/toll roads.
- Blocker 5: 2004 engine apparatus-primarily utilized for blocking emergency scenes on high speed limited access highways/freeways/toll roads.
- Rescue 8: 1999 commercial chassis-utilized for special rescue response.
- Squad 10: 2006 custom chassis- light & air response unit.
- Utility 7: 2020 Dodge Ram 5500, 4x4 chassis with 400 gallon water tank and pump.

NFPA 1901, *Standard for Automotive Fire Apparatus*, serves as a guide to the manufacturers that build fire apparatus and the fire departments that purchase them. This document is updated every five to eight years (or shorter time periods) using input from the public and industry stakeholders through a formal review process. The committee membership is made up of

representatives from the fire service, manufacturers, consultants, and special interest groups. The committee monitors various issues and problems that occur with fire apparatus and attempts to develop standards that address those issues. A primary interest of the committee over the past years has been improving firefighter safety and reducing fire apparatus crashes.

The Annex Material in NFPA 1901 (2016) contains recommendations and work sheets to assist in decision making in vehicle purchasing. With respect to recommended vehicle service life, the following excerpt is noteworthy:

> *"It is recommended that apparatus greater than 15 years old that have been properly maintained and that are still in serviceable condition be placed in reserve status and upgraded in accordance with NFPA 1912, Standard for Fire Apparatus Refurbishing (2016), to incorporate as many features as possible of the current fire apparatus standard. This will ensure that, while the apparatus might not totally comply with the current edition of the automotive fire apparatus standards, many improvements and upgrades required by the recent versions of the standards are available to the firefighters who use the apparatus."*

The impetus for these recommended service life thresholds is the continual industry advances in vehicle and occupant safety. Despite good stewardship and maintenance of emergency vehicles in sound operating condition, there are many advances in occupant and vehicle component safety, such as fully enclosed cabs, enhanced rollover protection and air bags, three-point restraints, antilock brakes, increased visibility, cab noise abatement/hearing protection, a clean cab free from carbon products, and a host of other improvements as reflected in each revision of NFPA 1901. These improvements provide safer response vehicles for those providing emergency services within the community, as well those "sharing the road" with these responders.

Many departments use a 10-5 rule (10 years front-line service, then 5 years of reserve service) when programming replacement of fire apparatus such as engines, ladders, water tenders, heavy rescues, and heavy squad type haz-mat vehicles. Annex D of the current NFPA 1912 edition states:

> *To maximize firefighter capabilities and minimize risk of injuries, it is important that fire apparatus be equipped with the latest safety features and operating capabilities. In the last 10 to 15 years, much progress has been made in upgrading functional capabilities and improving the safety features of fire apparatus. Apparatus more than 15 years old might include only a few of the safety upgrades required by the recent editions of the NFPA fire department apparatus standards or the equivalent Underwriters Laboratories of Canada (ULC) standards. Because the changes, upgrades, and fine tuning to NFPA 1901, Standard for Automotive Fire Apparatus have been truly significant, especially in the area of safety, fire departments should seriously consider the value (or risk) to firefighters of keeping fire apparatus more than 15 years old in first-line service.*
>
> *It is recommended that apparatus more than 15 years old that have been properly maintained and that are still in serviceable condition be placed in reserve status, be upgraded in accordance with NFPA 1912, and incorporate as many features as possible of the current fire apparatus standard. This will ensure that, while the apparatus might not totally comply with the current editions of the automotive fire apparatus standards, many of the improvements and upgrades required by the current editions of the standards are available for firefighters who use the apparatus.*

Given that NFPA 1901 targets specifications for only fire suppression vehicles, NFPA 1917, *Standard for Automotive Ambulances*, was published in 2013 (updated in 2019) to provide similar recommendations governing the design and construction of ambulances. The U.S. General Services Administration also promulgates ambulance standards under KKK-A-1822. Additionally, the Commission on Accreditation of Ambulance Services (CAAS) has established a Ground Vehicle Standard (2016). While NFPA 1917, KKK, and CAAS standards do not include recommended service-life replacement standards for EMS vehicles, common industry practice suggests typical replacement intervals of four to eight years. This schedule depends on a number of variables, most notably vehicle mileage, escalation of annualized repair expenses, and frequency with which the subject vehicle is out of service. After replacement, serviceable vehicles may be retained in ready-reserve status for an additional two to four years. In light of the inherently shorter service life of ambulances, owing to a higher frequency of emergency responses handled than corresponding suppression vehicles, there are fewer legitimate concerns regarding "missing" essential improvements in occupant/operator safety standards.

According to GFD command staff, the current GFD replacement program follows the NFPA 1901 model. When the apparatus goes into reserve status it is eventually cycled out as frontline apparatus is replaced.

Garland Fire Department should include in any strategic master planning the GFD conducts over the near, mid, and long terms, planning objectives focused on following the NFPA 1901 standard for fleet replacement and include in this planning a focus on not utilizing heavy fire apparatus once the apparatus reaches the 25-year age ceiling.

GFD Infrastructure: Facilities and ISO, NFPA Response Time Benchmarking

Sound community fire-rescue protection requires the strategic distribution of an adequate number of station facilities to ensure that effective service area coverage is achieved, that predicted response travel times satisfy prevailing community goals and national best practices, and that the facilities are capable of supporting mission-critical personnel and vehicle-oriented requirements and needs.

Fire facilities must be designed and constructed to accommodate both current and forecast trends in fire service vehicle type and manufactured dimensions. A facility must have sufficiently sized bay doors, circulation space between garaged vehicles, and departure and return aprons of adequate length and turn geometry to ensure safe response.

Fire department facilities are exposed to some of the most intense and demanding uses of any public local government facility, as they are occupied 24 hours a day. Personnel-oriented needs in fire facilities must enable performance of daily duties in support of response operations. For personnel, fire facilities must have provisions for vehicle maintenance and repair; storage areas for essential equipment and supplies; and space and amenities for administrative work, training, physical fitness, laundering, meal preparation, and personal hygiene/comfort.

As discussed above, the GFD responds from eleven fire facilities. Fire administration is located in a city facility space that includes fire administration, the fire marshal's office, and fire training. The following table describes each fire facility related to operational use.

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Table 24: GFD Station Facilities

Station Number	Address	Year Built	Square Footage	# of Bays	Gender Separation
1	1019 Austin Street	1967	13,951	5	Yes-Shower/Bathroom Bunkroom: beds separated by lockers-open front
2	2501 Wood Street	2005	7,415	3	Yes-Shower/Bathroom Bunkroom: beds separated by lockers-open front
3	1301 N. Jupiter St.	2008	7,415	3	Yes-Shower/Bathroom Bunkroom: beds separated by lockers-open front
4	4931 Gatewood Road	2002	7,415	3	Yes-Shower/Bathroom Bunkroom: beds separated by lockers-open front
5	5626 Lyons Road	2017	10,186	3	Yes-Shower/Bathroom Yes-Bunkroom
6	2009 Holford Rd.	1980	4,814	3	Yes-Shower/Bathroom Bunkroom: beds separated by lockers-open front
7	2545 Naaman School Rd.	1985	5,950	3	Yes-Shower/Bathroom Bunkroom: beds separated by lockers-open front
8	1426 E. Miller Road	1997	6,199	3	Yes-Shower/Bathroom Bunkroom: beds separated by lockers-open front
9	4320 O'Bannon Road	1999	6,386	3	Yes-Shower/Bathroom Bunkroom: beds separated by lockers-open front
10	1555 Provence Road	2007	7,415	3	Yes-Shower/Bathroom Bunkroom: beds separated by lockers-open front
11	1940 Beltline Road	2004	7,415	3	Yes-Shower/Bathroom Bunkroom: beds separated by lockers-open front

The GFD has and continues to renovate facilities that has a focus on improving the living spaces in each fire station, and the health and safety of staff. Additionally, and when feasible, the department and city work collaboratively on replacing facilities that have reached their life cycle.

The GFD should include in any strategic master planning near, mid, and long term strategies that focus on the continued renovation of fire facilities to include consideration of integrating NFPA 1500 (health and safety considerations), NFPA 1851 (maintenance and care of station wear and protective ensembles), and NFPA 1710 (turnout time).

When siting fire stations for the most efficient response, several factors must be considered. These include the road network the assigned apparatus will use to serve the response district the station is built to serve, which directly ties to response travel time. As discussed above, and

reviewed here, travel time is key to understanding how fire and EMS station location influences a community's aggregate response time performance. NFPA 1710, *Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations and Special Operations to the Public by Career Fire Departments*, establishes benchmark travel times for first arriving fire units as:

- ≤ 240 seconds for the first arriving engine company to a fire suppression incident 90 percent of the time.
- ≤ 240 seconds for the first arriving engine company to an EMS incident with automated external defibrillator (AED) or higher level capability.

The NFPA 1710 standard also benchmarks the travel time of the second arriving unit on a fire incident, and the travel time to assemble the first alarm assignment of apparatus and staff on low/medium hazards as:

- ≤ 360 seconds for the second company 90 percent of the time.
- ≤ 480 seconds to assemble the initial first alarm assignment on scene 90 percent of the time for low/medium hazard.

The location of responding units is one key factor in response time; reducing response times, which is typically a key performance measure in determining the efficiency of department operations, often depends on this factor. The goal of placement of a single fire station or creating a network of responding fire stations in a single community is to optimize coverage with short travel distances, when possible, while giving special attention to natural and manmade barriers, and response routes that can create response-time problems.[30]

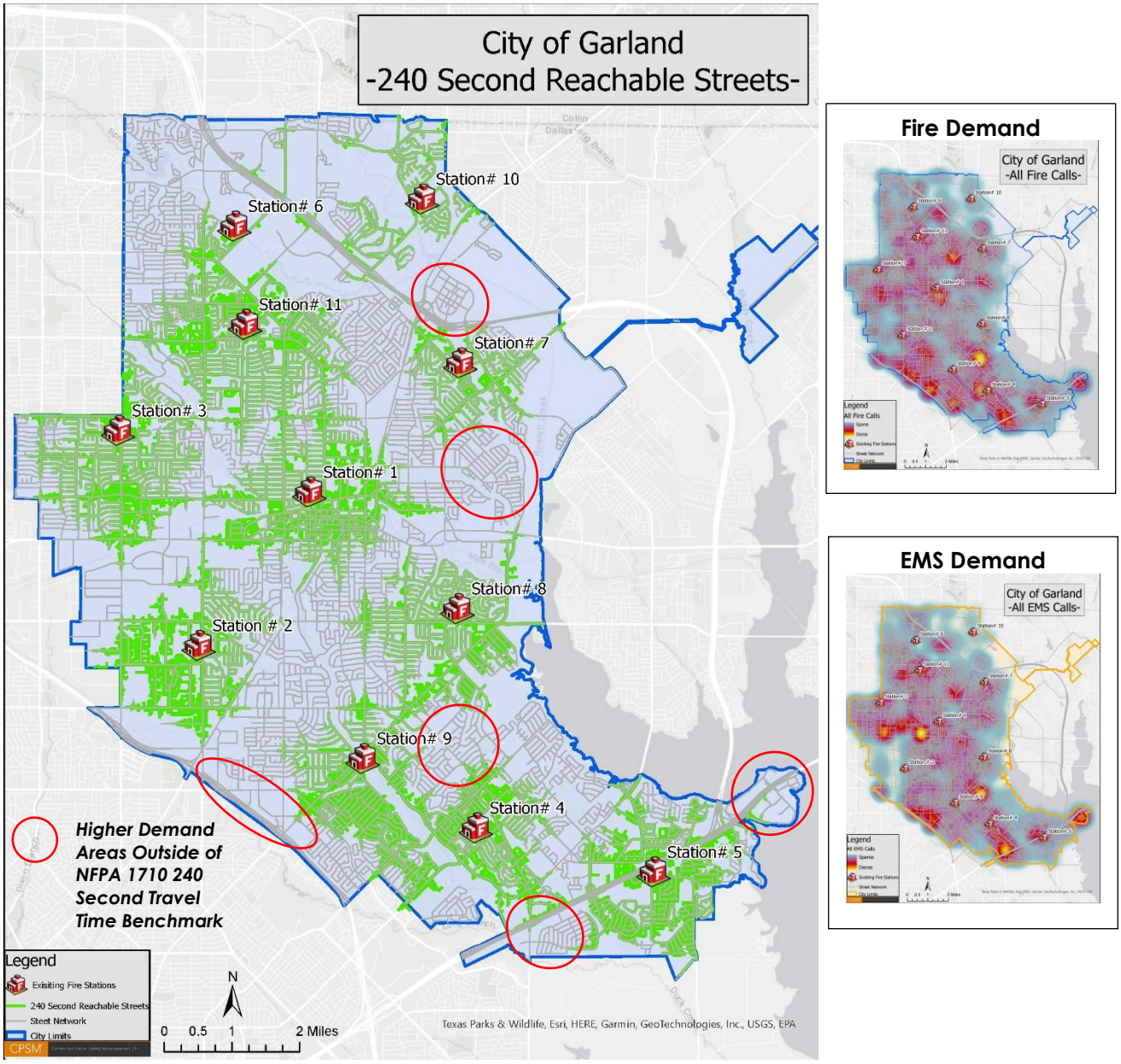
An additional benchmark is the ISO Public Protection Classification rating system. Under this system, one element a jurisdiction is graded on is the distribution within built-upon areas of engine companies and ladder companies (deployment analysis). For full credit in the Fire Suppression Rating Schedule (FSRS), a jurisdiction's fire protection area with residential and commercial properties should have a first-due engine company within 1.5 road miles and a ladder service company within 2.5 road miles.[31] As engine and ladder companies both respond from fire facilities, and because engine companies are the more prevalent fire suppression company, fire facilities are predictably sited based on the response needs of engine companies.

Finally, the current and potential for future demand for service is a consideration for the siting of fire facilities. Demand is the number and types of calls for services provided by the entire fire department. When demand is evaluated, it is important the number of incidents is not confused with the number of unit responses. An emergency call may require the response of more than one unit, but only one incident number is generated. This is a direct accelerator of demand. CPSM measures a call as a single event, which may be handled by a single unit, and a run as a response made by a unit to a call that involves more than one unit.

The next figures and tables outline the GFD's current stations as benchmarked against the NFPA 1710 standard, the ISO standard for engine company and ladder company placement, and how the response coverage changes with some stations relocated.

30. NFPA 1710, *Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Departments*, 2020 Edition.
31. Insurance Services Office, ISO Mitigation, Deployment Analysis.

Figure 24: Current Stations: 240 Second Travel Time Bleeds (NFPA 1710 Benchmark)



In analysis of the NFPA 1710, 240 second benchmark, there are gaps across the city as noted in the above map. When comparing the 240 second travel time benchmark to where the higher demands areas are (Fire and EMS demand maps), there are high demand areas that are outside of the 240 second benchmark.

Response travel times are hampered by many things that include: speed limit of roads traveled to the incident; road layout of a community; weather; road construction; at grade rail crossings; time of day traffic congestion to name the most notable impediments.

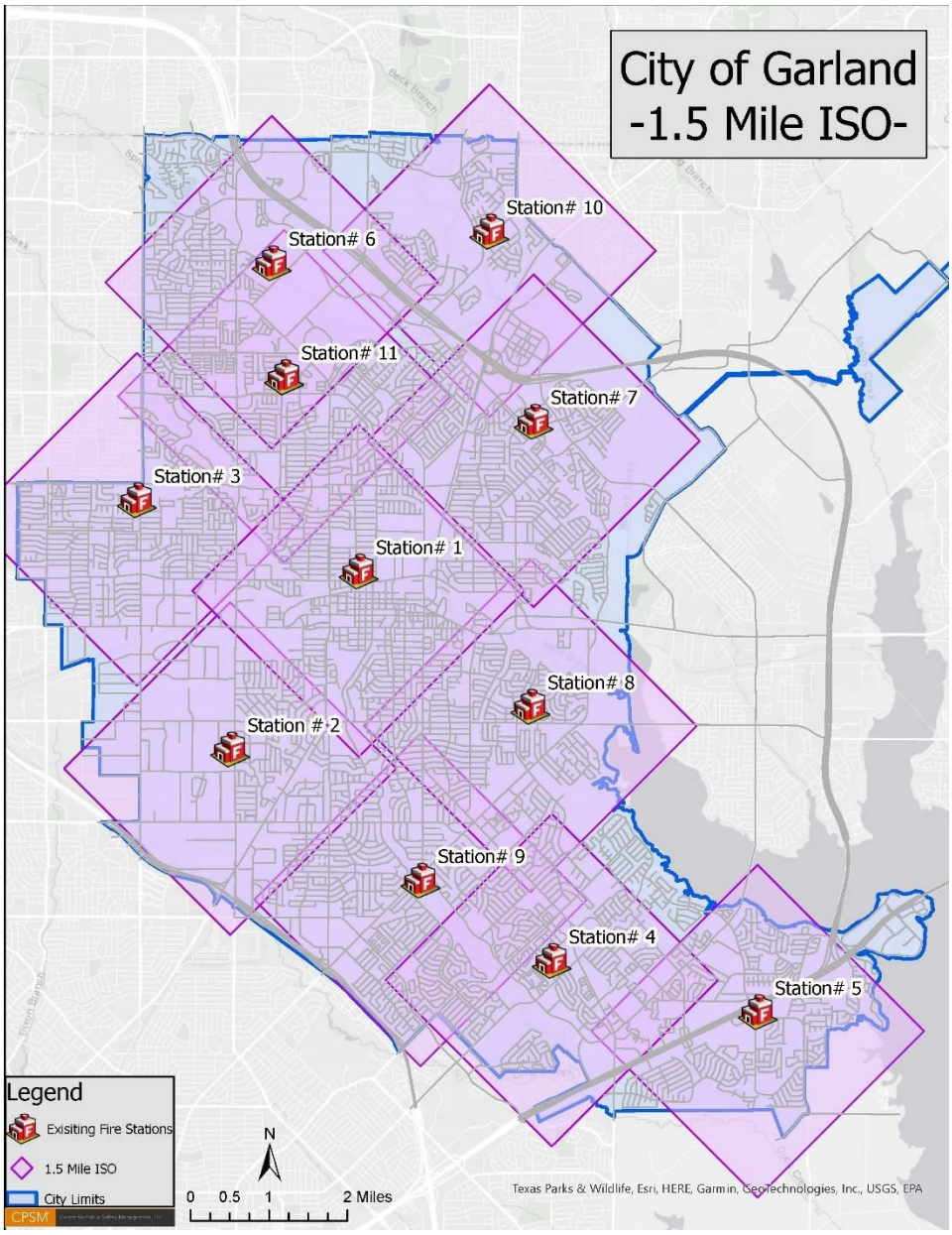
The next tables outline the GFD's response times as analyzed during the CPSM data analysis study period April 1, 2021-March 31, 2022.

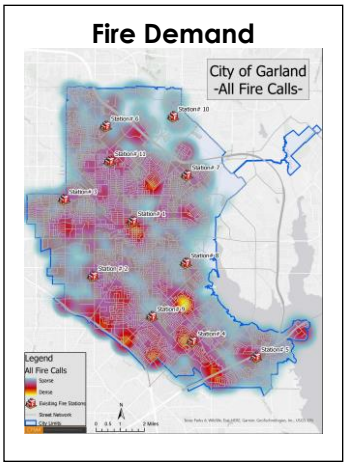
Table 25: Average and 90th Percentile Response Time of First Arriving Unit, by Call Type (Minutes)

Call Type	Average Response Time				90th Percentile Response Time			
	Dispatch	Turnout	Travel	Total	Dispatch	Turnout	Travel	Total
Breathing difficulty	1.1	1.2	3.5	5.9	2.0	2.2	5.1	8.0
Cardiac and stroke	1.1	1.2	3.5	5.8	2.0	2.1	5.1	7.8
Fall and injury	1.0	1.2	4.1	6.4	2.1	2.1	6.1	8.8
Illness and other	1.2	1.3	4.1	6.6	2.4	2.2	6.0	9.1
MVA	0.9	1.3	3.9	6.2	2.0	2.2	6.8	9.8
OD	1.1	1.3	3.6	6.0	2.2	2.2	5.1	8.2
Seizure and UNC	1.0	1.2	3.5	5.7	1.9	2.1	5.0	7.6
EMS Total	**1.1**	**1.3**	**3.8**	**6.2**	**2.1**	**2.2**	**5.6**	**8.5**
False alarm	1.3	1.7	4.0	7.0	2.4	2.6	6.1	9.6
Good intent	1.3	1.4	3.8	6.6	2.5	2.3	6.1	9.5
Hazard	1.3	1.5	4.0	6.8	2.4	2.5	6.2	9.6
Outside fire	0.9	1.7	4.0	6.6	1.8	2.4	6.5	9.9
Public service	1.2	1.6	4.7	7.4	2.3	2.5	7.6	10.7
Structure fire	1.1	1.2	3.3	5.6	2.2	2.2	4.6	7.6
Technical rescue	1.4	1.3	4.5	7.2	2.7	2.1	7.4	10.3
Fire Total	**1.2**	**1.6**	**4.3**	**7.1**	**2.3**	**2.5**	**6.8**	**10.2**
Total	**1.1**	**1.3**	**4.0**	**6.4**	**2.2**	**2.3**	**6.0**	**9.0**

- Travel times at the 90th percentile for structure fires is just slightly above the NFPA 1710 benchmark of four minutes (≤ 240 seconds for the first arriving engine company to a fire suppression incident 90 percent of the time).
- Aggregate travel times at the 90th percentile for EMS calls is above the NFPA 1710 benchmark of four minutes when measured against a fire suppression unit only (≤ 240 seconds for the first arriving engine company to an EMS incident with automated external defibrillator (AED) or higher level capability). When measured against the NFPA 1710 benchmark for the arrival of an Advanced Life Support unit, (fire suppression units and ambulances in Garland) (≤ 480 seconds or less travel time of an Advanced Life Support (ALS) unit at an EMS incident where the service is provided by the fire department provided a first responder with an AED or basic life support unit arrived in 240 seconds or less travel time), the GFD exceeds the standard.
- In both EMS and Fire responses, the GFD exceeds turnout time when benchmarked against the NFPA 1710 standard. ***This should be addressed by the Assistant Chief of Operations.***

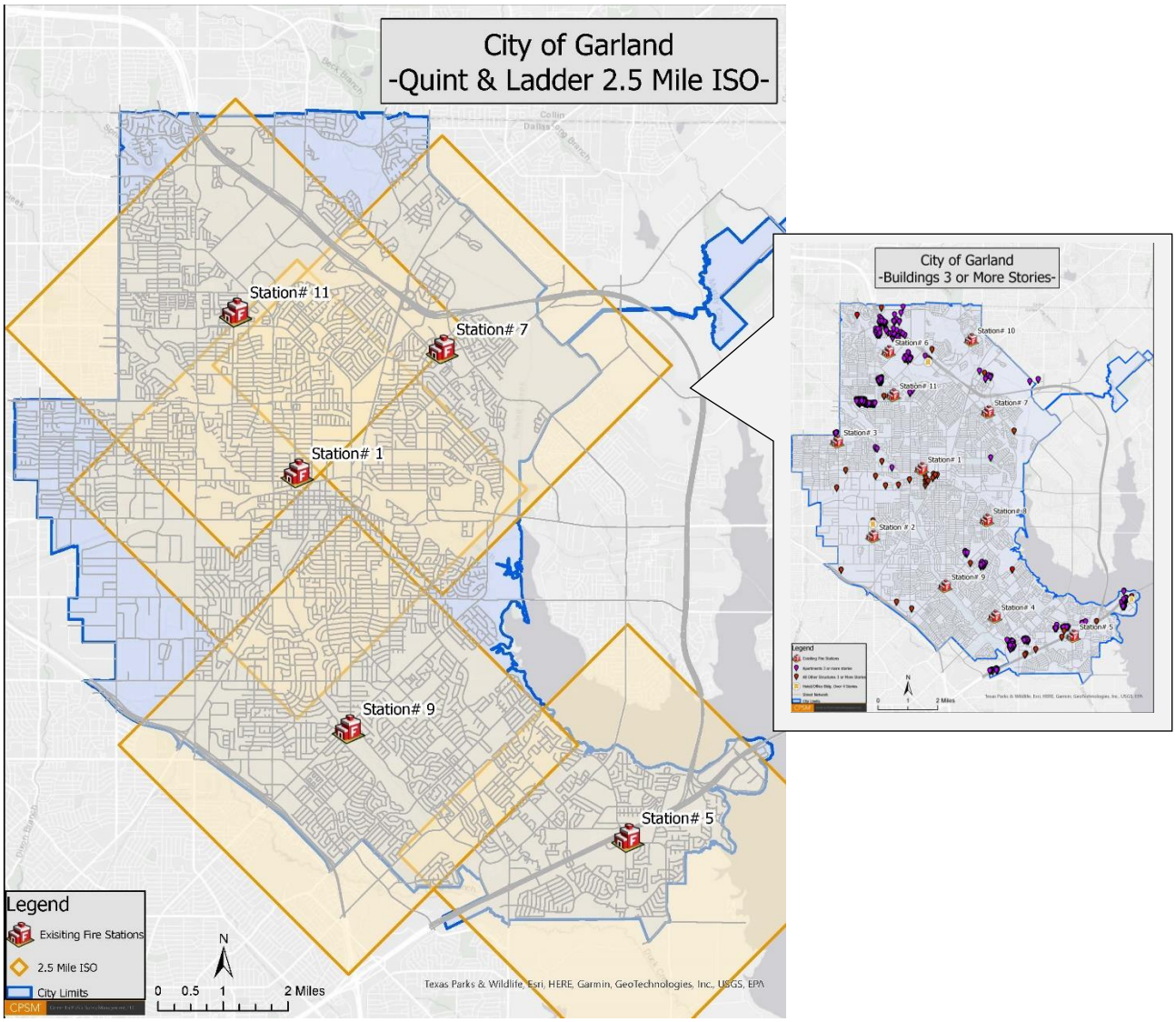
Figure 25: Current Stations: 1.5 Mile Engine Company Locations
(ISO-PPC Benchmark)





In analysis of the ISO-PPC 1.5 mile engine company placement, the city has excellent coverage with this resource. This is noted as well in the current ISO-PPC report where the GFD earned 6.00/6.00 credits for engine companies and 3.00/3.00 for pump capacity as it relates to the needed fire flow for the city. There is some overlapping coverage, however this occurs in the engine company placement more commonly than ladder company placement, as engine companies are the primary response resource of fire departments, and it takes multiple engine companies to achieve the needed fire flow in a community, which in the case of Garland, is 3,500 gallons per minute.

Figure 26: Current Stations: 2.5 Mile Ladder Company Locations
(ISO-PPC Benchmark)



In analysis of the ISO-PPC 2.5 mile ladder company placement, the city has overlapping coverage with minimal gaps overall regarding this resource. This resource is also graded on the number of response areas within the city with five buildings that are three or more stories (or 35 or more feet in height), or with five buildings that have a needed fire flow greater than 3,500 gallons per minute, or a combination of these two criterion. Generally, and from a first due ladder perspective, these are covered.

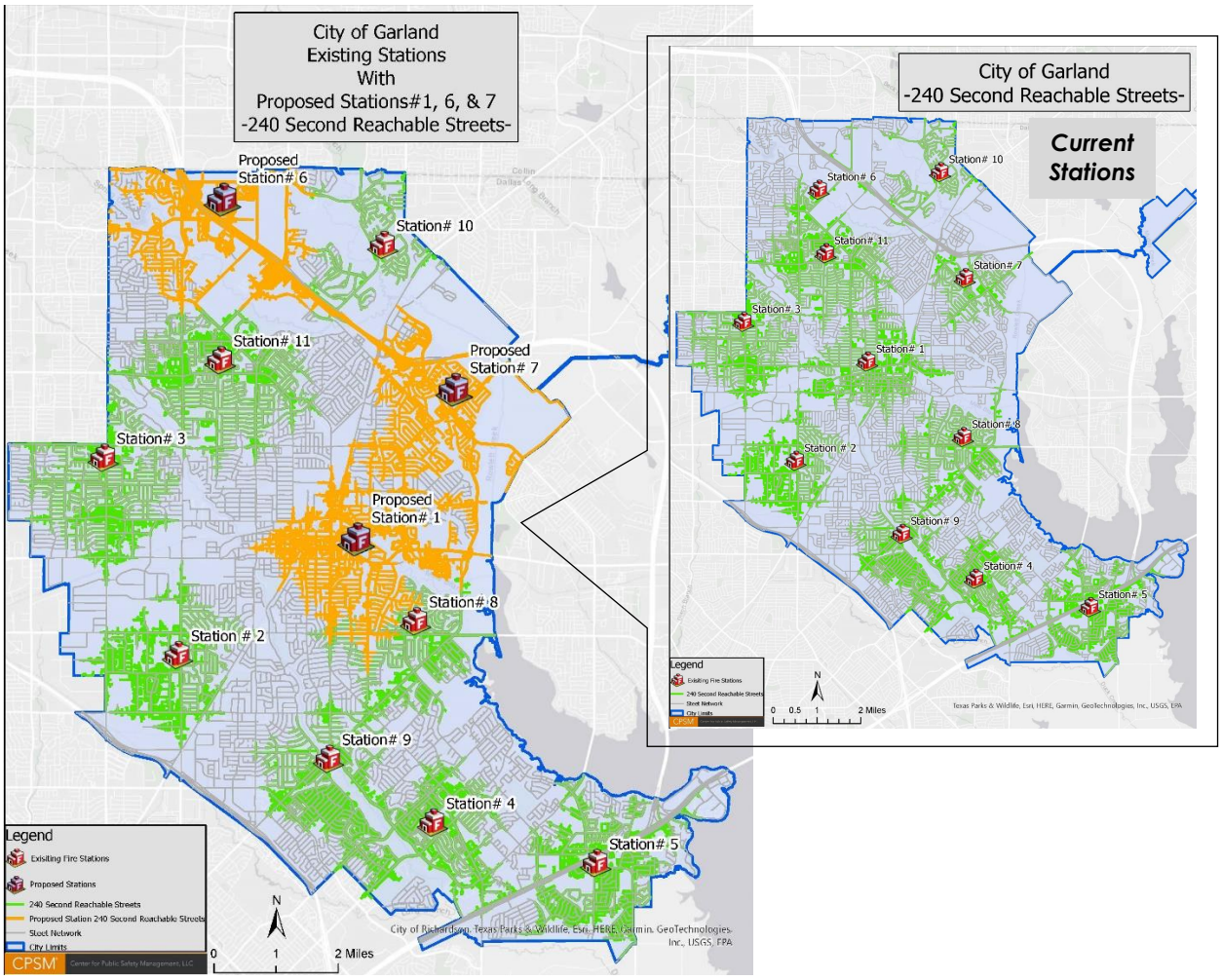
From the perspective of additional ladder service needed in these response areas, the distance is greater than 2.5 miles. Additionally, the current GFD ladders are Quint apparatus, and also serve as engine apparatus with the same crew. Therefore, the city does not get full credit for these apparatus as a ladder apparatus. The is noted in the current ISO-PPC report where the GFD earned 1.95/4.00 credits for ladder/truck companies.

Understanding the NFPA 1710, 240 second travel time gaps, and ISO-PPC ladder company deficiencies, the city and the GFD are working on a station relocation plan that moves the following stations:

- Station 1: Move approximately .5 miles east to an area in the city known as the triangle. The property has been acquired and a land use study is underway with programming scheduled as the next step.
- Station 6: Move to Northbound President George Bush Tollway and Campbell Road (northeast corner). The land has been acquired and the station and design and construction documents have been completed. When completed this be a 12,000 square foot, three bay station.
- Station 7: Move to Pleasant Valley Drive and Firewheel Parkway. Programming and design review are in the early stages as of the completion of this report.

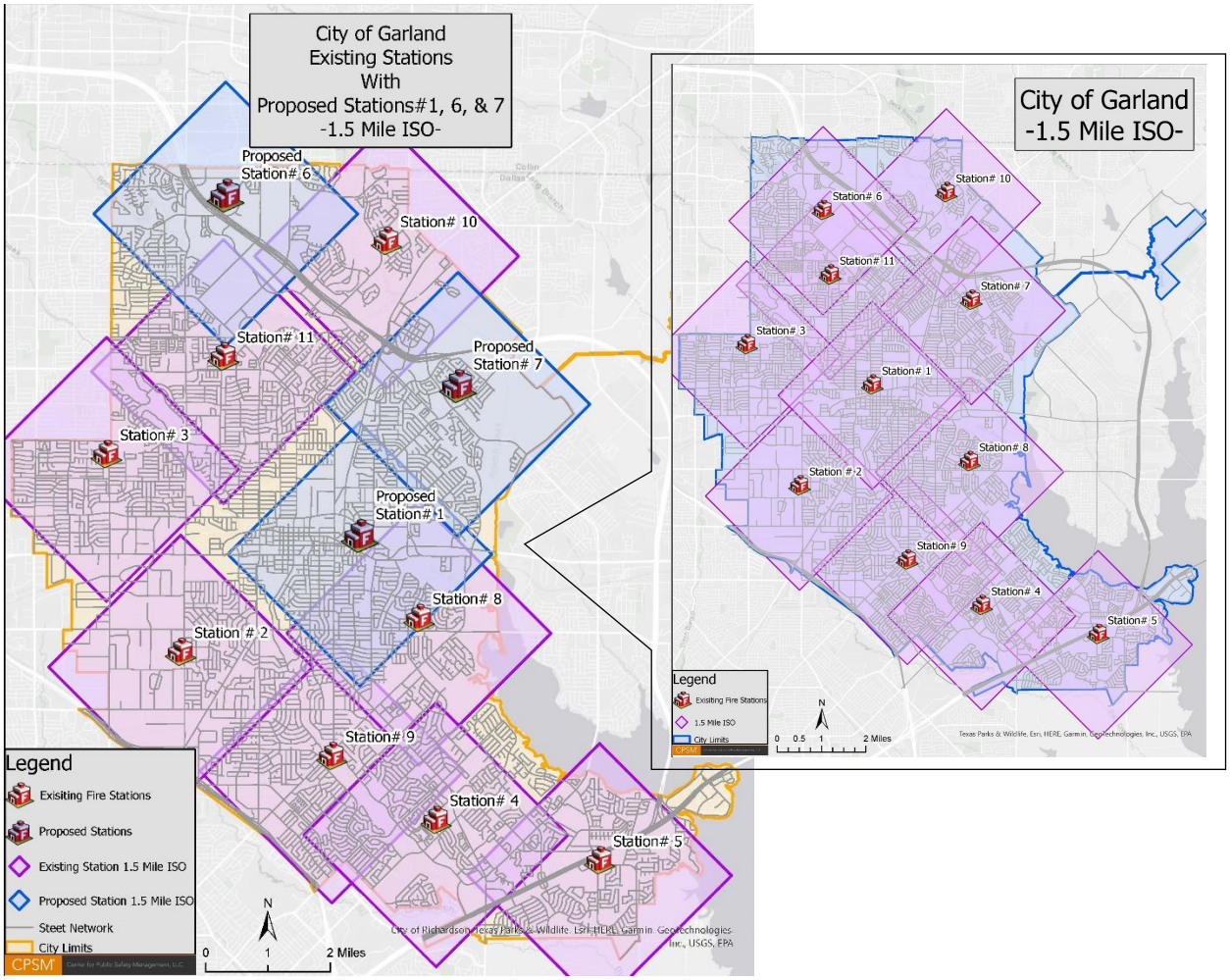
The next set of figures illustrates impacts (pro and con) these new station locations will have on the NFPA 240 second travel time and the ISO-PPC 1.5 mile engine location benchmarks.

Figure 27: 240 Second Travel Time Bleeds (NFPA 1710 Benchmark) Current and Re-Located Stations 1, 6, 7



In analysis of the proposed station map above, the northwest area of the city gains considerable coverage at the 240 second benchmark. Additionally, south, and east of Station 1 has improvement when measured against the benchmark, as well as north, east, and south of Station 7. There is a new gap created northwest and southwest of the new Station 1.

Figure 28: 1.5 Mile Engine Company Locations (ISO-PPC Benchmark) Current and Re-Located Stations



In analysis of the proposed station map above, the northwest area of the city gains some coverage at the ISO-PPC 1.5 mile benchmark, there is also some loss in this same area of the city. The gain and loss here is somewhat equal, however. Additionally, the movement of Station 7 reduces overlap of the 1.5 mile benchmark in the north central area of the city. There is a new gap created northwest, west, and southwest as a result of moving Station 1.

When siting new stations or moving current stations, the Garland Fire Department should include in any strategic master planning the GFD conducts over the near, mid, and long terms the ISO-PPC engine and ladder company benchmarks for service to built-upon land, and the NFPA 1710 travel time benchmarks for first and second arriving fire suppression and EMS unit (240 seconds and 360 seconds respectively), as well as the NFPA 1710 standard for assembling an Effective Response Force in 480 seconds for building fires other than high-rise responses, and 610 seconds for high rise responses.

Staffing and Deploying Fire and EMS Resources

When exploring staffing and deployment of fire departments it is prudent to design an operational strategy around the actual circumstances that exist in the community and the fire and risk problems that are identified. The strategic and tactical challenges presented by the varied hazards that a department protects against need to be identified and planned for through a community risk analysis planning and management process as completed in this report.

Effectively managing a fire department requires an understanding of and an ability to demonstrate how changes to resources will affect community outcomes. It is imperative that fire department leaders, as well as policy makers, know how fire department resource deployment in their local community affects community outcomes in three important areas: firefighter injury and death; civilian injury and death; and property loss. If fire department resources (both mobile and personnel) are deployed to match the risk levels inherent to hazards in the community, it has been scientifically demonstrated that the community will be far less vulnerable to negative outcomes in all three areas.[32]

Even with a thorough risk evaluation, staffing fire and EMS companies continues to remain a hotly debated topic among firefighters and governmental leadership since risk assessment models include high risk / low frequency situations. While there are situations that may be low frequency, they can and do occur and thus require operational readiness to mitigate.

While NFPA 1710 and OSHA provide guidelines as to the level of staffing and response of personnel, the acceptance of these guidelines varies from state to state and department to department. NFPA 1710 addresses recommended staffing in terms of four types of occupancies. The needed staffing to accomplish the critical tasks for each specific occupancy are determined to be the *Effective Response Force* (ERF). The ERF for each of these occupancies is detailed in NFPA 1710 (2020 edition), Section 5.2.4, Deployment. An additional standard, the GFD follows originates with the Texas Commission on Fire Protection standards. This standard is specific to operating in immediately dangerous to life or health (IDLH) environments, where there is a requirement of two firefighters outside of the building or entry point to the IDLH, while there are two firefighters operating inside the building or other vessel that has an IDLH.

One of the factors that has helped the fire service in terms of staffing is technology. The fire service continues to incorporate technological advances that help firefighters extinguish fires more effectively. More advanced equipment in terms of nozzles, thermal imaging systems, advancements in self-contained breathing apparatus, incident command strategies, compressed air foam, and devices used to track personnel air supply are some of the advancements of technologies and techniques that help firefighters extinguish fires faster and manage the fireground more effectively. While some of these technologies do not reduce the staffing required, they can have an impact on workload, property loss, and crew fatigue.

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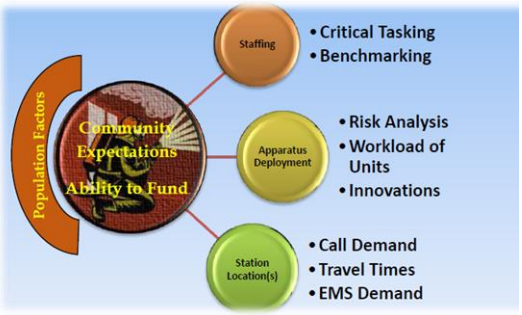
32. Fire Service Deployment, Assessing Community Vulnerability, Metropolitan Chiefs, 2011.



Staffing and deployment of fire services are not exact sciences. While there are many benchmarks that communities and management utilize in justifying certain staffing levels, there are certain considerations that are data driven and reached through national consensus that serve this purpose as well. CPSM has developed metrics it follows and recommends that communities consider when making recommendations regarding staffing and deployment of fire resources.

In addition to metrics, staffing is also linked to station location, what type of apparatus is responding, whether engine, ladder, or specialty piece such as a rescue company. These combined factors help to determine what level of fire and EMS service is going to be delivered in terms of manpower, response time, and resources. Linked to these components of staffing and deployment are 11 critical factors that drive various levels and models from which fire and EMS departments staff and deploy. These factors are:

Fire Risk and Vulnerability of the Community: The community risk and vulnerability assessment are used to evaluate the community. With regard to individual property, the assessment is used to measure all property and the risk associated with that property and then segregate the property as either a high-, medium-, or low-hazard depending on factors such as the life and building content hazard and the potential fire flow and the staffing and apparatus types required to mitigate an emergency in the specific property. Factors such as fire protection systems are considered in each building evaluation. Included in this assessment should be both a structural and nonstructural (weather, wildland-urban interface, transportation routes, etc.) analysis.

Population, Demographics, and Socioeconomics of a Community: Population and population density drive calls for local government service, particularly public safety. The risk from fire is not the same for everyone, with studies telling us age, gender, race, economic factors, and what region in the country one might live all contribute to the risk of death from fire. Studies also tell us these same factors affect demand for EMS, particularly population increase and the use of hospital emergency departments. Many uninsured or underinsured patients rely on emergency departments for their primary and emergent care, utilizing a pre-hospital EMS transport system as their entry point.

Call Demand: Demand is made up of the types of calls to which units are responding and the location of the calls. This drives workload and station staffing considerations. *Higher population centers with increased demand require greater resources.*

Workload of Units: The types of calls to which units are responding and the workload of each unit in the deployment model. This tells us what resources are needed and where; it links to demand and station location, or in a dynamic deployed system, the area(s) in which to post units.

Travel Times from Fire Stations: Looks at the ability to cover the response area in a reasonable and acceptable travel time when measured against national benchmarks. Links to demand and risk assessment.

NFPA Standards, ISO, OSHA Requirements (and other national benchmarking). CPSM considers national benchmarks, standards, and applicable laws when making recommendations or alternatives regarding the staffing and deployment of fire and EMS resources.

EMS Demand: Community demand; demand on available units and crews; demand on non-EMS units responding to calls for service (fire/police units); availability of crews in departments that utilize cross-trained EMS staff to perform fire suppression.

Critical Tasking: The ability of a fire and EMS department to collect an effective response force as benchmarked against national standards when confronted with the need to perform required critical tasks on a fire or EMS incident scene defines its capability to provide adequate resources to mitigate each event. Department-developed and measured against national benchmarks. Links to risk and vulnerability analysis.

Innovations in Staffing and Deployable Apparatus: The fire department's ability and willingness to develop and deploy innovative apparatus. Compressed air foam systems, deploying quick response vehicles (light vehicles equipped with medical equipment and some light fire suppression capabilities) on those calls (typically the largest percentage) that do not require heavy fire apparatus.

Community Expectations: Measuring, understanding, and meeting community expectations.

Ability to Fund: The community's ability and willingness to fund all local government services and understanding how the revenues are divided up to meet the community's expectations.

While each component presents its own metrics of data, consensus opinion, and/or discussion points, aggregately they form the foundation for informed decision making geared toward the implementation of sustainable, data- and theory-supported, effective fire and EMS staffing and deployment models that fit the community's profile, risk, and expectations.

Deployable Resources

The GFD service area has a mix of industrial, commercial, public assembly, professional office buildings, multifamily and single-family residential structures (multi-story with varying densification), mixed use, and healthcare facilities. The service area has a diverse mix of buildings ranging from new to older construction with single and/or mixed occupancy types with multiple stories and access issues. There are also urban and suburban areas of the city that are built upon.

As discussed, the GFD responds with fire suppression apparatus with crews from eleven fire station locations deploying fire, rescue, and EMS ground transport units. The GFD also utilizes automatic aid from contiguous jurisdictions to assist in strategic areas of the city and to augment the assembling of an Effective Response Force. The GFD primary deployable resources include:

Engine Companies, which are primarily designed for firefighting operations, the transport of crew members, hose (fire attack and larger supply), tank water, ground ladders, self-contained breathing apparatus, and storage of an assortment of hand tools used for a broad spectrum of fire operational tasks. As engines are often utilized as first response units on EMS calls, they also carry an assortment of EMS gear to treat patients and provide life-saving measures prior to the arrival of EMS transport units. The GFD engines are set up for this as well and are staffed with advanced emergency medical technicians. Staffing complements for engine apparatus are discussed below. GFD currently responds to emergencies with an inventory of seven frontline engines.

Ladder Company, which is also primarily designed for firefighting operations but differs from engines in that it also has a hydraulically operated aerial device designed to reach above grade floors to transport crew members, effect rescues, and provide an elevated water stream. Ladder trucks also transport crew members, ground ladders, self-contained breathing

apparatus, various forcible entry tools, ventilation equipment, and hydraulic rescue tools as well as other equipment to deal with an assortment of fires and technical rescues. The GFD currently responds to emergencies with an inventory of five frontline ladder trucks that are Quint apparatus (described next). When needed, these units respond with a crew capable of performing ladder company functions such as ventilation, utility control, above-grade firefighting tasks, and elevated master stream application.

Quint Companies, which is primarily designed for firefighting operations to offer both engine and ladder operations. A quint includes a hydraulically operated aerial ladder, fire pump, water tank, fire hose, and ground ladders. Quint apparatus transport crew members, a broad spectrum of engine company tools and equipment as well as ground ladders, self-contained breathing apparatus, various forcible entry tools, ventilation equipment, and hydraulic rescue tools, and other equipment to deal with an assortment of fires and technical rescues. As Quints are typically the single piece of fire apparatus assigned to a station they are often utilized as first response units on EMS calls, so they carry an assortment of EMS gear to treat patients and provide life-saving measures prior to the arrival of EMS transport units. The GFD currently responds to emergencies with an inventory of four Quint apparatus. When needed, and based on current staffing levels, (three Quint apparatus have a minimum staffing of 3; two Quint apparatus have a minimum staffing of 4), the Quints may only be capable of performing either engine or ladder company functions.

EMS Ground Transport Units, which are primarily designed to respond to EMS calls for service with crew members and provide on-scene treatment and then transport while continuing care to the hospital emergency department. Equipment includes both basic and advanced life support targeted at timely intervention and patient stabilization. The GFD currently responds to emergencies with an inventory of eleven staffed ambulances. All are staffed with paramedics.

Rescue Company, which is primarily designed for firefighting and rescue operations and transports crew members, self-contained breathing apparatus, various hand and forcible entry tools, ventilation equipment, hydraulic rescue tools as well as other specialty equipment such as rope and rope equipment, vehicle stabilization devices, various mechanical cutting and burning tools, water rescue, and other specialty tools and equipment to deal with an assortment of fire and technical rescue incidents. The GFD currently responds to emergencies with an inventory of one heavy rescue truck (cross staffed). When needed, the unit is cross-staffed and responds with a crew capable of performing ladder and engine company functions, as well as vehicle and technical rescue functions.

Command Vehicles, which are typically SUV-type vehicles with command centers built into the cargo compartment, are designed to carry a command level officer to the scene and equipped with radio and command boards as well scene personnel-tracking equipment and associated gear. The GFD has two operations command vehicles assigned to the shift Battalion Chiefs while on duty, and other command capable units assigned to the Fire Chief and Assistant Fire Chiefs. Operational Battalion Chiefs respond to fire and EMS incidents and establish command and control of the incident.

Fire, rescue, and emergency medical services (EMS) incidents, and the fire department's ability to respond to, manage, and mitigate, them effectively, efficiently, and safely, are mission-critical components of the emergency services delivery system. In fact, fire, rescue, and EMS operations provide the primary, and certainly most important, basis for the very existence of the fire department.

The next table outlines the GFD's staffing matrix.

Table 26: GFD Minimum Staffing Matrix

Station	Apparatus	Minimum Staffing
Station 1	Engine 1, Truck 1(**Quint**) (Cross staffed) Ambulance 1 Battalion 1 EMS Captain/Supervisor	**4** 2 2 1
Station 2	Engine 2 Ambulance 2 Blocker 2	3 2 Cross-staffed
Station 3	Engine 3 Ambulance 3	3 2
Station 4	Engine 4 Ambulance 4	3 2
Station 5	Truck 5 (**Quint**) Ambulance 5 Blocker 5	**4** 2 Cross-staffed
Station 6	Engine 6 Ambulance 6	3 2
Station 7	Truck 7 (**Quint**) Ambulance 7	3 2
Station 8	Engine 8 Ambulance 8	3 2
Station 9	Truck 9 (**Quint**) Ambulance 9 Battalion 2	3 2 1
Station 10	Engine 10 Ambulance 10	3 2
Station 11	Truck 11 (**Quint**) Ambulance 9	3 2

Effective Response Force and Critical Tasking

NFPA 1710, *Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations and Special Operations to the Public by Career Fire Departments*, 2020 edition, outlines organization and deployment of operations by career, and primarily career fire and rescue organizations. It serves as a benchmark to measure staffing and deployment of resources to certain structures and emergencies. Questions of legal responsibilities are often discussed in terms of compliance with NFPA standards. NFPA standards are consensus standards and not the law. Many cities and counties strive to achieve

these standards to the extent possible without an adverse financial impact on the community. Cities and communities must decide on the level of service and compliance they can deliver based on budgetary constraints and operational capabilities.

NFPA 1710 details staffing levels for fire departments in terms of fire, EMS, and special operation incidents. According to NFPA 1710, fire departments should base their capabilities on a formal community risk assessment, as discussed in this report, and taking into consideration:[33]

- Life hazard to the population protected.
- Provisions for safe and effective firefighting performance conditions for the firefighters.
- Potential property loss.
- Nature, configuration, hazards, and internal protection of the properties involved.
- Types of fireground tactics and evolutions employed as standard procedure, type of apparatus used, and results expected to be obtained at the fire scene.

NFPA 1710 addresses standards for an *Effective Response Force* across several types of occupancies. An effective response force (ERF) is defined as the minimum number of firefighters and equipment that must reach a specific emergency incident location within a maximum prescribed travel [driving] time. The maximum prescribed travel time acts as one indicator of resource deployment efficiency.

NFPA 1710 provides a staffing deployment model and critical tasking guidelines for four specific occupancies. These occupancies are:

- Single-Family Dwelling.
- Open-Air Strip Mall/Commercial Building.
- Garden Style Apartment.
- High Rise.

The Center for Public Safety Excellence (CPSE) has also established benchmarks regarding staffing and deployment. CPSE sets standards for agencies desiring accreditation through the Commission on Fire Accreditation International (CFAI). CFAI uses standards set forth in the *Quality Improvement for the Fire and Emergency Services* manual, to provide guidance in staffing and deployment to agencies desiring accreditation through Core Competencies.

Fire Critical Tasking

Both CPSE and the NFPA have defined *critical tasking*. CPSE defines critical tasking as the application of tasks assigned to the human and physical resources that are minimally required to effectively mitigate pain, suffering, and loss of life and/or property. Critical tasking is relevant to risk classifications and risk categories.[34]

33. NFPA 1710, 5.2.1.1, 5.2.2.2
34. Center for Public Safety Excellence, Quality Improvement for the Fire and Emergency Services, 2020

FACT SHEET

KEY REQUIREMENTS FOR EMERGENCY SERVICES IN NFPA 1710

The minimum requirements for provision of emergency services by career fire departments can be found in NFPA 1710, *Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments.*

NFPA 1710 addresses the structure and operation of organizations providing such services, which include fire suppression and other assigned emergency response responsibilities such as EMS and special operations.

The requirements intend to provide effective, efficient, and safe protective services to help prevent fires, reduce risk to lives and property, deal with incidents that occur, and help prepare for anticipated incidents.

The requirements are listed in NFPA 1710 for fire department service deployment based on the type of occupancy, along with the appropriate response staffing levels for each. The minimum staffing level for each occupancy is listed below. For the full breakdown of staffing requirements by position, refer to the subsections specific to each occupancy in 5.2.4.

KEY REQUIREMENTS

Occupancy Type: Single-Family Dwelling
Deployment: Minimum of 16 members or 17 if aerial device is used

The initial full alarm assignment to a structure fire in a typical 2000 ft² (186 m²), two-story, single-family dwelling without a basement and with no exposures must provide for a minimum of 16 members (17 if an aerial device is used).

Occupancy Type: Garden-Style Apartment
Deployment: Minimum of 27 members or 28 if aerial device is used

The initial full alarm assignment to a structure fire in a typical 1200 ft² (111 m²) apartment within a three-story, garden-style apartment building must provide for a minimum of 27 members (28 if an aerial device is used).

Occupancy Type: Open-Air Strip Mall
Deployment: Minimum of 27 members or 28 if aerial device is used

The initial full alarm assignment to a structure fire in a typical open-air strip shopping center ranging from 13,000 ft² to 196,000 ft² (1203 m² to 18,209 m²) in size must provide for a minimum of 27 members (28 if an aerial device is used).

Occupancy Type: High-Rise
Deployment: Minimum of 42 members or 43 if building is equipped with fire pump

The initial full alarm assignment to a fire in a building with the highest floor greater than 75 ft (23 m) above the lowest level of fire department vehicle access must provide for a minimum of 42 members (43 if the building is equipped with a fire pump).

Critical tasks as defined by NFPA 1710 are those activities that must be conducted on time by responders at emergency incidents to control the situation and stop loss. Critical tasking for fire operations is the minimum number of personnel needed to perform the tasks needed to effectively control and mitigate a fire or other emergency. To be effective, critical tasking must assign enough personnel so that all identified functions can be performed simultaneously. However, it is important to note that initial response personnel may manage secondary support functions once they have completed their primary assignment. Thus, while an incident may end up requiring a greater commitment of resources or a specialized response, a properly executed critical tasking assignment will provide adequate resources to immediately begin bringing the incident under control.

There are 93 Core Competencies required for a department to achieve accreditation status as defined by CPSE. Competency 2C.4 is under the heading of Current Deployment and Performance and addresses critical tasking.

Criterion 2C: Current Deployment and Performance

The agency identifies and documents the nature and magnitude of the service and deployment demands within its jurisdiction. Based on risk categorization and service impact considerations, the agency's deployment practices are consistent with jurisdictional expectations and with industry research. Efficiency and effectiveness are documented through quality response measurements that consider overall response, consistency, reliability, resiliency, and outcomes throughout all service areas. The agency develops procedures, practices, and programs to appropriately guide its resource deployment.[35]

Core Competency 2C.4

A critical task analysis of each category and risk class is conducted to determine the first due and effective response force capabilities, and a process is in place to validate and document the results. Core competency 2C.4 requires that the agency conduct a critical task analysis of each risk category and risk class to determine the first-due and effective response force capabilities, and to have a process in place to validate and document the results. The process considers the number of personnel needed to perform the necessary emergency scene operations. Completion of the process also helps to identify any gaps in the agency's emergency scene practices.

35. Center for Public Safety Excellence, Quality Improvement for the Fire and Emergency Services, 2020

The specific number of people required to perform all the critical tasks associated with an identified risk or incident type is referred to as an Effective Response Force (ERF). The goal is to deliver an ERF within a prescribed period.

The GFD has a response matrix for structure fires that includes:

Structural Fire-Residential

- Battalion Chief: 1
- EMS Supervisor: 1
- Engines: 2
- Trucks: 2
- Ambulances: 2

Structural Fire: Commercial/Multifamily

- Battalion Chief: 2
- EMS Supervisor: 1
- Engines: 3
- Trucks: 2
- Ambulances: 2

The GFD has a response matrix for EMS incidents that includes:

Low Acuity EMS Call

- Ambulance: 1 with 2 firefighters (2 PMs)

High Acuity EMS Call

- Ambulance: 1 with 2 firefighters (2 PMs)
  Engine or Truck: 1 with 3 or 4 staff

Building the Effective Response Force

The following discussion and tables will outline how critical tasking and assembling an effective response force is measured, first using the NFPA 1710 criterion, and then how the GFD is benchmarked against this standard for the building types existing in Garland. This discussion will cover single-family dwelling buildings, open-air strip mall buildings, apartment buildings, and high-rise buildings as outlined in the NFPA standard.

In addition to the staffing criterion for the various building types, the NFPA 1710 also has travel/response time criterion to assemble an Effective Response Force as discussed earlier:

- ≤ 480 seconds to assemble the initial first alarm assignment on scene 90 percent of the time for low/medium hazard.

The travel/response time criterion is not discussed here. *CPSM does recommend that the GFD continually examine each fire district individually to evaluate how the department benchmarks against this criterion.*

Single-Family Dwelling: NFPA 1710, 5.2.4.1

The initial full alarm assignment (ERF) to a structural fire in a typical 2,000 square-foot, two-story, single-family dwelling without a basement and with no exposures must provide for a minimum of 16 members (17 if an aerial device is used). The next table outlines the critical task matrix. Single family dwellings represent the majority of building risk in Garland.

Table 27: Effective Response Force for Single-Family Dwelling Building

Critical Tasks	Personnel
Incident Command	1
Continuous Water Supply	1
Fire Attack via Two Handlines	4
Hydrant Hook Up - Forcible Entry - Utilities	2
Primary Search and Rescue	2
Ground Ladders and Ventilation	2
Aerial Operator if Aerial is Used	1
Establishment of IRIC (Initial Rapid Intervention Crew)	4
Total Effective Response Force	**16 (17 If aerial is used)**

Note: Single-family dwellings in Garland greater than 2,000 square feet with a basement should be considered a more moderate risk, particularly if built with lightweight wood-frame construction.

The next table outlines how the GFD assembles staffing and deployable resources as measured against NFPA 1710 benchmarking for an effective response force for a single-family dwelling fire.

Table 28: GFD Effective Response Force for Single-Family Dwelling Building

Apparatus	Personnel
GFD Battalion Chief	1-2
GFD EMS Supervisor	1
GFD Engine	3
GFD Engine	3-4*
GFD Truck	3
GFD Truck	3-4*
GFD Ambulance	2
GFD Ambulance	2
Total GFD Effective Response Force	**18-21**

*Engine/Truck 1 is staffed with 4; Truck 5 is staffed with 4; Battalion 1 is staffed with 2

As a single responding agency, the GFD meets the minimum benchmarks of NFPA 1710 for an effective response force for a single-family dwelling fire. NFPA 1710 permits fire departments to use established automatic/mutual aid agreements to comply with section 5.2 of this standard.

Open-Air Strip Mall/Commercial Building, NFPA 5.4.2

The initial full alarm assignment (ERF) to a structural fire in a typical open-air strip center/commercial building ranging from 13,000 square feet to 196,000 square feet in size must provide for a minimum of 27 members (28 if an aerial device is used). The following table outlines the critical tasking matrix for these building types.

§§§

Table 29: Effective Response Force for Open-Air Strip Mall/Commercial Building

Critical Tasks	Personnel
Incident Command	2
Continuous Water Supply	2
Fire Attack via Two Handlines	6
Hydrant Hook Up - Forcible Entry - Utilities	3
Primary Search and Rescue	4
Ground Ladders and Ventilation	4
Aerial Operator if Aerial is Used	1
Establishment of IRIC (Initial Rapid Intervention Crew)	4
Medical Care Team	2
Total Effective Response Force	**27 (28 If aerial is used)**

The next table outlines how the GFD assembles staffing and deployable resources as measured against NFPA 1710 benchmarking for an effective response force for an open-air strip mall and commercial building fires.

Table 30: GFD Effective Response Force for Open-Air Strip Mall/Commercial Building

Apparatus	Personnel
GFD Battalion Chief	1
GFD Battalion Chief	2
GFD EMS Supervisor	1
GFD Engine	3
GFD Engine	3
GFD Engine	3-4*
GFD Truck	3
GFD Truck	3-4*
GFD Ambulance	2
GFD Ambulance	2
Total GFD Effective Response Force	**23-26**

*Engine/Truck 1 is staffed with 4; Truck 5 is staffed with 4; Battalion 1 is staffed with 2

The GFD does not meet the minimum benchmarks of NFPA 1710 for an effective response force for an open-air strip mall/commercial building, however the GFD response is comparable dependent on the building and the critical tasks assignments on the initial alarm. NFPA 1710 permits fire departments to use established automatic aid and mutual aid agreements to comply with section 5.2 of this standard.

Apartment Building, NFPA 1710, 5.2.4.3

The initial full alarm assignment (ERF) to a structural fire in a typical 1,200 square-foot apartment within a three-story, garden-style apartment building must provide for a minimum effective response force (ERF) of 27 members (28 if an aerial device is used).

The next table outlines the critical tasking matrix for this type of building fire.

Table 31: Effective Response Force for Apartment Building

Critical Tasks	Personnel
Incident Command	2
Continuous Water Supply	2
Fire Attack via Two Handlines	6
Hydrant Hook Up - Forcible Entry - Utilities	3
Primary Search and Rescue	4
Ground Ladders and Ventilation	4
Aerial Operator if Aerial is Used	1
Establishment of IRIC (Initial Rapid Intervention Crew	4
Medical Care Team	2
Total Effective Response Force	**27 (28 If aerial is used)**

The next table outlines how the GFD assembles staffing and deployable resources as measured against NFPA 1710 benchmarking for an effective response force for an apartment building or other multi-unit housing type building fire.

Table 32: GFD Effective Response Force for Apartment Building Fire

Apparatus	Personnel
GFD Battalion Chief	1
GFD Battalion Chief	2
GFD EMS Supervisor	1
GFD Engine	3
GFD Engine	3
GFD Engine	3-4*
GFD Truck	3
GFD Truck	3-4*
GFD Ambulance	2
GFD Ambulance	2
Total GFD Effective Response Force	**23-26**

As a single responding agency, the GFD does not meet the minimum benchmarks of NFPA 1710 for an Effective Response Force for an apartment building fire, however the GFD response is comparable dependent on the building and the critical tasks assignments on the initial alarm. NFPA 1710 permits fire departments to use established automatic aid and mutual aid agreements to comply with section 5.2 of this standard.

§ § §

High Rise, NFPA 5.2.4.4

The initial full alarm assignment to a fire in a building where the highest floor is greater than 75 feet above the lowest level of fire department vehicle access must provide for a minimum of 42 members (43 if the building is equipped with a fire pump). The following table outlines the critical tasking matrix for this type of building fire.

Table 33: Effective Response Force for High-Rise Building

Critical Tasks	Personnel
Incident Command	2
Continuous Water Supply	1/1 1 FF for continuous water. If fire pump exists an additional 1 FF will be required for a total of 2
Fire Attack via Two Handlines	4
One Handline above the Fire Floor	2
Establishment of IRIC (Initial Rapid Intervention Crew	4
Primary Search and Rescue Teams	4
Entry Level Officer with Aide near entry point of Fire Floor	2
Entry Level Officer with Aide near the entry point above the Fire Floor	2
Two Evacuation Teams	4
Elevation Operations	1
Safety Officer	1
FF Two floors below Fire to coordinate Staging	1
Rehabilitation Management	2
Officer and FFs to Manage vertical Ventilation	4
Lobby Operations	1
Transportation of Equipment below Fire Floor	2
Officer to Management Base Operations	1
Two ALS Medical Care Team	4
Total Effective Response Force	42 (43) If building is Equipped with Pump

The following table outlines how the GFD assembles staffing and deployable resources as measured against NFPA 1710 benchmarking for an effective response force for a high-rise building.

§§§

Table 34: GFD Effective Response Force for High-Rise Building

Apparatus	Personnel
GFD Battalion Chief	1
GFD Battalion Chief	2
GFD EMS Supervisor	1
GFD Engine	3
GFD Engine	3
GFD Engine	3-4*
GFD Truck	3
GFD Truck	3-4*
GFD Ambulance	2
GFD Ambulance	2
Total GFD Effective Response Force	**23-26**

As a single responding agency, the GFD does not meet the minimum benchmarks of NFPA 1710 for an Effective Response Force for a high rise/high hazard building fire. NFPA 1710 permits fire departments to use established automatic aid and mutual aid agreements to comply with section 5.2 of this standard.

As already stated and relevant to assembling an Effective Response Force on building fires, the Garland Fire Department should include in any strategic master planning the GFD conducts over the near, mid, and long terms, planning objectives focused on increasing deployable assets (apparatus and staffing) to respond to high and medium risk target hazards that include high risk/vulnerable population risks (nursing/assisted living facilities), educational facilities, multifamily multi-story residential structures (apartments/condos), mercantile building risk, and large footprint commercial buildings while a lower life safety risk, generally a higher hazard risk based on processes, storage, and overall occupancy type. This should include the addition of staffed/separate ladder companies (4 staffing) in strategically located stations in the city. This can be in combination with increasing staffing on some Quint apparatus to four, so that the single response unit can achieve dual use (engine and ladder) more readily on initial arrival. This planning should also include staffing the heavy rescue unit at Station 1 with three initially, with a goal of staffing this unit with four over the longer term.

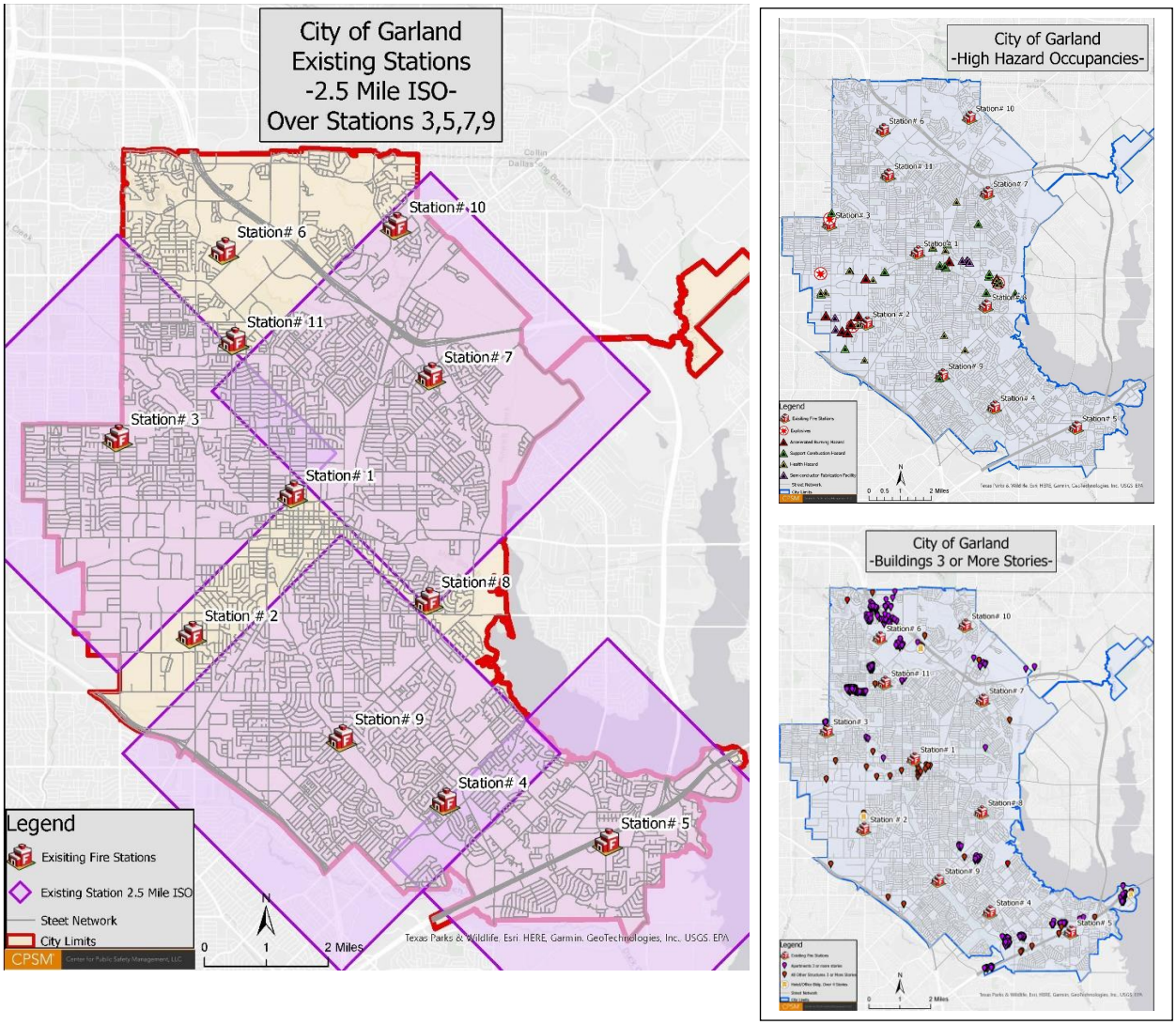
CPSM evaluated the GFD's current deployment of apparatus and staffing as it compares to national standards (NFPA 1710 and ISO-PPC). The GFD deploys four Quint apparatus as single housed units in four stations and cross-staffs one other with an engine crew. While Quint apparatus is efficient in that a department can deploy an aerial truck with a fire pump, water tank, and hose, unless this apparatus is staffed with a minimum of four or five, when it arrives first or even sometimes second on a building fire, the officer must make a choice as to what function the apparatus and crew will initially and sometimes continually operate as.

When a Quint apparatus is deployed with a staffing of three, a choice must be made as to what function (engine or ladder) this apparatus will function as. The driver/operator can effectively operate the fire pump or the aerial device but not both safely and effectively as they are separated by distance and apparatus location. The officer and jump seat firefighter deploy as a team of two to either engage engine company functions by stretching a hose line, or a truck company to complete ventilation, search and rescue, or other truck company critical tasking.

An additional firefighter (staffing of four) allows for a pump operator and aerial operator, and a team of two for assigned critical tasking either as an engine crew or truck crew.

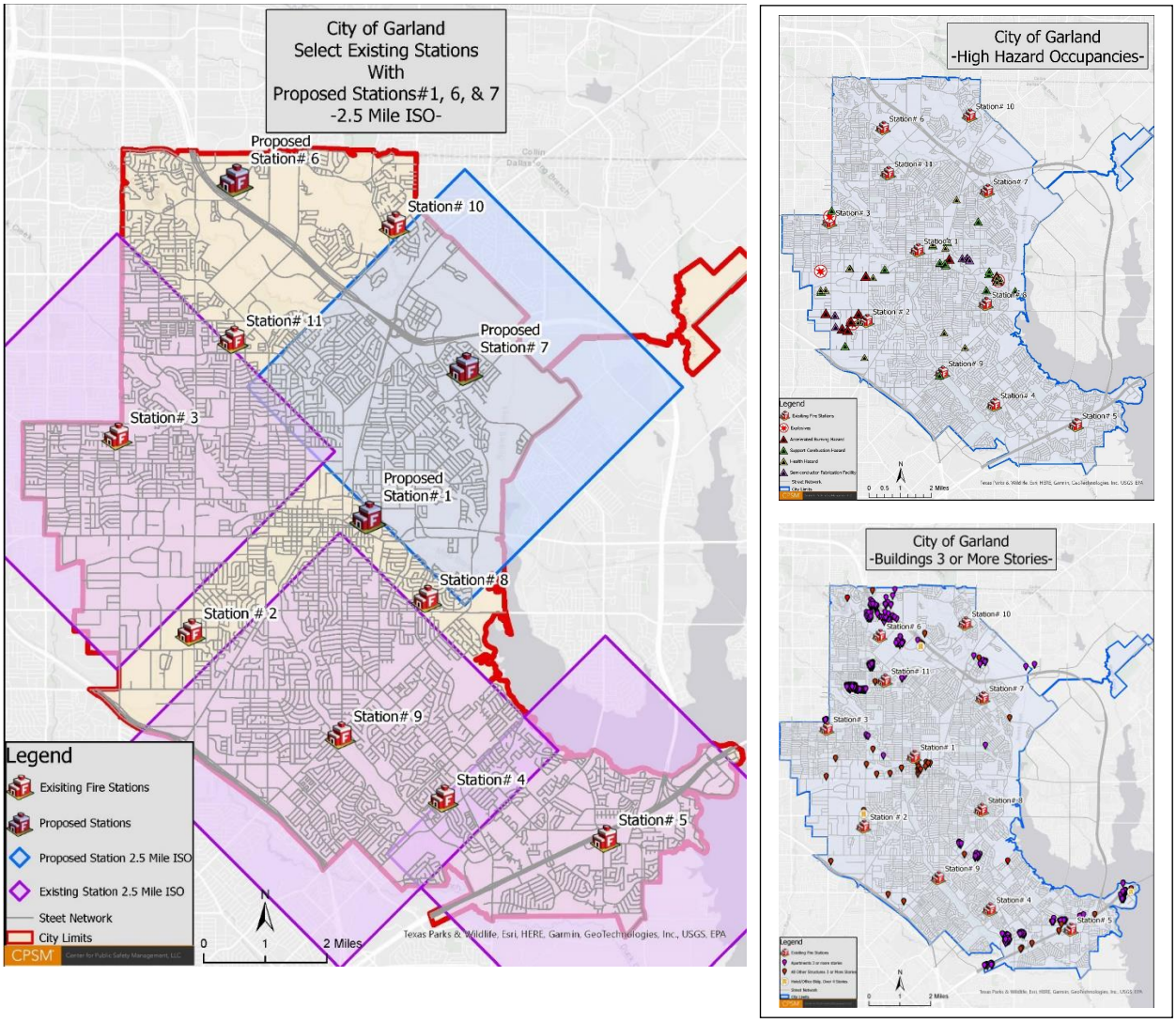
The next step for GFD is to consider and strategically plan for, over the near, mid, and longer terms, to locate four ladder trucks strategically in the city as separate truck companies in stations with engine companies. The next figures illustrate station locations that would be most beneficial for coverage across the city and building risks, and when benchmarked against the ISO-PPC. We start with ladder apparatus at Stations 3, 5, 7, 9 as dual company stations (engine/ladder). As stated in the strategic planning statement, this ladder placement can be all dual company stations (engine-ladder), or a combination of dual company stations and Quint stations, but with 4-person staffing on the Quints.

Figure 29: Proposed Ladder Apparatus Stations with ISO-PPC 2.5 Mile Benchmark



The next figure considers the movement of Stations 1, 6, 7 and discussed earlier.

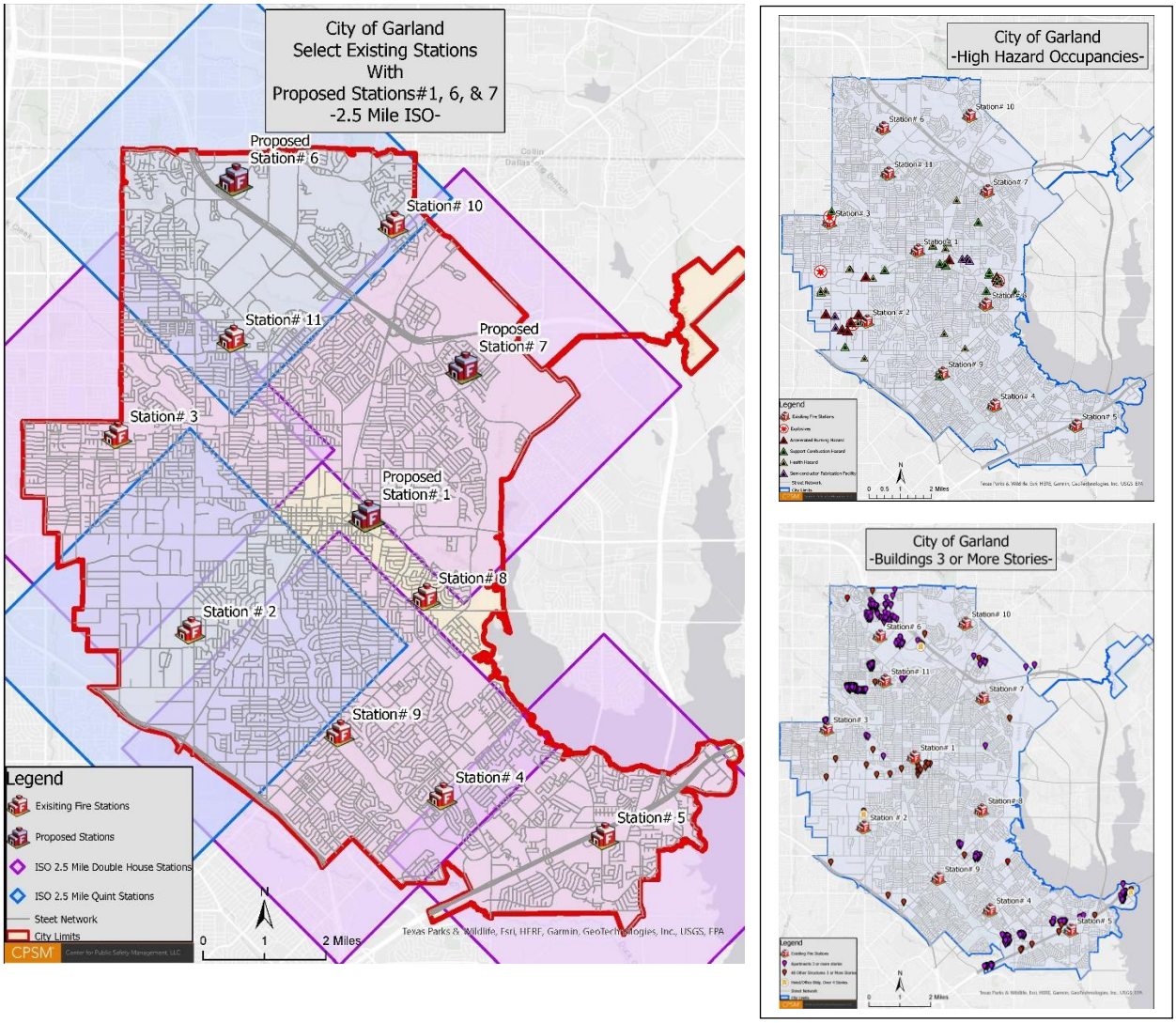
Figure 30: Proposed Ladder Apparatus Stations with ISO-PPC 2.5 Mile Benchmark With the Movement of Stations 1, 6, 7



Each of these illustrations of potential ladder apparatus placement are favorable for coverage across the city, and when benchmarked against the ISO-PPC.

The next figure contemplates additional Quint apparatus as single companies, with a staffing of four, at Stations 2, and 6. The Station 2 location is practical due to the high hazard occupancies, nursing homes and assisted living facilities, and large footprint buildings in this fire district. The Station 6 location is practical as it has many buildings (apartments) over three stories and large footprint buildings located in this fire district. Both locations also serve as second ladder apparatus responses on commercial and multifamily, multi-story fire responses.

Figure 31: Proposed Ladder Apparatus Stations 3, 5, 7, 9 with Stations 2 and 6 With the Movement of Stations 1, 6, 7



EMS Critical Staffing

EMS is a vital component of the comprehensive emergency services delivery system in any community. Together with the delivery of police and fire services, it forms the backbone of the community's overall public safety net.

In terms of overall incidents responded to by the emergency agencies in most communities, it could be argued that EMS incidents constitute the greatest number of "true" emergencies, where intervention by trained personnel makes a difference, sometimes literally between life and death. Heart attack and stroke victims require rapid intervention, care, and transport to a medical facility. The longer the time duration without care, the less likely the patient is to fully recover. Contemporary pre-hospital clinical care deploys many clinical treatments one will receive in the emergency department; truly matching the long-time EMS saying, "we bring the emergency room to you."

Critical tasks by specific call type in EMS-only agencies assisted by fire departments are not as well-defined as those in the fire discipline. Notwithstanding, *Critical Tasking* in EMS is typical of that in the fire service in that there are certain critical tasks that need to be completed either in succession or simultaneously. EMS on-scene service delivery is based primarily on a focused scene assessment, patient assessment, and then followed by the appropriate basic and advanced clinical care through established medical protocols. EMS critical tasking is typically developed (in fire-based EMS Standards of Cover documents) in accord with the U.S. Department of Health and Human Services, Centers for Medicare & Medicaid Services (CMS), as:

- Basic Life Support (BLS), which is an emergency response by a ground transport unit (and crew) and the provision of medically necessary supplies and services occurs.
- Advanced Life Support, Level 1 (ALS1), which is the transportation by ground ambulance vehicle and the provision of medically necessary supplies and services including the provision of an ALS assessment or at least one ALS intervention.
- Advanced Life Support, Level 2 (ALS2), which is the transportation by ground ambulance vehicle and the provision of medically necessary supplies and services including:
  - *at least three separate administrations of one or more medications by intravenous push/bolus or by continuous infusion (excluding crystalloid fluids) or*
  - *(2) ground ambulance transport, medically necessary supplies and services, and the provision of at least one of the ALS2 procedures listed below:*

    a. Manual defibrillation/cardioversion.

    b. Endotracheal intubation.

    c. Central venous line.

    d. Cardiac pacing.

    e. Chest decompression.

    f. Surgical airway.

    g. Intraosseous line.

The next set of tables reviews the current critical tasking for the GFD continuum of care. As indicated above, the critical tasking is based on the current CMS ground transport definition of ambulance services. In each, the GFD is following national best practices.

Table 35: BLS Critical Tasking

Critical Task	# Responders
Primary Patient Care Incident Command	1
Secondary Patient Care Vehicle Operations	1
Effective Response Force	2

Resource Deployment

1 Transport Ambulance

Table 36: ALS1Critical Tasking

Critical Task	# Responders
Incident Command	1
Primary Patient Care	1
Secondary Patient Care Vehicle Operations	2 1
Effective Response Force	5

Resource Deployment

1 Transport Ambulance
1 GFD Fire Crew

Table 37: ALS2 Critical Tasking

Critical Task	# Responders
Incident Command	1
Primary Patient Care	1
Secondary Patient Care	1
Tertiary Patient Care Provider	2
Vehicle Operations	1
Effective Response Force	6

Resource Deployment

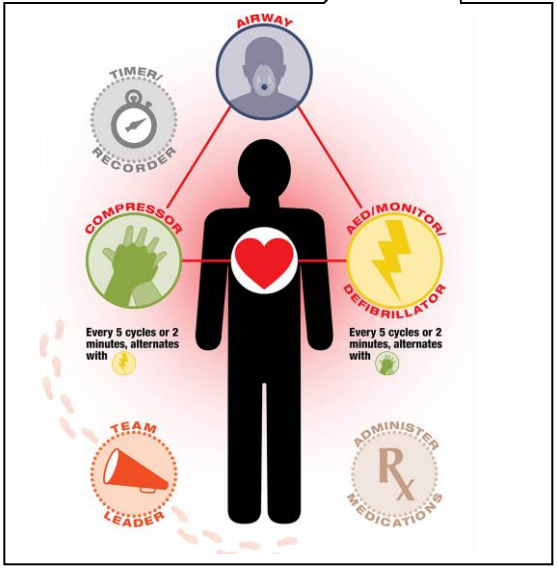
1 Transport Ambulance
1 EMS Supervisor
1 GFD Fire Unit

Table 38: Pulseless/Non-Breathing Critical Tasking

Critical Task	# Responders
Incident Command	1
Primary Patient Care	1
Secondary Patient Care	1
Tertiary Patient Care Provider	2
Vehicle Operations	1
Effective Response Force	6

Resource Deployment

1 Transport Ambulance
1 EMS Supervisor
1 GFD Fire Unit



In Garland, 72% of all calls are EMS related. Of these calls, approximately 36% are potentially higher acuity (ALS2 and above).

Currently the GFD has one EMS Captain/Supervisor to cover the city. Comparably, there are two Fire Battalion Chiefs (north and south) to cover the city.

The GFD should include in any strategic master planning the GFD conducts over the near, mid, and long terms, planning objectives that include increasing the EMS Captain/Supervisor by one per shift and pairing this EMS Captain/Supervisor position with the Fire Battalion Chiefs in a north/south deployment model.

SECTION 4. MASTER PLANNING

Summary of Gap Analysis Findings

The analysis above includes a number of recommendations that will be addressed in the strategic planning portion of this master plan. Additionally, an analysis of the strengths, weaknesses, opportunities, and threats was conducted with Garland Fire Department that will inform strategic planning as well. The highlights from the above gap analysis are provided below for review.

- Population, demographics, and growth impacts on the GFD must be included in any strategic master planning the GFD conducts in the near-, mid-, and long-terms. Increases in development will increase call demand and will impact the deployment analysis in future ISO-PPC community ratings, and the ability of the GFD to meet NFPA deployment benchmarks.
- The GFD should include in any strategic master planning the GFD conducts over the near-, mid-, and long-terms, planning objectives focused on increasing deployable assets (apparatus and staffing) to respond to high and medium risk target hazards that include high risk/vulnerable population risks (nursing/assisted living facilities), educational facilities, multifamily multi-story residential structures (apartments/condos), mercantile building risk, and large footprint commercial buildings while a lower life safety risk, is generally a higher hazard risk based on processes, storage, and overall occupancy type. This should include the addition of staffed/separate ladder companies in strategically located stations in the city.
- Garland Fire Department should include in any strategic master planning the GFD conducts over the near-, mid-, and long-terms, planning objectives focused on mass-transit/mass-casualty incidents involving DART commuter rail and bus transportation.
- Garland Fire Department should include in any strategic master planning the GFD conducts over the near-, mid-, and long-terms, planning objectives focused on deployable assets (staffing and apparatus) that has a focus on resiliency of fire and EMS assets in high call demand fire management zones. This should include a peak-time ambulance at Station 1 or Station 11 from 8:00 a.m. to 10:00 p.m.
- Deficiencies in the ISO-PPC should be discussed and included in any strategic master planning the GFD conducts in the near-, mid-, and long-terms. This should include the addition of staffed ladder apparatus (truck companies in stations that currently house single engine companies), which will create opportunity for a gain in deployment analysis, company personnel analysis, and ladder service analysis credit points, which will assist in sustaining optimum service deliverables and the ISO-PPC 1 community rating.
- Garland Fire Department should include in any strategic master planning the GFD conducts over the near-, mid-, and long-terms, planning objectives focused on following the NFPA 1901 standard for fleet replacement and include in this planning a focus on not utilizing heavy fire apparatus once the apparatus reaches the 25-year age ceiling.
- When siting new stations or moving current stations, the Garland Fire Department should include in any strategic master planning the GFD conducts over the near-, mid-, and long-terms the ISO-PPC engine and ladder company benchmarks for service to built-upon land, and the NFPA 1710 travel time benchmarks for first and second arriving fire suppression and EMS unit (240 seconds and 360 seconds respectively), as well as the NFPA 1710 standard for assembling an Effective Response Force in 480 seconds for building fires other than high-rise

responses, and 610 seconds for high rise responses (should these building heights become a reality in Garland).

- The GFD should include in any strategic master planning the GFD conducts the continuation of mutual and automatic aid from contiguous jurisdictions with a focus on strengthening regional ties and the automatic aid concept and benefits.
- The GFD should include in any strategic master planning near, mid-, and long-term strategies that focus on succession planning, employee professional development, and preparing the workforce for the future.
- The GFD should include in any strategic master planning strategies that focuses on the health, safety, and wellness of the workforce with a focus on reducing carcinogenic exposures, behavioral health, and safety during emergency and non-emergency work.
- The GFD should include in any strategic master planning strategies that are aimed at closing communication gaps in the organization, improving consistent messaging and actions across the organization, and creating a shared vision all members of the organization can work towards.
- The GFD should include strategic master planning strategies that focus on the regular rotation of staff on and off EMS ambulances that has a focus on reducing the length of an operational staff member's time permanently assigned to an ambulance so that each can better develop their professional Fire and EMS careers.
- The GFD should include strategic master planning strategies that focus on reducing the deployment of heavy fire apparatus responding to EMS incidents through the use of Medical Priority Dispatch in the city's 911-center. This effort will take dedicated resources in the 911-center, will reduce overall response of heavy fire apparatus on EMS incidents, which will create efficiencies, and will create resilience in the GFD overall response workload.
- The GFD should include strategic master planning strategies that continue and strengthen the liaison the department has with social and community services in the city regarding high users of the EMS and fire services.
- The GFD should include in any strategic master planning near, mid-, and long-term strategies that focus on the continued renovation of fire facilities to include consideration of integrating NFPA 1500 (health and safety considerations), NFPA 1851 (maintenance and care of station wear and protective ensembles), and NFPA 1710 (turnout time).
- The GFD should include in any strategic master planning the reorganization and reformatting of the department Standard Operating Procedures and Guidelines with a focus on consistency, and to ensure they represent a contemporary fire and EMS department.
- The GFD should include in any strategic master planning a focus on Community Risk Reduction that includes the expansion of Public Life Safety Education; a fire prevention code enforcement annual plan that includes the identification and inspection of all group homes; the completion of required annualized inspections; and the development, implementation, and compliance methodology of a fire operations pre-fire plan program.
- The GFD should include in any strategic master planning a focus on recruitment and retention of employees. Recruitment should make every effort to capture the best and the brightest candidates possible who meet the city and department requirements, and who are reflective of the City of Garland. Retention should be focused on professional development; the health, safety, and wellness of all employees; a shared vision; open and honest communication; and an inclusive organization where all employees feel they are being listened to and their input is received and considered.

Strategic Planning Process

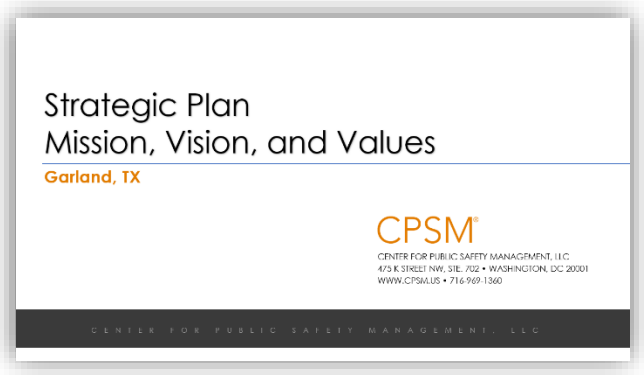
Strategic planning is an important process for organizations, as it provides a clear and concise roadmap for the future. This process can be challenging for agencies to undergo because strategic planning requires an honest assessment of the department's current state of performance, and a realistic understanding of paths to improvement. The Garland Fire Department chose to undergo this process in an effort to identify ways in which fire rescue services for the residents of Garland could be improved.

The strategic planning process addresses the following:

As mentioned above, strategic planning requires an honest assessment of the department's current state of performance. Garland Fire Department accomplished this assessment through an analysis of the department's strengths, weaknesses, opportunities, and threats (commonly referred to as a SWOT analysis). Then, a review of the department's current mission, vision, and values statements was conducted, and sessions were held to align those statements more clearly with current and anticipated future perspectives. Goals and objectives were then developed in line with the SWOT analysis, updated mission, vision, and values, as well as the gap analysis that was conducted concurrently by CPSM staff with the strategic planning process.

Virtual strategic planning/gap analysis sessions were held with personnel from GFD on the below dates to gather input from department stakeholders.

- June 2, 2022: Kick-off meeting with Chief Lee, Assistant Chief Coan, and Assistant Chief Webb.
- June 30, 2022: Meeting with Chief Lee, Mr. Rex, and Mr. Bradford.
- Battalion Chief and Company Officer stakeholder meetings.
- December 16, 2022.
- December 17, 2022.
- December 18, 2022.
- Drivers and Fire Fighter stakeholder meetings.
- December 16, 2022.
- December 17, 2022.
- December 18, 2022.
- March 6, 2023: External stakeholder meeting.



A staff survey was also conducted to ensure all staff were allowed to participate in the SWOT process regardless of whether they were available to attend a virtual session. The survey included questions on perceived importance of certain fire department tasks, perceived strengths, or weaknesses of department characteristics, and provided respondents the opportunity to provide open-ended feedback regarding issues they saw as particular strengths or weaknesses for the department.

Mission, Vision, and Values

Mission Statement

The Mission of the Garland Fire Department is to serve compassionately, professionally, and efficiently to help the community through prevention, preparedness, response, and restoration.

Vision Statement

To build an exemplary department that is dedicated to creating a safer and healthier community through prevention, outreach, and response.

Values

Strengths, Weaknesses, Opportunities, and Threats (SWOT) Analysis

The SWOT analysis was conducted over the course of eight virtual meetings. Both internal and external stakeholder groups participated in the SWOT analysis and provided their unique perspectives. Several interesting findings emerged from the survey as well. For instance, fire suppression and emergency medical services ranked as most important to staff, but fire station tours were ranked as not important. Figure 32 below demonstrates the ranking of fire department tasks. Rankings were based on a scale of 1 to 5, with 1 representing "Not Important at All" and 5 representing "Very Important."

Figure 32: Staff's Perceived Rank of Importance for Fire Department Tasks

Task	Average Ranked Score
Fire Suppression	4.88
Emergency Medical Services	4.80
Vehicle Extrication	4.56
Training of all staff	4.46
Mass Casualty/Injury Response	4.27
Disaster Preparedness	4.19
Fire Safety Inspections of all Businesses	3.80
Community Engagement	3.75
Public Education	3.72
Smoke Detector Checks	3.34
Blood Pressure Checks	3.16
CPR Classes	3.11
Station Tours	2.81

The items listed below are those that were consistently noted across the variety of sessions and are used in combination with the gap analysis above to develop the goals and objectives for the strategic planning portion of the master plan.

It should be noted that weaknesses or threats identified in this process place no value judgement on the organization. Additionally, it is noted that some stakeholder input discussed here may be perception or assumptions offered by stakeholders, who may not have all of the information germane to their statement. However, and to ensure inclusiveness, CPSM has included all information received from stakeholder sessions.

All organizations undergoing a process of continuous improvement should identify potential weaknesses and threats to the organization in order to focus and prioritize efforts toward improvement. Garland Fire Department should be commended for participating in the process and for including such an array of stakeholder groups.

Strengths

- The professionalism of departmental staff, dedication to their work, and care and concern for the citizens of Garland best describes the Garland Fire Department.
- Garland Fire Department provides quality training opportunities beyond minimum training requirements that includes a hands-on, up-to-date, and challenging Shift Training Officer program.
- GFD has access to a variety of resources to include opportunities related to mutual aid/auto, state call-ups, and hospitals throughout the region.
- The culture of GFD is characterized by high morale, established peer support systems, camaraderie, and pride in their work as members of the fire department.

Picture retrieved from Garland Fire Department

- GFD responds to calls for service in a highly skilled and efficient way, utilizing its resources in the most effective way possible.
- GFD frequently engages with the community in a positive way through educational opportunities, participation in community events, visibility in the community, and interaction with diverse groups throughout the community.
- Equipment and apparatus (Fire and EMS) at GFD is characterized by the latest technology.
- GFD has several staff who are willing to participate in committees established to research various new equipment, policies, or standard operating procedures and these committees are used to help inform the administration's decision-making process.
- Stations are located appropriately to respond quickly to calls for service.
- GFD has highly experienced staff who frequently respond to volatile emergency calls for service.
- GFD offers competitive pay given its tax base.
- The Office of the Fire Marshal communicates with the community well in terms of education and explanation of the fire code.
- The Garland Fire Department is highly respected among its peer departments in the region.
- New recruit hiring focuses on recruiting from the local population, as familiarity and concern of the city is paramount.

Weaknesses

- The lack of local hospitals within the Garland city limits burdens EMS apparatus through extended travel times to and from the hospital for transport.
- Because EMS calls are the most frequent type of call, paramedics have a higher workload than others, leading to potential burn-out.

- Additional staff are required to achieve 4-person stations throughout the city, rotate personnel off the ambulance post, and minimize the need for mandatory overtime. GFD lags behind neighboring departments with regard to staffing.
- Garland Fire Department struggles with communication between administration and line personnel which leads to inconsistent messaging or frequent changes in direction.
- Staffing levels leave schedulers struggling to fit training in for staff or staff ambulances on training day.
- Though committees are formed to help in decision-making, their recommendations are not always followed, but with little explanation. This leads staff to assume decisions are made without input. Expectations of advisory committees should be clarified.
- The Computer-Aided Dispatch (CAD) system currently used is out of date and does not meet the needs of the GFD.
- Equipment seems to be prioritized over personnel in budget decisions.
- The department is losing staff to neighboring departments (although many return).
- IT issues present persistent challenges with regard to the computers that are used and their functionality, a reliable connection to the internet, and the CAD software used.
- Purchases seem to be made only considering budget; the least expensive option is always chosen, which can pose challenges integrating with other least expensive options.
- Staff requests or recommendations are met with red tape or not heard.
- GFD has struggled to work effectively with other departments who do not understand the 24/7 nature of their work.

Additional staff are required to achieve double house stations in the city, rotate personnel off the ambulance post, and minimize the need for mandatory overtime.

- SOPs are written without input from the rest of the staff.
- People with specific knowledge and skills are underutilized.
- GFD is lacking in diversity of all forms (race, ethnicity, gender, etc.) and should more appropriately reflect the community.
- Recruiters should reflect the community they're recruiting from.
- GFD lacks opportunities for advancement in the current rank structure; staff are concerned about getting 'stuck' in office positions.

Opportunities

- GFD can look to other fire departments in the region for mutual aid or other support.
- GFD enjoys support from the local community, elected officials, and city management.
- Redevelopment and in-fill growth in Garland will create several opportunities as the tax base grows and additional areas require more services.

- Highway improvements may help response times.
- GFD has a willing workforce that wants to participate in various projects in the department; administration could look to these willing staff to delegate activities or look to for feedback.
- There are several training opportunities locally or in the metroplex that staff can take advantage of either on their own or through departmental support.
- Other local agencies provide tested models for staffing or pay that GFD can use as learning tools.
- Training opportunities could be expanded, and the training facility has the capacity to increase its use.
- GFD receives a diverse pool of applicants that can be mentored to successful hiring processes.
- GFD should further grow established connections with the local independent school district and other technical schools from the current High School Academy to continue to create career learning opportunities that lead to GFD recruitment efforts.
- The Office of the Fire Marshal can strengthen relationships with businesses to better educate them on why certain regulations are in place beyond just what the cost of implementing requirements are; education can extend to the elected leaders.

Threats

- Garland has no local hospital within the city limits.
- GFD is overloading current resources at the current call volume, and significant growth is anticipated.

- The potential for change in local government support and the subsequent resources provided is always a consideration for local government agencies.
- Changes to tax regulations can impact funding to the City of Garland and thus the Garland Fire Department.
- While other local fire departments are good resources, it can be a threat to rely on them too heavily as their primary responsibilities lie in their own municipality.
- Other city departments do not operate to support the department 24 hours a day/7 days a week.
- Lack of communication has led to an inability for line staff to share ideas for improvement or concerns.
- Lack of funding to hire additional staff limits the possibilities for GFD.
- GFD may lose staff to other departments due to better pay in surrounding departments.
- Long-term health effects of firefighting may begin to impact GFD staff.
- The number of people in the recruitment pool is shrinking, making it more difficult for GFD to hire quality candidates.
- Lack of communication leads to unclear goals and objectives established by fire administration.
- Issues with scheduling staff training appropriately have led to an underutilization of the training facility.
- Outside influences (elected officials, community members, etc.) have some control over the fire department and its operations.
- Inadequate succession planning, training, and mentoring for administrative positions discourages staff from seeking out promotional opportunities.
- Working for a fire department is a difficult career.
- Advisory boards do not have the power to address potential threats or concerns.

Garland has no local hospital within the city limits. This leads to extended travel and response times.

Goals and Objectives

Five (5) goals and corresponding objectives developed through the SWOT analysis, gap analysis, and site visits are presented below. Goals are presented as overarching directions for the department whereas objectives are presented as actionable steps to achieve the stated goals. The objectives indicated are intended to provide steps to be accomplished to the extent possible, in the short term, over one (1) to three (3) years. Some objectives are not as urgent and would be considered mid-term (within 3 to 5 years) objectives whereas others are considered long-term (5 to 10 years), as indicated.

The SWOT analysis included several aspects related to increased staffing and succession to improve services in Garland, TX.

Goal 1:

Staff a highly trained workforce to meet the demand for calls for service.

- **Objective 1 (short term):** Increase the number of GFD paramedics to improve rotation of staff off of the ambulances.
  - Continue candidate recruitment efforts that has a focus on recruiting credentialed paramedics who desire a career in the fire service.
  - Continue internal support (financial assistance, work schedules, tutoring, mentoring) for staff to achieve paramedic status).
- **Objective 2 (short-term):** Increase the number of specialized training opportunities.
  - Create additional training opportunities for staff to become proficient in responding to high-and medium-risk hazards and mass-casualty incidents.
    - Conduct table-top exercises.
    - Conduct large-scale training exercises that enlist the assistance of the community.
  - Balance training efforts between fire suppression, emergency response, and EMS skills so that staff are confident in responding to any call for service.

The most common comment from current staff, including command staff, was that additional staff are needed to appropriately staff current apparatus and align with NFPA standards for collecting an effective response force. Additionally, a particular weakness of Garland Fire Department was the tendency for staff to get "stuck" on an ambulance assignment or shift. By increasing the number of paramedics who can work ambulance shifts, the GFD will be able to rotate people out of the ambulance shift, which tends to be the busiest assignment in the fire station.

Additionally, Garland, like many other municipalities in Texas, must be prepared to meet increasing demand levels over the mid-longer term. The increase in demand, changing demographics, and shifts in property development (vertical density) require that the GFD continuously assess and adjust deployment of resources. There is an identified need to add separate ladder companies (dual company-engine and ladder) in identified GFD fire stations as well as adjust response to EMS call types to conserve heavy apparatus resources.

Goal 1:

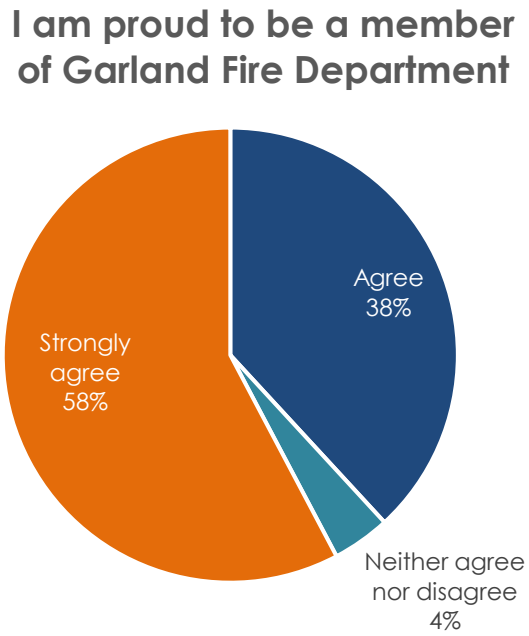
Staff a highly trained workforce to meet the demand for calls for service.

- **Objective 3 (long-term):** Add additional fire fighters to staff single ladder companies and/or enhance staffing on quint companies to four.
  - Add fire fighters each year through the long term to achieve staffing for single ladder companies and/or increase staffing on Quints to four.
    - Stations prioritized for additional staffing should align with plans to add ladder companies throughout Garland (discussed more thoroughly in Goal 3 below).
    - Staffing increases should also consider the needs of a growing community, increased demand, and identified risks if additional fire stations are needed.
- **Objective 4 (long-term):** Increase staffing to align with additional ladder companies as they are added to the fleet.
  - As ladder companies are added to the fleet and deployment plan, additional staff are necessary. A quint company and a dedicated ladder company in a dual company station requires staffing of four to operate effectively.
  - The staffing component of ladder companies are, of course, dependent upon adding the apparatus to Garland Fire Department's deployment strategy. The gap analysis identified a need for dedicated ladder companies to combat building risks, meet the needs for collecting an effective response force, and meeting ISO requirements.
  - The recommended additional apparatus are separate from the current quint deployment strategy.

Staffing is a multi-faceted issue. Beyond staffing appropriately given the department's service needs, fire departments must also pay close attention to retention as well as recruitment of staff who represent the community that they serve.

One critical issue regarding retention is the attitude of current staff. The staff survey and stakeholder interviews reflect pride of current staff in the department and a true sense of camaraderie among line staff.

These are invaluable aspects of Garland Fire Department that can be highlighted in retention efforts.



Goal 2:

Recruit and retain quality staff.

- **Objective 1 (short-term):** Continue to provide peer support and training to deal with critical incidents.
  - Establish defined peer-support team to serve as leaders in the department. These staff can assist in identifying meaningful mental health training opportunities or serving as trainers for the department.
  - Draft policy to address debriefing process after critical incidents.
  - Provide training such as critical incident stress management to members throughout the department to improve awareness and understanding of mental health and trauma-related issues.
- **Objective 2 (short-term):** Assess extent of employee turn-over and burn-out.
  - Conduct exit-interviews with departing staff to identify reason(s) for leaving.
  - Track resignations and analyze departure information to identify patterns.
  - Meet regularly with staff to discuss concerns over workload and task assignments.
- **Objective 3 (short term):** Continue to improve the diversity of the applicant pool to more adequately reflect the Garland community.
  - Continue to partner with local independent school district to engage high school students in recruitment activities and preparation for qualifying exams.
  - Partner with local technical colleges to establish fire training opportunities, mentoring opportunities to establish pathways to careers in Garland Fire Department.
  - Engage in purposeful outreach to underrepresented communities to educate community members about careers in the fire department and establish mentoring relationships to help those interested succeed in the application process (i.e., provide tutorials for qualifying exams).

Goal 2:

Recruit and retain quality staff.

- **Objective 4 (short-to-mid-term):** Continuously review and update policies and procedures to focus on the well-being of staff.
  - Review and update policies and procedures to address health, safety, and wellness of staff.
  - Review and update policies and procedures to focus on reducing carcinogenic exposures.
    - Facilities and equipment should be evaluated for the propensity to expose staff to carcinogens and adjustments should be made to reduce exposure when necessary.
  - Review and update policies and procedures to focus on safety/OSHA standards during emergency and non-emergency work.
    - Safety considerations should be priority in all work tasks and locations.
- **Objective 5 (mid-term):** Develop strategies to address findings from exit interviews as well as real or perceived reasons for burn-out.
  - Enlist the assistance of other city agencies (public and private) as necessary to address concerns of staff.
  - Improve communication with staff to share goals and vision of the department.
  - Set clear expectations of staff who participate in administrative decision-making groups.
    - Some staff expressed appreciation that collaborative groups are utilized in decision-making processes, but they also expressed frustration when the groups' recommendations were not followed.
  - Develop staffing plan to rotate staff on and off ambulance posts to prevent burn out.

Goal 2:

Recruit and retain quality staff.

- **Objective 6 (long-term):** Establish career development pathways to allow for improved management and succession planning.
  - Clarify the current role of the swing lieutenant position and phase the rank out through attrition.
    - Because each station staffing plan includes the rank of captain, additional lieutenants create an unnecessary level of supervision. Swing lieutenants may be utilized, however, to ride up when captains are missing from shifts across Garland. Otherwise, they represent additional staffing necessary in three stations across Garland.
  - Create opportunities for staff to rotate through administrative positions for professional development and succession planning.
  - Increase the number of management and leadership training opportunities that allow staff to develop skills necessary for advancement.

Goal 3: Deploy and maintain resources efficiently and effectively.

- **Objective 1 (short-term):** Continue mutual aid and automatic aid agreements with contiguous jurisdictions.
  - Garland Fire Department currently takes advantage of regional resources to supplement fire and EMS responses, and it should continue this in the future.
  - Agreements should pay particular attention to automatic aid to incorporate contiguous jurisdictions into response plan.
    - Auto aid agreements help to reduce the immediate need to add resources, but it should be noted that they are not reliable if large-scale emergencies occur in the partnering jurisdiction.
- **Objective 2 (short-to-mid-term):** Reevaluate the deployment of heavy apparatus to EMS call types.
  - Identify appropriate basic life support (BLS) calls that can be addressed by ambulances only.
  - Identify other call types that can be addressed with ambulance-only responses to save heavy apparatus for other emergency response.
  - Implement changes to run cards into emergency medical dispatch and CAD software.
  - Consider implementing Priority Medical Dispatch to assist in triaging call types.
- **Objective 3 (mid-term):** Establish replacement plan for fleet to meet NFPA 1901 standards.
  - Continue to develop and update fleet replacement schedule that links to funding plan.
  - Establish funding plan to consistently replace fleet apparatus and maintain safe and current equipment.
  - Ensure heavy apparatus is not utilized for service calls beyond its 25-year lifespan.

Goal 3: Deploy and maintain resources efficiently and effectively.

- **Objective 4 (mid-term):** Ensure maintenance or renovations of current fire stations focus on health and safety of staff as well as response needs.
  - Continuously assess stations for health and safety needs.
  - Create renovation schedule to address deficiencies in health and safety standards.
  - Establish funding plan for renovations.
- **Objective 5 (long-term):** Assign current assets to improve response resiliency for fire and EMS calls.
  - Staff apparatus to meet effective response force based on needs of structures in each district.
  - Staff apparatus in high call volume areas to meet demand for services if two or three calls are received at the same time (resiliency). This should include a peak-time ambulance at Station 1 or Station 11 **or both**, from 8 a.m. to 10 p.m.
  - Staff and deploy assets in areas of growth, high demand, and increased building risks to meet NFPA standards for assembling an effective response force.
  - Add one EMS Captain/Supervisor to each shift and develop and north/south deployment model that mirrors the fire Battalion Chief operations model.
- **Objective 6 (short-mid-long term): Reimagine ladder company deployment.**
  - Add single-staffed ladder companies to stations 3, 5, 7, 9 (4 staffing). These stations will be dual staffed and equipped with engine and ladder companies.
  - Maintain quint companies at stations 2 and 6 (4 staffing).
  - Staff the heavy rescue apparatus as a separate company at Station 1 (3 staffing)
  - Establish funding plan for additional apparatus.
  - Build apparatus into aforementioned fleet replacement schedule.

This Master Plan represents a major step forward for Garland Fire Department by helping to establish goals and objectives for the next five years. However, it will be up to fire administration to ensure these goals are clearly communicated to staff. Continuous and consistent messaging from fire administration will allow line level staff to understand the direction of the department, and including staff in decision-making processes can help with buy-in.

Goal 4:

Communicate clearly to and between all levels of staff.

- **Objective 1 (short-term):** Establish clear lines of communication from fire administration to line staff and vice versa.
  - Ensure command staff are visible at stations and communicate with line staff regularly.
  - Establish practice of sending important announcements out via email.
  - Provide monthly newsletter to staff with review of important initiatives or updates.
    - Updates should clearly communicate mission and vision of the department regularly and align initiatives.
  - Develop communication plan to encourage suggestions from staff and include process for response.
- **Objective 2 (short-to-mid-term):** Develop staff participation groups that provide input into the decision-making process.
  - Establish staff feedback groups for major initiatives and set expectations for participation.
  - Develop selection process for feedback groups to ensure adequate representation of line staff.
  - Encourage feedback groups to solicit thoughts from peers prior to group meetings.
- **Objective 3 (mid-term):** Form an SOP work group to review all SOPs and update as necessary to align with contemporary fire and EMS department best practices.
  - Include staff in the review of SOPs to ensure buy-in.
  - Communicate updated SOPs through previously established lines of communication with the assistance of staff group involved in the updates.

Picture retrieved from Garland Fire Department Facebook page.

Another major strength of the Garland Fire Department was its connection to the community. Both external and internal stakeholders expressed how important the fire department is to the community and vice versa. GFD recognizes, too, how crucial quality fire prevention education and efforts are toward progressing a safe community. Thus, the final goal for GFD includes efforts to continue working with the community to improve fire safety and response.

Goal 5:

Work with the community to improve fire safety and response.

- **Objective 1 (short-term):** Continue to engage the public in community risk reduction efforts.
  - Expand Public Life Safety education opportunities.
    - Public education opportunities should include business owners to improve understanding of fire code and requirements.
  - The Garland Fire Department website could be improved with additional fire prevention and educational materials.
- **Objective 2 (mid-term):** Establish annual fire prevention code enforcement program.
  - Businesses should be inspected annually to ensure compliance with the fire code.
    - Quarterly goals should be established to ensure annual checks.
  - Pre-plans should also be reviewed annually.
    - Stations can be enlisted to assist with annual pre-plan checks.
    - Quarterly goals should be established to track progress.

Goal 5:

Work with the community to improve fire safety and response.

- **Objective 3 (mid-term):** Continue to work with community services to identify frequent users of fire and EMS services to address the root problem causing multiple calls for service.
  - Conduct analysis of annual calls to identify patterns of repeat customers.
  - Assess call type to determine reason for frequent utilizers of services.
  - Partner with community services to determine degree of overlap with services.
- **Objective 4 (long-term):** Establish program to address frequent users of fire and EMS services.
  - Establish partnerships with community services to provide case management to frequent utilizers of emergency services.
  - Connect frequent utilizers with other support services to minimize the need for emergency services.
  - As needs are identified, create partnerships with tertiary service providers (e.g., transportation, food services, etc.) that can assist frequent utilizers to prevent calls to 911.
  - Implement a Mobile Integrated Health program with hospital partners.

Frequent utilizers of emergency services place a burden on the system especially when calls for service are based on non-emergency needs. Often, transportation or support services needs lead to calls to 911 because community members have no other options to reach medical care.

Other issues that lead to multiple calls for service include poor medication management or poorly managed chronic conditions. By addressing the root causes of the calls for service, GFD could prevent calls to 911 and free up much needed resources for emergencies.

While prevention programs can take considerable time and effort to implement, there is a potential payoff of fewer calls for service. Additionally, preventive efforts lead to better health outcomes for community members.

Implementation Plan

An implementation plan for the goals and objectives is provided below. This includes necessary resources and task assignments. This allows GFD to chart a path to realizing the established goals.

Goal 1			Time Frame	Resources	Leader Assigned
Staff a highly trained workforce to meet the demand for calls for service.	**Objective 1: Increase the number of GFD paramedics to improve rotation of staff off of ambulances.**	Continue candidate recruitment efforts that has a focus on recruiting credentialed paramedics who desire a career in the fire service.	Short-Term	Staff	EMS BC
		Continue internal support (financial assistance, work schedules, tutoring, mentoring) for staff to achieve paramedic status.	Short-Term	Staff	EMS BC
	Objective 2: Increase the number of specialized training opportunities.	Create additional training opportunities for staff to become proficient in responding to high- and medium-risk hazards and mass-casualty incidents.	Short-Term	Staff; Training facilities; Training curriculum	AC Support Services/Training
		Balance training efforts between fire suppression, emergency response, and EMS skills so that staff are confident in responding to any call for service.	Short-Term	Staff	AC Support Services/Training

Goal 1			Time Frame	Resources	Leader Assigned
Staff a highly trained workforce to meet the demand for calls for service.	**Objective 3: Add additional firefighters to staff single ladder companies and/or enhance staffing on quint companies to four.**	Incrementally add fire fighters each year through the long term to achieve staffing for single ladder companies and/or increase staffing on Quints to four. Stations prioritized for additional staffing should align with plans to add ladder companies throughout Garland. Staffing increases should also consider the needs of a growing community, increased demand, and identified risks if additional fire stations are needed.	Long-Term	Staff; Funding for additional positions	Fire Chief
	Objective 4: Increase staffing to align with additional ladder companies as they are added to the fleet.	As ladder apparatus are added to the fleet and deployment plan, additional staff are necessary. A quint company and a dedicated ladder company requires staffing of four to operate effectively.	Long-Term	Staff; Funding for additional positions	Fire Chief

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Goal 2			Time Frame	Resources	Leader Assigned
Recruit and retain quality staff.	**Objective 1: Continue to provide peer support and training to deal with critical incidents.**	Establish defined peer-support team to serve as leaders in the department.	Short-Term	Peer support team; Staff	Fire Captain
		Draft policy to address debriefing process after critical incidents.	Short-Term	Staff	AC Support Services/Training
Recruit and retain quality staff.	**Objective 1: Continue to provide peer support and training to deal with critical incidents.**	Provide training such as critical incident stress management to members throughout the department to improve awareness and understanding of mental health and trauma-related issues.	Short-Term	Staff; CISM training	AC Support Services/Training
	Objective 2: Assess extent of employee turn-over and burn-out.	Conduct exit-interviews with departing staff to identify reason(s) for leaving.	Short-Term	Staff	Admin BC
		Track resignations and analyze departure information to identify patterns.	Short-Term	Staff	Admin BC
		Meet regularly with staff to discuss concerns over workload and task assignments.	Short-Term	Staff	Admin BC

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Goal 2			Time Frame	Resources	Leader Assigned
	Objective 3: Continue to improve the diversity of the applicant pool to more adequately reflect the Garland community.	Continue to partner with local independent school district to engage high school students in recruitment activities and preparation for qualifying exams.	Short-Term	Staff	Recruiter
Recruit and retain quality staff.		Partner with local technical colleges to establish fire training opportunities, mentoring opportunities to establish pathways to careers in Garland Fire Department.	Short-Term	Staff	Recruiter
	Objective 3: Improve the diversity of the applicant pool to more adequately reflect the Garland community.	Engage in purposeful outreach to underrepresented communities to educate community members about careers in the fire department and establish mentoring relationships to help those interested succeed in the application process (i.e., provide tutorials for qualifying exams).	Short-Term	Staff	Recruiter

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Goal 2			Time Frame	Resources	Leader Assigned
Recruit and retain quality staff.	**Objective 4: Continuously review and update policies and procedures to focus on the well-being of staff.**	Review and update policies and procedures to address health, safety, and wellness of staff.	Short-To-Mid Term	Staff	Admin BC
		Review and update policies and procedures to focus on reducing carcinogenic exposures.	Short-To-Mid Term	Staff	Admin BC
		Review and update policies and procedures to focus on safety/OSHA standards during emergency and non-emergency work.	Short-To-Mid Term	Staff	Admin BC
Recruit and retain quality staff.	**Objective 5: Develop strategies to address findings from exit interviews as well as real or perceived reasons for burn-out.**	Enlist the assistance of other city departments as necessary to address concerns of staff.	Mid-Term	Staff; Other Garland Departments	Admin BC
		Improve communication with staff to share goals and vision of the department.	Mid-Term	Staff	Fire Chief
		Set clear expectations of staff who participate in administrative decision-making groups.	Mid-Term	Staff	Fire Chief
		Develop staffing plan to rotate staff on and off ambulance posts to prevent burn out.	Mid-Term	Staff	AC Operations

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Goal 2			Time Frame	Resources	Leader Assigned
Recruit and retain quality staff.	**Objective 6: Establish career development pathways to allow for improved management and succession planning.**	Clarify the current role of the swing lieutenant position and phase the rank out through attrition.	Long-Term	Staff	Fire Chief
		Rotate ranking staff in administrative positions to avoid burn-out and improve professional development.	Long-Term	Staff	Fire Chief
		Increase the number of management and leadership training opportunities that allow staff to develop skills necessary for advancement.	Long-Term	Staff	Fire Chief

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Goal 3			Time Frame	Resources	Leader Assigned
Deploy and maintain resources efficiently and effectively.	**Objective 1: Continue mutual aid and automatic aid agreements with contiguous jurisdictions.**	Garland Fire Department currently takes advantage of regional resources to supplement fire and EMS responses, and it should continue this in the future.	Short-Term	Regional fire departments	Fire Chief
		Agreements should pay particular attention to automatic aid to incorporate contiguous jurisdictions into response plan.	Short-Term	Regional fire departments	Fire Chief
Deploy and maintain resources efficiently and effectively.	**Objective 2: Reevaluate the deployment of heavy apparatus to EMS call types.**	Identify appropriate basic life support (BLS) calls that can be addressed by ambulances only.	Short-To-Mid Term	Staff; Emergency Medical Dispatch	Medical Director
		Identify other call types that can be addressed with ambulance-only responses to save heavy apparatus for other emergency response.	Short-To-Mid Term	Staff; Emergency Medical Dispatch	Medical Director
		Implement changes to run cards into emergency medical dispatch and CAD software.	Short-To-Mid Term	Staff; Emergency Medical Dispatch; CAD	Medical Director; Communications Director
		Consider implementing Priority Medical Dispatch to assist in triaging call types.	Short-To-Mid Term	Staff; Emergency Medical Dispatch	Medical Director

Goal 3			Time Frame	Resources	Leader Assigned
Deploy and maintain resources efficiently and effectively.	**Objective 3: Establish replacement plan for fleet to meet NFPA 1901 standards.**	Continue to develop and update fleet replacement schedule that links to funding plan.	Mid-Term	Staff	AC Support Services/Training
		Establish funding plan to consistently replace fleet apparatus and maintain safe and current equipment.	Mid-Term	Staff; Funding	AC Support Services/Training
		Ensure heavy apparatus is not utilized for service calls beyond its 25-year lifespan.	Mid-Term	Staff; Replacement Fleet	AC Support Services/Training
Deploy and maintain resources efficiently and effectively.	**Objective 4: Ensure maintenance or renovations of current fire stations focus on health and safety of staff as well as response needs**	Continuously assess stations for health and safety needs.	Mid-Term	Staff	AC Operations
		Create renovation schedule to address deficiencies in health and safety standards.	Mid-Term	Staff	AC Operations
		Establish funding plan for renovations.	Mid-Term	Staff; Funding	Fire Chief
	Objective 5: Assign current assets to improve response resiliency for fire and EMS calls.	Staff apparatus to meet effective response force based on needs of structures in the area.	Long-Term	Staff; Apparatus	AC Operations
		Staff and deploy apparatus in high call volume areas to meet demand for services if two or three calls are received at the same time (resiliency).	Long-Term	Staff; Apparatus	AC Operations

Goal 3			Time Frame	Resources	Leader Assigned
Deploy and maintain resources efficiently and effectively.	**Objective 5: Assign current assets to improve response resiliency for fire and EMS calls.**	Add one EMS Captain/Supervisor to each shift and develop a north/south deployment model that mirrors the fire Battalion Chief operations model.	Long-Term	Staff; Apparatus	AC Operations
Deploy and maintain resources efficiently and effectively.	**Objective 6: Reimagine ladder company deployment.**	Add single-staffed ladder companies to stations 3, 5, 7, 9 (4 staffing). These stations will be dual staffed and equipped with engine and ladder companies.	Short-Mid-Long-Term	Land; Station Construction	AC Operations
		Maintain quint companies at stations 2 and 6 (4 staffing).	Short-Mid-Long-Term	Ladder trucks; Staff	Fire Chief
		Staff the heavy rescue apparatus as a separate company at Station 1 (3 staffing).	Long Term		
		Establish funding plan for additional apparatus.	Short-Mid-Long-Term	Staff; Funding	Fire Chief
		Build apparatus into aforementioned fleet replacement schedule.	Mid-Long-Term	Staff	AC Support Services/Training

Goal 4			Time Frame	Resources	Leader Assigned
Communicate clearly to and between all levels of staff.	**Objective 1: Establish clear lines of communication from fire administration to line staff and vice versa.**	Ensure command staff are visible at stations and communicate with line staff regularly.	Short-Term	Staff	Fire Chief
		Establish practice of sending important announcements out via email.	Short-Term	Staff	Fire Chief
		Provide monthly newsletter to staff with review of important initiatives or updates.	Short-Term	Staff	Fire Chief
		Develop communication plan to encourage suggestions from staff and include process for response.	Short-Term	Staff	Fire Chief
Communicate clearly to and between all levels of staff.	**Objective 2: Develop staff participation groups that provide input into the decision-making process.**	Establish staff feedback groups for major initiatives and set expectations for participation.	Short-To-Mid Term	Staff	Fire Chief
		Develop selection process for feedback groups to ensure adequate representation of line staff.	Short-To-Mid Term	Staff	Fire Chief
		Encourage feedback groups to solicit thoughts from peers prior to group meetings.	Short-To-Mid Term	Staff	Fire Chief

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Goal 4			Time Frame	Resources	Leader Assigned
	Objective 3: Form an SOP workgroup to review all SOPs and update as necessary to align with contemporary fire and EMS department best practices.	Include staff in the review of SOPs to ensure buy-in.	Mid-Term	Staff	Fire Chief
		Communicate updated SOPs through previously established lines of communication with the assistance of staff group involved in the updates.	Mid-Term	Staff	Fire Chief

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Goal 5			Time Frame	Resources	Leader Assigned
Work with the community to improve fire safety and response.	**Objective 1: Continue to engage the public in community risk reduction efforts.**	Expand Public Life Safety education opportunities.	Short-Term	Staff	Public Education
		The Garland Fire Department website could be improved with additional fire prevention and educational materials.	Short-Term	Staff; Website Designer; Educational Materials	Public Education
	Objective 2: Establish annual fire prevention code enforcement program.	Quarterly goals should be established to ensure annual checks.	Mid-Term	Staff	Fire Marshal
		Stations can be enlisted to assist with annual pre-plan checks.	Mid-Term	Station Staff	Fire Marshal
		Quarterly goals should be established to track progress.	Mid-Term	Staff	Fire Marshal
	Objective 3: Continue to work with community services to identify frequent users of fire and EMS services to address the root problem causing multiple calls for service.	Conduct analysis of annual calls to identify patterns of repeat customers.	Mid-Term	Staff; Call Data	EMS Program Manager
		Assess call type to determine reason for frequent utilizers of services.	Mid-Term	Staff; Call Data	EMS Program Manager
		Partner with community services to determine degree of overlap with services.	Mid-Term	Staff; Community Services; Other Community Partners	EMS Program Manager
		Consider implementing a Mobile Integrated Health program with hospitals serving Garland.	Mid-Term	Staff: Community health partners.	EMS Program Manager

Goal 5			Time Frame	Resources	Leader Assigned
Work with the community to improve fire safety and response.	**Objective 4: Establish program to address frequent users of fire and EMS services.**	Establish partnerships with community services to provide case management to frequent utilizers of emergency services.	Long-Term	Staff; Community Services	EMS Program Manager
		Connect frequent utilizers with other support services to minimize the need for emergency services.	Long-Term	Staff; Community Services; Other Community Partners	EMS Program Manager
		As needs are identified, create partnerships with tertiary service providers (e.g., transportation, food services, etc.) that can assist frequent utilizers to prevent calls to 911.	Long-Term	Staff; Community Services; Other Community Partners	EMS Program Manager

End of Master Plan

CPSM®
Center for Public Safety Management, LLC

GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda **12.**

Meeting Date: 09/19/2023

Item Title: Atmos Settlement Agreement

Submitted By: Matt Watson, Finance Director

Summary of Request/Problem

At the August 15th, 2022 Work Session, Council Considered approval of the Settlement Agreement with Atmos Energy Mid-Tex Division ("Atmos") and the resulting rate change under the Rate Review Mechanism (RRM) tariff.The City, along with 181 other Mid-Texas cities served by Atmos, is a member of the Atmos Cities Steering Committee (ACSC). In 2007, ACSC and Atmos settled a rate application filed by the Company pursuant to Section 104.301 of the Texas Utilities Code for an interim rate adjustment commonly referred to as a GRIP filing (arising out of the Gas Reliability Infrastructure Program legislation). That settlement created a substitute rate review process, referred to as Rate Review Mechanism ("RRM"), as a substitute for future filings under the GRIP statute.Since 2007, there have been several modifications to the original RRM Tariff. The most recent iteration of an RRM Tariff was reflected in an ordinance adopted by ACSC members in 2018. On or about March 31,2023, Atmos filed a rate request pursuant to the RRM Tariff adopted by ACSC members. The Company claimed that its cost-of-service in a test year ending December 31, 2022, entitled it to additional system-wide revenues of $165.9 million. Application of the standards set forth in ACSC's RRM Tariff reduces Atmos request to $156.1 million, $113.8 million of which would be applicable to ACSC members. ACSC's Executive Committee recommends a settlement at $142 million. The effective date for new rates is October 1, 2023 and ACSC member cities should take action approving the Resolution before September 30, 2023. The Impact of the settlement on average residential rates is an increase of $6.47 on a monthly basis, or 7.3 percent. The increase for average commercial usage will be $24.72 or 5.19 percent. Atmos has provided bill impact comparisons that are attached to this agenda item.

Recommendation/Action Requested and Justification

ACSC's Executive Committee recommends a settlement at $142 million. The effective date for new rates is October 1, 2023 and ACSC member cities should take action approving the Resolution before September 30, 2023.

Attachments

Resolution
Average Bill

Tarriffs
Pension benchmark

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS, A TEXAS HOME RULE MUNICIPALITY, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE ("ACSC") AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY'S 2023 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHMENT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; REQUIRING THE COMPANY TO REIMBURSE ACSC'S REASONABLE RATEMAKING EXPENSES; REPEALING CONFLICTING RESOLUTIONS AND ORDINANCES; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE ACSC'S LEGAL COUNSEL; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City of Garland, Texas, Texas home-rule municipality, ("City") is a gas utility customer of Atmos Energy Corp., Mid-Tex Division ("Atmos Mid-Tex" or "Company"), and a regulatory authority with an interest in the rates, charges, and services of Atmos Mid-Tex; and

WHEREAS, the City is a member of the Atmos Cities Steering Committee ("ACSC"), a coalition of similarly-situated cities served by Atmos Mid-Tex ("ACSC Cities") that have joined together to facilitate the review of, and response to, natural gas issues affecting rates charged in the Atmos Mid-Tex service area; and

WHEREAS, ACSC and the Company worked collaboratively to develop a Rate Review Mechanism ("RRM") tariff that allows for an expedited rate review process by ACSC Cities as a substitute to the Gas Reliability Infrastructure Program ("GRIP") process instituted by the Legislature, and that will establish rates for the ACSC Cities based on the system-wide cost of serving the Atmos Mid-Tex Division; and

WHEREAS, the current RRM tariff was adopted by the City in a rate ordinance in 2018; and

WHEREAS, on about March 31,2023, Atmos Mid-Tex filed its 2023 RRM rate request with ACSC Cities based on a test year ending December 31, 2022; and

WHEREAS, ACSC coordinated its review of the Atmos Mid-Tex 2023 RRM filing through its Executive Committee, assisted by ACSC's attorneys and consultants, to resolve issues identified in the Company's RRM filing; and

WHEREAS, the Executive Committee, as well as ACSC's counsel and consultants, recommend that ACSC Cities approve an increase in base rates for Atmos Mid-Tex of $142 million on a system-wide basis with an Effective Date of October 1, 2023; and

WHEREAS, ACSC agrees that Atmos' plant-in-service is reasonable; and

WHEREAS, with the exception of approved plant-in-service, ACSC is not foreclosed from future reasonableness evaluation of costs associated with incidents related to gas leaks; and

WHEREAS, the attached tariffs (Attachment 1) implementing new rates are consistent with the recommendation of the ACSC Executive Committee, are agreed to by the Company, and are just, reasonable, and in the public interest; and

WHEREAS, the settlement agreement sets a new benchmark for pensions and retiree medical benefits (Attachment 2); and

WHEREAS, the RRM Tariff contemplates reimbursement of ACSC's reasonable expenses associated with RRM applications;

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

Section 1

That the findings set forth in this Resolution are hereby in all things approved.

Section 2

That, without prejudice to future litigation of any issue identified by ACSC, the City Council finds that the settled amount of an increase in revenues of $142 million on a system-wide basis represents a comprehensive settlement of gas utility rate issues affecting the rates, operations, and services offered by Atmos

Mid-Tex within the municipal limits arising from Atmos Mid-Tex's 2023 RRM filing, is in the public interest, and is consistent with the City's authority under Section 103.001 of the Texas Utilities Code.

Section 3

That despite finding Atmos Mid-Tex's plant-in-service to be reasonable, ACSC is not foreclosed in future cases from evaluating the reasonableness of costs associated with incidents involving leaks of natural gas.

Section 4

That the existing rates for natural gas service provided by Atmos Mid-Tex are unreasonable. The new tariffs attached hereto and incorporated herein as Attachment 1, are just and reasonable and in the public interest, and are designed to allow Atmos Mid-Tex to recover annually an additional $142 million on a system-wide basis, over the amount allowed under currently approved rates. Such tariffs are hereby adopted.

Section 5

That the ratemaking treatment for pensions and retiree medical benefits in Atmos Mid-Tex's next RRM filing shall be as set forth on Attachment 2, attached hereto and incorporated herein.

Section 6

That Atmos Mid-Tex shall reimburse the reasonable ratemaking expenses of the ACSC in processing the Company's 2023 RRM filing.

Section 7

That to the extent any resolution or ordinance previously adopted by the Council is inconsistent with this Resolution, it is hereby repealed.

Section 8

That the meeting at which this Resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 9

That if any one or more sections or clauses of this Resolution is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Resolution, and the remaining provisions of the Resolution shall be interpreted as if the offending section or clause never existed.

Section 10

That consistent with the City Ordinance that established the RRM process, this Resolution shall become effective from and after its passage with rates authorized by attached tariffs to be effective for bills rendered on or after October 1, 2023.

Section 11

That a copy of this Resolution shall be sent to Atmos Mid-Tex, care of Chris Felan, Vice President of Rates and Regulatory Affairs Mid-Tex Division, Atmos Energy Corporation, 5420 LBJ Freeway, Suite 1862, Dallas, Texas 75240, and to Thomas Brocato, General Counsel to ACSC, at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

Section 12

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

PASSED AND APPROVED this 19th day of September, 2023.

CITY OF GARLAND, TEXAS

_____
Mayor

ATTEST:

_____
City Secretary

ATMOS ENERGY CORP., MID-TEX DIVISION
MID-TEX RATE REVIEW MECHANISM
AVERAGE BILL COMPARISON - BASE RATES
TEST YEAR ENDING DECEMBER 31, 2022

Line No.	Description								Current	Proposed	Change Amount	Change Percent
	(a)								(b)	(c)	(d)	(e)
1	**Rate R @ 43.6 Ccf**											
2	Customer charge								$ 21.55			
3	Consumption charge	43.6		CCF	X	$	0.36223	=	15.79			
4	Rider GCR Part A	43.6		CCF	X	$	0.63625	=	27.74			
5	Rider GCR Part B	43.6		CCF	X	$	0.41732	=	18.20			
6	Subtotal								$ 83.28			
7	Rider FF & Rider TAX		$	83.28	X		0.06237	=	5.19			
8	Total								$ 88.47			
9												
10	Customer charge									$ 22.25		
11	Consumption charge	43.6		CCF	X	$	0.48567	=		21.18		
12	Rider GCR Part A	43.6		CCF	X	$	0.63625	=		27.74		
13	Rider GCR Part B	43.6		CCF	X	$	0.41732	=		18.20		
14	Subtotal									$ 89.37		
15	Rider FF & Rider TAX		$	89.37	X		0.06237	=		5.57		
16	Total									$ 94.94	$ 6.47	7.31%
17												

ATMOS ENERGY CORP., MID-TEX DIVISION
MID-TEX RATE REVIEW MECHANISM
AVERAGE BILL COMPARISON - BASE RATES
TEST YEAR ENDING DECEMBER 31, 2022

Line No.	Description								Current	Proposed	Change Amount	Change Percent
	(a)								(b)	(c)	(d)	(e)
18	**Rate C @ 356.6 Ccf**											
19	Customer charge								$ 63.50			
20	Consumption charge	356.6		CCF	X	$	0.14137	=	50.41			
21	Rider GCR Part A	356.6		CCF	X	$	0.63625	=	226.86			
22	Rider GCR Part B	356.6		CCF	X	$	0.30202	=	107.69			
23	Subtotal								$ 448.46			
24	Rider FF & Rider TAX		$	448.46	X		0.06237	=	27.97			
25	Total								$ 476.43			
26												
27	Customer charge									$ 72.00		
28	Consumption charge	356.6		CCF	X	$	0.18280	=		65.18		
29	Rider GCR Part A	356.6		CCF	X	$	0.63625	=		226.86		
30	Rider GCR Part B	356.6		CCF	X	$	0.30202	=		107.69		
31	Subtotal									$ 471.73		
32	Rider FF & Rider TAX		$	471.73	X		0.06237	=		29.42		
33	Total									$ 501.15	$ 24.72	5.19%
34												

ATMOS ENERGY CORP., MID-TEX DIVISION
MID-TEX RATE REVIEW MECHANISM
AVERAGE BILL COMPARISON - BASE RATES
TEST YEAR ENDING DECEMBER 31, 2022

Line No.	Description							Current	Proposed	Change Amount	Change Percent
	(a)							(b)	(c)	(d)	(e)
35	**Rate I @ 1720 MMBTU**										
36	Customer charge							$ 1,204.50			
37	Consumption charge	1,500	MMBTU	X	$	0.4939	=	740.85			
38	Consumption charge	220	MMBTU	X	$	0.3617	=	79.64			
39	Consumption charge	0	MMBTU	X	$	0.0776	=	-			
40	Rider GCR Part A	1,720	MMBTU	X	$	6.2134	=	10,688.12			
41	Rider GCR Part B	1,720	MMBTU	X	$	0.6267	=	1,078.08			
42	Subtotal							$ 13,791.19			
43	Rider FF & Rider TAX		$13,791.19	X		0.06237	=	860.17			
44	Total							$ 14,651.36			
45											
46	Customer charge								$ 1,382.00		
47	Consumption charge	1,500	MMBTU	X	$	0.7484	=		1,122.62		
48	Consumption charge	220	MMBTU	X	$	0.5963	=		131.30		
49	Consumption charge	0	MMBTU	X	$	0.2693	=		-		
50	Rider GCR Part A	1,720	MMBTU	X	$	6.2134	=		10,688.12		
51	Rider GCR Part B	1,720	MMBTU	X	$	0.6267	=		1,078.08		
52	Subtotal								$ 14,402.12		
53	Rider FF & Rider TAX		$14,402.12	X		0.06237	=		898.28		
54	Total								$ 15,300.40	$ 649.04	4.43%
55											

ATMOS ENERGY CORP., MID-TEX DIVISION
MID-TEX RATE REVIEW MECHANISM
AVERAGE BILL COMPARISON - BASE RATES
TEST YEAR ENDING DECEMBER 31, 2022

Line No.	Description							Current	Proposed	Change Amount	Change Percent
	(a)							(b)	(c)	(d)	(e)
56	**Rate T @ 4720 MMBTU**										
57	Customer charge							$ 1,204.50			
58	Consumption charge	1,500	MMBTU	X	$	0.4939	=	740.85			
59	Consumption charge	3,220	MMBTU	X	$	0.3617	=	1,164.50			
60	Consumption charge	0	MMBTU	X	$	0.0776	=	-			
61	Rider GCR Part B	4,720	MMBTU	X	$	0.6267	=	2,957.85			
62	Subtotal							$ 6,067.70			
63	Rider FF & Rider TAX		$ 6,067.70	X		0.06237	=	378.45			
64	Total							$ 6,446.15			
65											
66	Customer charge								$ 1,382.00		
67	Consumption charge	1,500	MMBTU	X	$	0.5684	=		852.60		
68	Consumption charge	3,220	MMBTU	X	$	0.4163	=		1,340.29		
69	Consumption charge	0	MMBTU	X	$	0.0893	=		-		
70	Rider GCR Part B	4,720	MMBTU	X	$	0.6267	=		2,957.85		
71	Subtotal								$ 6,532.74		
72	Rider FF & Rider TAX		$ 6,532.74	X		0.06237	=		407.45		
73	Total								$ 6,940.19	$ 494.04	7.66%

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RATE SCHEDULE:	**R – RESIDENTIAL SALES**	
APPLICABLE TO:	**ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF**	
EFFECTIVE DATE:	**Bills Rendered on or after 10/01/2023**	

Application
Applicable to Residential Customers for all natural gas provided at one Point of Delivery and measured through one meter.

Type of Service
Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate
Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Bill	$ 22.25 per month
Rider CEE Surcharge	$ 0.05 per month[1]
Total Customer Charge	$ 22.30 per month
Commodity Charge – All Ccf	$0.48567 per Ccf [2]

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Agreement
An Agreement for Gas Service may be required.

Notice
Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

[1]Reference Rider CEE - Conservation and Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2023.
[2]The commodity charge includes the base rate amount of $0.46724 per Ccf and Securitization Regulatory Asset amounts related to financing costs in the amount of $0.01843 per Ccf until recovered.

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RATE SCHEDULE:	**C – COMMERCIAL SALES**	
APPLICABLE TO:	**ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF**	
EFFECTIVE DATE:	**Bills Rendered on or after 10/01/2023**	

Application
Applicable to Commercial Customers for all natural gas provided at one Point of Delivery and measured through one meter and to Industrial Customers with an average annual usage of less than 30,000 Ccf.

Type of Service
Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate
Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Bill	$ 72.00 per month
Rider CEE Surcharge	($ 0.02) per month[1]
Total Customer Charge	$ 71.98 per month
Commodity Charge – All Ccf	$ 0.18280 per Ccf [2]

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Agreement
An Agreement for Gas Service may be required.

Notice
Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Presumption of Plant Protection Level
For service under this Rate Schedule, plant protection volumes are presumed to be 10% of normal, regular, historical usage as reasonably calculated by the Company in its sole discretion. If a customer believes it needs to be modeled at an alternative plant protection volume, it should contact the company at *mdtx.plantprotection*@atmosenergy.com.

[1] Reference Rider CEE - Conservation and Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2023.
[2]The commodity charge includes the base rate amount of $0.16437 per Ccf and Securitization Regulatory Asset amounts related to financing costs in the amount of $0.01843 per Ccf until recovered.

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RATE SCHEDULE:	**I – INDUSTRIAL SALES**	
APPLICABLE TO:	**ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF**	
EFFECTIVE DATE:	**Bills Rendered on or after 10/01/2023**	

Application
Applicable to Industrial Customers with a maximum daily usage (MDU) of less than 200 MMBtu per day for all natural gas provided at one Point of Delivery and measured through one meter. Service for Industrial Customers with an MDU equal to or greater than 200 MMBtu per day will be provided at Company's sole option and will require special contract arrangements between Company and Customer.

Type of Service
Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate
Customer's monthly bill will be calculated by adding the following Customer and MMBtu charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Meter	$ 1,382.00 per month
First 0 MMBtu to 1,500 MMBtu	$ 0.7484 per MMBtu[1]
Next 3,500 MMBtu	$ 0.5963 per MMBtu[1]
All MMBtu over 5,000 MMBtu	$ 0.2693 per MMBtu[1]

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Curtailment Overpull Fee
Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

Replacement Index
In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees

[1] The tiered commodity charges include the base rate amounts of $0.5684, $0.4163, and $0.0893 per MMBtu, respectively, plus Securitization Regulatory Asset amounts related to financing costs in the amount of $0.1800 per MMBtu until recovered.

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RATE SCHEDULE:	**I – INDUSTRIAL SALES**	
APPLICABLE TO:	**ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF**	
EFFECTIVE DATE:	**Bills Rendered on or after 10/01/2023**	

utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

Agreement
An Agreement for Gas Service may be required.

Notice
Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Special Conditions
In order to receive service under Rate I, Customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

Presumption of Plant Protection Level
For service under this Rate Schedule, plant protection volumes are presumed to be 10% of normal, regular, historical usage as reasonably calculated by the Company in its sole discretion. If a customer believes it needs to be modeled at an alternative plant protection volume, it should contact the company at *mdtx.plantprotection*@atmosenergy.com.

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RATE SCHEDULE:	**T – TRANSPORTATION**	
APPLICABLE TO:	**ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF**	
EFFECTIVE DATE:	**Bills Rendered on or after 10/01/2023**	

Application
Applicable, in the event that Company has entered into a Transportation Agreement, to a customer directly connected to the Atmos Energy Corp., Mid-Tex Division Distribution System (Customer) for the transportation of all natural gas supplied by Customer or Customer's agent at one Point of Delivery for use in Customer's facility.

Type of Service
Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate
Customer's bill will be calculated by adding the following Customer and MMBtu charges to the amounts and quantities due under the riders listed below:

Charge	Amount
Customer Charge per Meter	$ 1,382.00 per month
First 0 MMBtu to 1,500 MMBtu	$ 0.5684 per MMBtu
Next 3,500 MMBtu	$ 0.4163 per MMBtu
All MMBtu over 5,000 MMBtu	$ 0.0893 per MMBtu

Upstream Transportation Cost Recovery: Plus an amount for upstream transportation costs in accordance with Part (b) of Rider GCR.

Retention Adjustment: Plus a quantity of gas as calculated in accordance with Rider RA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Imbalance Fees
All fees charged to Customer under this Rate Schedule will be charged based on the quantities determined under the applicable Transportation Agreement and quantities will not be aggregated for any Customer with multiple Transportation Agreements for the purposes of such fees.

Monthly Imbalance Fees
Customer shall pay Company the greater of (i) $0.10 per MMBtu, or (ii) 150% of the difference per MMBtu between the highest and lowest "midpoint" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" during such month, for the MMBtu of Customer's monthly Cumulative Imbalance, as defined in the applicable Transportation Agreement, at the end of each month that exceeds 10% of Customer's receipt quantities for the month.

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RATE SCHEDULE:	**T – TRANSPORTATION**	
APPLICABLE TO:	**ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF**	
EFFECTIVE DATE:	**Bills Rendered on or after 10/01/2023**	

Curtailment Overpull Fee
Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

Replacement Index
In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

Agreement
A transportation agreement is required.

Notice
Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Special Conditions
In order to receive service under Rate T, customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RIDER:	**WNA – WEATHER NORMALIZATION ADJUSTMENT**	
APPLICABLE TO:	**ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF**	
EFFECTIVE DATE:	**Bills Rendered on or after 10/01/2023**	

Provisions for Adjustment

The Commodity Charge per Ccf (100 cubic feet) for gas service set forth in any Rate Schedules utilized by the cities of the Mid-Tex Division service area for determining normalized winter period revenues shall be adjusted by an amount hereinafter described, which amount is referred to as the "Weather Normalization Adjustment." The Weather Normalization Adjustment shall apply to all temperature sensitive residential and commercial bills based on meters read during the revenue months of November through April. The five regional weather stations are Abilene, Austin, Dallas, Waco, and Wichita Falls.

Computation of Weather Normalization Adjustment

The Weather Normalization Adjustment Factor shall be computed to the nearest one-hundredth cent per Ccf by the following formula:

$$WNAF_i = R_i \frac{(HSF_i \times (NDD-ADD))}{(BL_i + (HSF_i \times ADD))}$$

Where

i = any particular Rate Schedule or billing classification within any such particular Rate Schedule that contains more than one billing classification

$WNAF_i$ = Weather Normalization Adjustment Factor for the i^{th} rate schedule or classification expressed in cents per Ccf

R_i = Commodity Charge rate of temperature sensitive sales for the i^{th} schedule or classification.

HSF_i = heat sensitive factor for the i^{th} schedule or classification divided by the average bill count in that class

NDD = billing cycle normal heating degree days calculated as the simple ten-year average of actual heating degree days.

ADD = billing cycle actual heating degree days.

Bl_i = base load sales for the i^{th} schedule or classification divided by the average bill count in that class

The Weather Normalization Adjustment for the jth customer in ith rate schedule is computed as:

$WNA_i = WNAF_i \times q_{ij}$

Where q_{ij} is the relevant sales quantity for the jth customer in ith rate schedule.

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RIDER:	**WNA – WEATHER NORMALIZATION ADJUSTMENT**	
APPLICABLE TO:	**ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF**	
EFFECTIVE DATE:	**Bills Rendered on or after 10/01/2023**	

Base Use/Heat Use Factors

	Residential		Commercial	
Weather Station	Base use Ccf	Heat use Ccf/HDD	Base use Ccf	Heat use Ccf/HDD
Abilene	9.51	0.1415	88.91	0.7010
Austin	8.87	0.1213	213.30	0.7986
Dallas	12.54	0.2007	185.00	0.9984
Waco	8.81	0.1325	125.26	0.7313
Wichita Falls	10.36	0.1379	122.10	0.6083

Weather Normalization Adjustment (WNA) Report

On or before June 1 of each year, the company posts on its website at atmosenergy.com/mtx-wna, in Excel format, a *Weather Normalization Adjustment (WNA) Report* to show how the company calculated its WNAs factor during the preceding winter season. Additionally, on or before June 1 of each year, the company files one hard copy and an Excel version of the *WNA Report* with the Railroad Commission of Texas' Gas Services Division, addressed to the Director of that Division.

ATMOS ENERGY CORP., MID-TEX DIVISION
MID-TEX RATE REVIEW MECHANISM
PENSIONS AND RETIREE MEDICAL BENEFITS FOR CITIES APPROVAL
TEST YEAR ENDING DECEMBER 31, 2022

Line No.	Description	Shared Services		Mid-Tex Direct			Adjustment Total
		Pension Account Plan	Post-Employment Benefit Plan	Pension Account Plan	Post-Employment Benefit Plan	Supplemental Executive Benefit Plan	
	(a)	(b)	(c)	(d)	(e)	(f)	(g)
1	Proposed Benefits Benchmark - Fiscal Year 2023 Willis Towers Watson Report as adjusted (1) (2) (3)	$ 1,434,339	$ (518,336)	$ 2,336,419	$ (2,678,818)	$ 267,917	
2	Allocation Factor	44.92%	44.92%	78.74%	78.74%	100.00%	
3	Proposed Benefits Benchmark Costs Allocated to Mid-Tex (Ln 1 x Ln 2)	$ 644,336	$ (232,848)	$ 1,839,667	$ (2,109,267)	$ 267,917	
4	O&M and Capital Allocation Factor	100.00%	100.00%	100.00%	100.00%	100.00%	
5	Proposed Benefits Benchmark Costs to Approve (Ln 3 x Ln 4)	$ 644,336	$ (232,848)	$ 1,839,667	$ (2,109,267)	$ 267,917	$ 409,804
6							
7	O&M Expense Factor (WP_F-2.3, Ln 2)	78.60%	78.60%	39.63%	39.63%	11.00%	
8							
9	Summary of Costs to Approve (1):						
10	Total Pension Account Plan	$ 506,464		$ 729,006			$ 1,235,469
11	Total Post-Employment Benefit Plan		$ (183,024)		$ (835,840)		(1,018,864)
12	Total Supplemental Executive Benefit Plan					$ 29,471	29,471
13	Total (Ln 10 + Ln 11 + Ln 12)	$ 506,464	$ (183,024)	$ 729,006	$ (835,840)	$ 29,471	$ 246,076

GARLAND
POLICY REPORT

City Council Regular Session Agenda **13.**

Meeting Date: 09/19/2023
Item Title: Consider assistance for 2023 Wheels of Hope Car Show
Submitted By: Dana Lodge, CVB & Events Director
Strategic Focus Areas: Enhanced Quality of Life through Amenities, Arts, and Events

ISSUE

The Wheels of Hope Car Show Committee has requested the City Council to consider waiving expenditures for city services required for their event, Wheels of Hope Car Show located in Downtown Garland on Saturday, October 21, 2023 . The City Council Policy on Special Event Policies and Guidelines states that requests from nonprofit organizations for donated services in excess of $5,000 be brought to the City Council for consideration.

OPTIONS

The City Council may:

1. Approve the proposed recommendations for special events' assistance,
2. Deny or revise proposed funding levels, or
3. Return the item to staff for further review and recommendations.

RECOMMENDATION

The Wheels of Hope event has grown exponentially over the past several years, and the City has taken a proactive planning role for the event to prevent risk management issues, such as providing water barricades for street closures. We have had no problems in this area due to the City's planning and oversight of these areas. Additionally, we provide contracted cleaning services to keep our public spaces clean. City staff assists with planning, setting up, and tearing down the event.

For the 2023 Wheels of Hope event, planning meetings with each necessary department; Transportation, Police, Health, Sanitation, Fire, and Park Operations occurred to prepare for the event
At the meetings, the below areas were addressed, and plans were made for each:

- Traffic Plan/Street Closure Plan
- Emergency Services (EMS and Fire) Plans

- Police and Event Security Plans
- Environmental Waste Plan
- Setup/Teardown Plan

Based off of these planning meetings, it has been determined that this year's **estimated** cost for Wheels of Hope will be:

CITY SERVICE	October 21, 2023	DESCRIPTION
Police	$1200	Security and safety/Overtime rate
Transportation Services	$600	Oversight of street closures
Environmental Waste Services	$800	Delivery and removal of waste and recycle containers.
Barricades	$2000	Water-filled Barricades
Contracted Cleanup Services	$1500	Post Event Cleanup Cost
In-Kind Equipment & Services	$1000	Parks staffing, misc. equipment
TOTAL:	**$7,100**	

Unless otherwise directed by City Council, staff will proceed with the proposed assistance for the special event.

BACKGROUND

This annual event spotlights the unity among Garland's diverse community. By assisting various nonprofit organizations through the donation of City services for nonprofit special events, the City promotes and celebrates the diversity and vitality of the community.

From parades and festivals to various multicultural events, the City of Garland is showcased through the efforts of these nonprofit organizations.

CONSIDERATION

The 2023-2024 annual operating budget has $106,500 budgeted in the General Fund to provide assistance in covering fees and charges for City services for special events held by nonprofit organizations. The proposed assistance for Wheels of Hope is within the budgeted amount.

Attachments

Event Application

Assistance Application

Event Layout
Nonprofit certificate

Third Party Special Event Application

Row 60

Event Name/Title	**Wheels of Hope Classic Car Show # 8**
Event - Start Date	**10/20/23**
Event - End Date	**10/21/23**
Event - Start Time	**Friday, October 20, 2023, at the Plaza 3:30 PM - 10:00 PM**
Event - End Time	**Saturday, October 21, 2023 6:00 AM - 4:00 PM**
Event Location	**Garland Downtown**
Name of Event Location	**Downtown Garland Square**
Address of Event Location	**520 W State St - Downtown Garland around the square and at the Plaza Theater**
Host Organization	The Hope Clinic
Applicant Name	Dana Cooper - The Wheels of Hope Classic Car Show #8
Applicant Phone Number	214-763-9641
Applicant Email Address	dcooper@veritexbank.com
Organization Type	Non-Profit - 501 (c)(3) or (c)(6) Certificate required
Organization Type: Other	
Host Organization Address	800 South 6th Street Garland, Texas 75040
Event Type	Other
Other	Classic Car Show, Concert, GISD Student Performances
Event - Setup Date	**10/20/23**
Event -	**10/21/23**

Teardown Date	
Event - Set-Up Start Time	**Friday, October 20, 2023, 3:00 PM**
Event - Teardown End Time	**Saturday, October 21, 2023, 4:00 PM**
Is this a Multiple Day Event?	Yes
List Additional Event Dates and Times if Applicabl	Friday, October 20, 2023, Set up at 3:00 PM on the Square.
Event Entertainment	Yes, I will be providing Event Entertainment.
Entertainment Type	Live Band Live Performance (theatrical or musical)
List Entertainment	GISD Student Performances, DJ - Scott Coy, Chaz Marie and her band
Stage	Yes, I will be providing a stage for the event.
Stage Type	The city will be providing stage and tents..
Event Flyer	Yes I have event flyer and will attach it below
Portable Restrooms	Yes - I will be providing portable restrooms for the event.
Expected Attendance	Yes - I expect 100 or more attendees at my event
Reasonable Number of Attendees Expected	3,000 - 5,000
Signage	Yes, I plan to provide signage for my event.
Signage Description	Randy Cline is working on the banner
Amplified Sound/PA System	Yes, I will have Amplified Sound at my event
Food/Food Vendors	Yes, I will have Food or Food Vendors at my event
Food Vendors	Frios Ice Cream
Jumpers/Bounce	

Houses	
Bounce Structures	
Tents	Yes, I will be providing tents for my event.
Number of 10x10 Tents	
10x10 Tent Type	
Tent Structures	Sandbags
Large Tent(s)	
Number of Large Tents	10
Large Tent Size	
Large Tent Type	Canopy
Animals	Yes, I plan to have animals at my event.
Animal Type	We will Doddle Dandy rescue dogs who will be contained in a fenced area.
Electricity	Yes, I will be providing electricity at the event.
Electrical Source	We will be using the Downtown Square electrical outlets
Event Description	www.wheelsofhopegarland.com
Additional Comments	The City of Garland graciously helps with barricades, police assistance, staging, tents, restrooms, electricity, the Plaza Theater, etc. We are most appreciative of their continued support and assistance.
Link to Event Website	

GARLAND

TEXAS MADE HERE

Special Event Assistance Program Application

Date Submitted August 16, 2023

(Must be minimum 45 days prior to event)

Please type or print legibly

SECTION 1: Event Information

Event title: Wheels of Hope Classic Car Show #8

Event location: Downtown Garland on the Square & Plaza Theater

Event date(s): October 20th & 21st 10/20 5-10 pm Start time: 10/21 5:45AM End time: 3:30 PM

Event description: Classic Car Show 100 - 250 cars

Is this a new event? Yes (No) - If no, # years event has been held prior to current year: 7 years

Previous Attendance: 3,000 - 5,000 Estimated Attendance this year: 5,000

Event Purpose/Mission? To raise money for the Hope Clinic to assist the citizens of Garland

How will this event benefit the Garland community? Providing medical care/education to the Garland community

How will the proceeds of this event be used? Support the workings of the Hope Clinic

SECTION 2: Event Host Information – Proof of 501(c)3, 501(c)4, 501(c)6 status (official IRS letter)

Applicant's Name (event host): Jamie Miller & Dana Cooper

Applicant's Address: Veritex Bank, 1001 Main Street, Garland, TX 75040

Best Phone (on-site): 214-763-9641 Email: dcooper@veritexbank.com

Host Organization: Hope Clinic/Wheels of Hope

Organization's Address: 800 S. 6th Street Garland, Tx 75040

Organization tax ID #: 75-2960314 - 501(c)3

Non- Profit Status: (circle one) 501(c)3 | 501(c)4 | 501(c)6 | Neither

NOTE: Upon approval of the event application, and at least ten (10) days prior to the event, the event host shall provide the City with evidence of public event liability insurance in the amount of $500,000 per occurrence for bodily injury and property damage arising from the event. The insurance shall be written with an insurance company authorized to transact business in the State of Texas and have a current rating of "A" or better by A.M. Best Key Rating Guide.

SECTION 3: Event Logistics

Listed below are logistical elements that may be a part of your event. "Services available through City" indicates what the City of Garland may be able to provide through the Special Event Assistance Program. The "Applicant's Responsibilities" section refers to logistical elements which may be a part of your event, but that are typically provided by the event Host or producer. Please check all in both sections that apply to your event:

*May be subject to additional permit, fees, or approval

Services Available through City

- ☒ Barricades
- ☒ Electrical Power (if available)
- ☐ Park Use (Approval by Director of Parks Dept.)
- ☒ Police/ Security
- ☒ Preparation of City-owned Facility/ Property
- ☒ Running Water (if available)
- ☒ Street Closures
- ☒ Traffic/ Crowd Control
- ☒ Trash/ Recycling Containers

Applicant's Responsibility

- ☐ Alcohol at Event*
- ☐ Amusement Rides*
- ☐ Animals*
- ☒ Clean up Event Area or Facility
- ☐ Fireworks*
- ☐ Food/ Beverages*
- ☐ Generators*
- ☐ Jumpers/Bounce House* Merchandising*
- ☐ Off-site Parking & Transportation
- ☐ Open Flames*
- ☐ Overnight Security*
- ☒ Portable Restrooms
- ☐ Signs/ Banners* (City signage ordinances apply)
- ☐ Sound Amplification*
- ☒ Stage/ Grandstand/ Scaffolding
- ☐ Temporary Fencing
- ☒ Tents

SECTION 4: Supplemental Application Materials

Listed below are additional documents that are required in order to complete the application for event assistance. Each item is due at the time the application is submitted, unless otherwise indicated.

- ☒ Copy of proposed event site plan and/or route plan (parades/runs)
- ☒ Proof of 501(c)3, 501(c)4, 501(c)6 status (official IRS letter)
- ☐ Third Party Special Event Application
- ☒ Copy of the group's Insurance Certificate, listing City of Garland as additional insured (due no later than 10 days prior to the event date)

I certify that the event for which this application has been prepared will be open to all citizens, and that attendance will not be limited by age, sex race, physical impairment, or other means. I further certify that the event's Host by a non-profit organization. On behalf of the Event Host, I agree to abide by the Special Events Guidelines provided with this Application. I further certify that the facts contained in this Application are accurate.

The Event Host does hereby fully release, discharge and Indemnify the City of Garland and its officers, agents, servants, and employees from and against any and all claims from injuries, damage or loss which might occur during the special event set forth in this Application, regardless of cause and even if caused by the City of Garland.

Dana Cooper
Print name

Event Coordinator
Title

Dana Cooper
Signature

August 16, 2023
Date

PRE-EVENT BUDGET

Budget must be submitted on this form or in this format for review. If applying as a pre-existing event, applicant must submit final total profit/loss from the previous year's event as well.

PROJECTED REVENUE

Admission fees/ticket sales	3,700.00
Booth sales/rental	300.00
Souvenir/merchandise sales	
Concession sales	
Donations	30,000.00
Sponsorships	
Other Raffle - T Shirts	5,000
Total projected revenue	39,000.00

PROJECTED EXPENSES

Administrative Expenses:

Staff	
Facility rental	
Supplies	

Operating Expenses:

Entertainment	4,000.00
Portable restrooms	
Generators Tent	
Stage/sound/lighting	5,000.00
Food, lodging	
Decorations/signage	2,500.00
Rental expense (tables, chairs, etc.)	
Other T-shirts	5,000.00

Advertising/Promotion Expenses:

Posters/flyers (design & printing)	2,000.00
Brochures (design & printing)	1,000.00
Print ads	
Radio/television ads	
Total projected expense	19,500.00

PROJECTED PROFIT OR (LOSS)	19,500.00

Dana Cooper
Signature of organization representative

August 16, 2023
Date

POST-EVENT BUDGET REPORT

(from previous year)

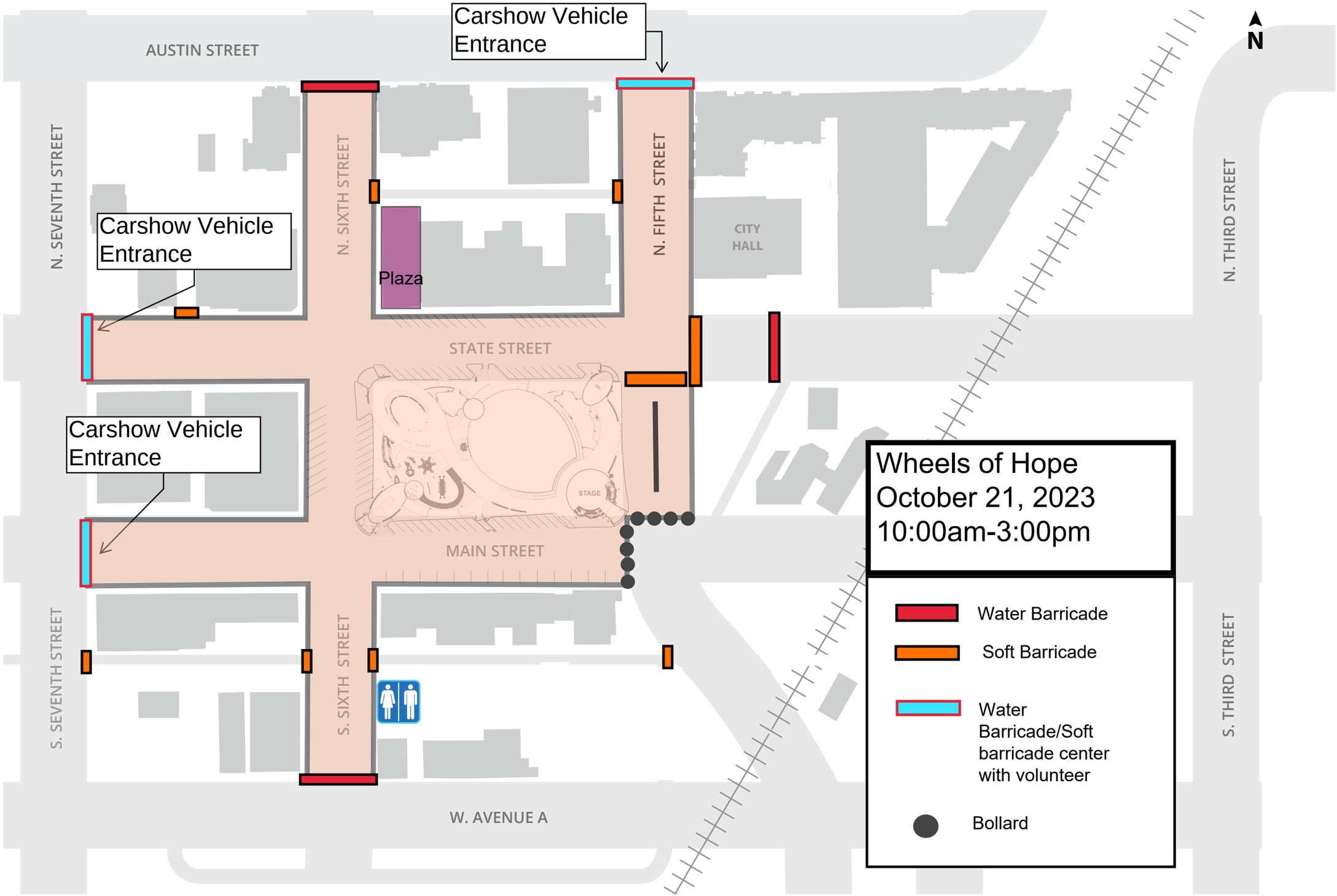
Budget must be submitted on this form or in this format for review.

REVENUE

Admission fees/ticket sales	
Booth sales/rental	300.00
Souvenir/merchandise sales (T shirts)	500.00
Concession sales	
Donations	40,000.
Sponsorships	
Other (Raffle)	2,000.00
Total Revenues	42,800.00

EXPENSES

Administrative Expenses:	
Staff	
Facility rental	
Supplies	
Operating Expenses:	
Entertainment	4,500.00
Portable restrooms	
Generators Tent	
Stage/sound/lighting	8,000.00
Food, lodging	
Decorations/signage	1,500.00
Rental expense (tables, chairs, etc.)	
Other (Insurance)	1,500.00
Advertising/Promotion Expenses:	
Posters/flyers (design & printing)	2,000.00
Brochures (design & printing)	1,000.00
Print ads	
Radio/television ads	
Total Expenses	18,500.00
PROFIT OR (LOSS)	24,300.00 for Hope Clinic


Carshow Vehicle Entrance
AUSTIN STREET
N. SEVENTH STREET
N. SIXTH STREET
N. FIFTH STREET
N. THIRD STREET
Carshow Vehicle Entrance
Plaza
CITY HALL
STATE STREET
Carshow Vehicle Entrance
STAGE
MAIN STREET
S. SEVENTH STREET
S. SIXTH STREET
S. THIRD STREET
W. AVENUE A
N
Wheels of Hope
October 21, 2023
10:00am-3:00pm
Water Barricade
Soft Barricade
Water Barricade/Soft barricade center with volunteer
Bollard

COMPTROLLER OF PUBLIC ACCOUNTS

P.O. BOX 13528
AUSTIN, TX 78711-3528

August 5, 2002

AUG 0 8 2002

Mr. Jim Witt
Friendship House Health Ministries
620 West Avenue B
Garland, Texas 75040

Dear Mr. Witt:

Friendship House Health Ministries, Taxpayer No. 1-75-2960314-8, qualifies for exemption from the franchise tax and sales tax as a 501(c)(3) organization effective September 18, 2001.

Please let me know if you receive franchise tax notices for periods covered by the exemption. In the event we have reason to believe the organization no longer qualifies for exemption, we will notify the registered agent that the exempt status is under review.

If the organization changes its name, registered agent or registered office address, it is required to notify the Secretary of State. The phone number is 512/463-5582. The website address is <www.sos.state.tx.us>.

The organization may issue an exemption certificate in lieu of the sales tax on taxable items if they relate to the purpose of the exempt organization and are not used for the personal benefit of a private stockholder or individual. The certificate does not require a number to be valid. You can make as many copies as you need or contact Tax Assistance to 1-800-252-5555 for additional forms. If you have access to the Internet the form is available online at <http://window.state.tx.us/taxinfo/taxforms/01-forms.html>. Select form 01-339 (back).

If your organization makes any sales of taxable items or services, please contact Tax Assistance at the above number to determine if a sales tax permit is needed.

If you have any questions, you may e-mail us at <tax.help@cpa.state.tx.us> or call me toll free at 1-800-531-5441, extension 3-4726. My direct number is 512/463-4726.

Sincerely,

Judy Evanicky

Judy Evanicky
Exempt Organizations Section

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: JUL 03 2002

FRIENDSHIP HOUSE HEALTH MINISTRIES
620 W AVENUE B
GARLAND, TX 75040

Rec'd, JUL 16 2002

Employer Identification Number:
75-2960314
DLN:
17053150058002
Contact Person:
DEL TRIMBLE ID# 31309
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
September 30
Foundation Status Classification:
509(a)(1)
Advance Ruling Period Begins:
September 18, 2001
Advance Ruling Period Ends:
September 30, 2006
Addendum Applies:
No

Dear Applicant:

Based on information you supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from federal income tax under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3).

Because you are a newly created organization, we are not now making a final determination of your foundation status under section 509(a) of the Code. However, we have determined that you can reasonably expect to be a publicly supported organization described in sections 509(a)(1) and 170(b)(1)(A)(vi).

Accordingly, during an advance ruling period you will be treated as a publicly supported organization, and not as a private foundation. This advance ruling period begins and ends on the dates shown above.

Within 90 days after the end of your advance ruling period, you must send us the information needed to determine whether you have met the requirements of the applicable support test during the advance ruling period. If you establish that you have been a publicly supported organization, we will classify you as a section 509(a)(1) or 509(a)(2) organization as long as you continue to meet the requirements of the applicable support test. If you do not meet the public support requirements during the advance ruling period, we will classify you as a private foundation for future periods. Also, if we classify you as a private foundation, we will treat you as a private foundation from your beginning date for purposes of section 507(d) and 4940.

Grantors and contributors may rely on our determination that you are not a private foundation until 90 days after the end of your advance ruling period. If you send us the required information within the 90 days, grantors and contributors may continue to rely on the advance determination until we make

ARTICLES OF AMENDMENT

OF

FRIENDSHIP HOUSE HEALTH MINISTRIES

FILED
In the Office of the
Secretary of State of Texas
MAR 13 2006
Corporations Section

Pursuant to the provisions of article 1396-4.03 of the Texas Non-Profit Corporation Act, the undersigned corporation adopts the following articles of amendment:

ARTICLE ONE

The name of the corporation is FRIENDSHIP HOUSE HEALTH MINISTRIES.

ARTICLE TWO

The following amendment to the articles of incorporation was adopted on 02-07-06

Article One is amended to read as follows:

The name of the corporation is HOPE CLINIC OF GARLAND, INC.

The amendment was adopted at a meeting of the board of directors held on 02-07-06, and received a unanimous vote of the directors in office, there being no members having voting rights in respect thereof.

FRIENDSHIP HOUSE HEALTH MINISTRIES

By: Barbara Burton

Position: Executive Director

Corporations Section
P.O.Box 13697
Austin, Texas 78711-3697

Gwyn Shea
Secretary of State

Office of the Secretary of State

CERTIFICATE OF AMENDMENT
OF

Friendship House Health Ministries
800011686

[formerly: FRIENDSHIP HOUSE HEALTH CLINIC]

The undersigned, as Secretary of State of Texas, hereby certifies that the attached Articles of amendment for the above named entity have been received in this office and have been found to conform to law.

ACCORDINGLY the undersigned, as Secretary of State, and by virtue of the authority vested in the Secretary by law hereby issues this Certificate of Amendment.

Dated: 03/28/2002
Effective: 03/28/2002

Gwyn Shea
Secretary of State

COMPTROLLER OF PUBLIC ACCOUNTS

P.O. BOX 13528
AUSTIN, TX 78711-3528

August 5, 2002

AUG 0 8 2002

Mr. Jim Witt
Friendship House Health Ministries
620 West Avenue B
Garland, Texas 75040

Dear Mr. Witt:

Friendship House Health Ministries, Taxpayer No. 1-75-2960314-8, qualifies for exemption from the franchise tax and sales tax as a 501(c)(3) organization effective September 18, 2001.

Please let me know if you receive franchise tax notices for periods covered by the exemption. In the event we have reason to believe the organization no longer qualifies for exemption, we will notify the registered agent that the exempt status is under review.

If the organization changes its name, registered agent or registered office address, it is required to notify the Secretary of State. The phone number is 512/463-5582. The website address is <www.sos.state.tx.us>.

The organization may issue an exemption certificate in lieu of the sales tax on taxable items if they relate to the purpose of the exempt organization and are not used for the personal benefit of a private stockholder or individual. The certificate does not require a number to be valid. You can make as many copies as you need or contact Tax Assistance to 1-800-252-5555 for additional forms. If you have access to the Internet the form is available online at <http://window.state.tx.us/taxinfo/taxforms/01-forms.html>. Select form 01-339 (back).

If your organization makes any sales of taxable items or services, please contact Tax Assistance at the above number to determine if a sales tax permit is needed.

If you have any questions, you may e-mail us at <tax.help@cpa.state.tx.us> or call me toll free at 1-800-531-5441, extension 3-4726. My direct number is 512/463-4726.

Sincerely,

Judy Evanicky

Judy Evanicky
Exempt Organizations Section

Corporations Section
P.O.Box 13697
Austin, Texas 78711-3697

Roger Williams
Secretary of State

Office of the Secretary of State

CERTIFICATE OF AMENDMENT
OF

HOPE CLINIC OF GARLAND, INC.
800011686

[formerly: Friendship House Health Ministries]

The undersigned, as Secretary of State of Texas, hereby certifies that the attached Articles of Amendment for the above named entity have been received in this office and have been found to conform to law.

ACCORDINGLY the undersigned, as Secretary of State, and by virtue of the authority vested in the Secretary by law hereby issues this Certificate of Amendment.

Dated: 03/13/2006
Effective: 03/13/2006

Roger Williams
Secretary of State

Form **872-C**

(Rev. September 1998)

Department of the Treasury
Internal Revenue Service

Consent Fixing Period of Limitation Upon Assessment of Tax Under Section 4940 of the Internal Revenue Code

(See instructions on reverse side.)

OMB No 1545 0056

To be used with Form 1023. Submit in duplicate.

Under section 6501(c)(4) of the Internal Revenue Code, and as part of a request filed with Form 1023 that the organization named below be treated as a publicly supported organization under section 170(b)(1)(A)(vi) or section 509(a)(2) during an advance ruling period,

Friendship House Health Ministries
(Exact legal name of organization as shown in organizing document)

1620 West Avenue B Garland, TX 75040
(Number, street, city or town, state, and ZIP code)

and the District Director of Internal Revenue, or Assistant Commissioner (Employee Plans and Exempt Organizations)

consent and agree that the period for assessing tax (imposed under section 4940 of the Code) for any of the 5 tax years in the advance ruling period will extend 8 years, 4 months, and 15 days beyond the end of the first tax year.

However, if a notice of deficiency in tax for any of these years is sent to the organization before the period expires, the time for making an assessment will be further extended by the number of days the assessment is prohibited, plus 60 days.

Ending date of first tax year SEPTEMBER 30, 2002
(Month, day, and year)

Name of organization (as shown in organizing document)	Date
Friendship House Health Ministries	9-18-01
Officer or trustee having authority to sign.	Type or print name and title
Signature ▶ Martha L. Sanford	Martha L. Sanford, President
For IRS use only	
District Director or Assistant Commissioner (Employee Plans and Exempt Organizations)	Date
Steven T. Miller Director, Exempt Organizations	JUN 24 2002
By ▶ Group Manager	

GARLAND
POLICY REPORT

City Council Regular Session Agenda **14.**

Meeting Date: 09/19/2023

Item Title: Request for Development Assistance from The New Modern Home, Inc.

Submitted By: Ayako Schuster, Economic Development Director

Strategic Focus Areas: Growing Economic Base

ISSUE

Consider a development incentive request from the New Modern Home, Inc. for a patrial waiver of tree mitigation fees required for a proposed new sustainable townhome project.

OPTIONS

1. Approve the staff recommendation for a partial waiver of the applicable tree mitigation fees
2. Not approve a partial waiver of the applicable tree mitigation fees.

RECOMMENDATION

The City would provide a partial waiver of Tree Mitigation Fees required of a proposed project upon the developer realizing the following performance requirements:

1. Construct at least 40 townhomes
2. Realization of an assessed new improvement valuation of at least:
    - $3,862,500 for Tax Year 2026
    - $7,728,375 for Tax Year 2027
    - $11,710,226 for Tax Year 2028
    - $16,561,533 for Tax Year 2029
    - $20,058,379 for Tax Year 2030
3. Procurement of a certificate of completion (or equivalent) issued for referenced facilities by 12/31/2030

BACKGROUND

The New Modern Home, Inc. is a home builder based in Richardson, TX. They construct sustainable, ‘self-powering’, and carbon neutral neighborhoods. Their first neighborhood is in Frisco, started construction in 2018, and is sold out. They have two projects in Dallas and the fourth project will be in Garland. The Garland neighborhood is called Pecan Grove.

The developer will be constructing the 50 townhome project on the approximately 6 acre lot

located at 1951 and 1975 State Highway 66. Zoning was changed from Agriculture to a mixed-use PD.

CONSIDERATION

The developer is to invest over $23 million, with a minimum of $20 million new valuation as established by the Dallas Central Appraisal District. The product is unique compared to other townhomes on the regional market. The homes are fully sustainable from the foundation type, insulation, tankless water heaters, paints, HVAC, and roofing. These homes are luxury homes, from 1,550 – 1,850 SF, starting from $439,900 to $499,900.

Attachments

Proposed Economic Development Incentive Agreement

ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT
BETWEEN THE CITY OF GARLAND AND MODERN TH, LLC.

This **ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT** ("Agreement") is made by and between the **City of Garland**, a Texas home-rule municipality ("City"), and **Modern TH, LLC.** a Texas for–profit corporation ("Developer"), acting by and through their respective authorized officers.

RECITALS:

Developer and the City each acknowledge and agree that the following recitals are true and correct and that the same is a material part of this Agreement:

WHEREAS, the City desires to further the public interest and welfare and to induce the investment of private resources in productive business enterprises located within the City that will increase tax revenue and promote or develop new business enterprises through Economic Development Agreements as authorized by Chapter 380 of the Texas Local Government Code;

WHEREAS, the Developer is the owner of multiple tracts of land consisting of approximately 5.9 acres located in the 1900 block of State Highway 66 within the territorial limits of the City of Garland and more fully described in Exhibit "A" attached hereto (the "Property");

WHEREAS, the Developer intends to develop the Property to include approximately fifty (50) townhomes, to be known as the Pecan Grove Townhomes (the "Development");

WHEREAS, Developer sought and received a zoning change on the property to Single-Family Attached and submitted a Detail Plan for the Development to the City, where were approved through Ordinance No. 7433 on June 6, 2023;

WHEREAS, the Development will have a direct and positive economic benefit to the City;

WHEREAS, the Developer has advised the City that a contributing factor of inducing the Developer to further improve the land is an agreement by the City to provide an Economic Development grant to the Developer as set forth herein;

WHEREAS, the City is authorized by Article III, Section 52-a of the Texas Constitution and Chapter 380 of the Texas Local Government Code to provide an economic development program, which may include the waiver or reimbursement of fees and the making of grants of public funds, to stimulate business and commercial activity within the City;

WHEREAS, City hereby finds that this Agreement promotes economic development in the City and, as such, meets the requisites under Article III, Section 52-a of the Texas Constitution and Chapter 380 of the Texas Local Government Code and qualifies for an Economic Development Program, and further, is in the best interests of the City;

WHEREAS, the City wishes to provide an Economic Development grant to the Developer to assist in the economic development of the City by contributing certain real property and waiving

up to seventy-five percent (75%) of the total Tree Mitigation Fees, up to a maximum of four hundred forty-five thousand dollars and zero cents ($445,000.00), that would be paid by the Developer for the Development; and

WHEREAS, the City has determined, based on information presented to it by the Developer, that making an Economic Development grant to the Developer as set forth in this Agreement is matching the City's Economic Development goals and will: (i) help accomplish the objectives of the City; (ii) benefit the City and the City's inhabitants; and (iii) promote local economic development and stimulate business and commercial activity in the City;

NOW, THEREFORE, the Developer and the City make and enter into this Agreement in consideration of the mutual covenants and agreements contained in this Agreement, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged by both the Developer and the City, and agree as follows:

Section 1. Definitions:

Terms used in this Agreement that have their initial letters capitalized shall have the meanings given to them as defined in this Agreement unless the context in which the term is used clearly requires a different meaning.

"Base Land Value" means the value of the unimproved land of all tracts which comprise the Property, on the effective date of the Agreement, which the parties agree for all purposes herein, shall be a total of Five Hundred Thirty-Three Thousand Seven Hundred Dollars and Zero Cents ($533,700.00) for the Property.

"Building" means a Townhome to be constructed on the Property.

"Certificate of Completion" means a letter issued by the City to the Developer upon the determination made by the City Building Official that the core and shell of real property improvements on the Property have been completed in compliance with applicable local, state, and federal law and regulations, including, but not limited to plumbing, electrical, mechanical, energy-related components, sidewalks, landscaping, parking lots, drainage, water, sewer, screening walls, fire hydrants, and lanes, and approved by applicable City officials.

"DCAD" means the Dallas Central Appraisal District or its successor.

"Development" has meaning described within the Recitals of this Agreement.

"Incentive" means the City's waiver of up to seventy-five percent (75%) of the total Tree Mitigation Fees, up to a maximum amount of Four Hundred Forty-Five Thousand Dollars and Zero Cents ($445,000.00), that would be paid by the Developer for this Development to the City.

"Party" means either the City or the Developer, and "Parties" means, collectively, the City and the Developer.

"Program" means the Economic Development Program for this Development as established by the

City according to Texas Local Government Code Chapter 380 and this Agreement to promote local economic development and stimulate business and commercial activity within the City.

"Property" means the assemblage of approximately 5.9 acres of unimproved land located generally 1900 block of State Highway 66 within the territorial limits of the City of Garland, consisting of two tracts, one of approximately 5.5 acres located at 1951 State Highway 66 and one of approximately 0.4 acres located at 1975 State Highway 66, and more particularly described and referenced in this Agreement as "Exhibit A," and attached to this Agreement.

"Target Assessed Value" is the minimum tax valuation, as established by the Dallas Central Appraisal District, to receive full Incentives under this Agreement as follows:

- For the Property: a total of not less than Twenty Million Fifty-Eight Thousand Three Hundred Seventy-Nine Dollars and Zero Cents ($20,058,379.00) total market value for the improvements in aggregate above the Base Land Value as determined by the Dallas Central Appraisal District, after the Developer completes the Development, in adhereance with the following schedule:

Tax Year	Aggregate Improvement Valuation Requirement
2026	$3,862,500
2027	$7,728,375
2028	$11,710,226
2029	$16,561,533
2030	$20,058,379

"Term" has the meaning given such term in Section 2 of this Agreement.

"Townhome" means each single family dwelling unit whether existing as a stand alone structure or attached to a similar dwelling unit by a shared wall. Each dwelling unit is a separate Townhome for purposes of this Agreement.

"Tree Mitigation Fees" means the fees related to the removal of trees from the property to be developed according to Chapter 4, Article 4 of the Garland Development Code.

Section 2. Term. This Agreement shall, unless extended or terminated in writing by a mutual agreement executed by both parties, or as otherwise provided in this Agreement of the Parties, terminate either upon the complete performance by the Parties of all obligations and conditions within this Agreement or on December 31, 2031 subject to Section 3(A).

This Agreement shall be effective ("Effective Date") as of the date of the last Party to execute this Agreement.

Section 3. Developer's Obligations.

(A) Developer shall construct the Development on the Property, and upon completion of the Development, the Developer must achieve the Target Assessed Value for the Development, as defined in Section 1 of this Agreement.

(B) Developer shall construct at least forty (40) Townhomes and have received a Certificate of Completion for each Building on the Property on or before **December 31, 2030 , or else this Agreement automatically terminates.**

(C) It is expected that Developer shall have completed the permitting process on at least (40) Townhomes by June 9, 2027 and have obtained a Certificate of Completion on each Townhome by December 31, 2030.

Section 4. City's Obligations.

(A) As specified in Section 3 above, Developer shall construct the Development on the Property, and upon completion of the Development, the Developer must achieve the Target Assessed Value for the Property and the Buildings, as defined in Section 1 of this Agreement.

(i) Contingent upon the completion of the Developer's obligations set forth in Section 3 of this Agreement, by the deadlines listed for therein, the City shall waive up to seventy-five percent (75%) of Tree Mitigation Fees, up to a maximum waiver of Four Hundred Forty-Five Thousand Dollars and Zero Cents ($445,000.00).

a. The amount waived for Developer, up to the maximum, shall be the based on actual Tree Mitigation Fees incurred by the Developer and waived by the City. Notwithstanding any other provision contained herein, the City shall only be obligated to waive Tree Mitigation Fees for Developer in an amount not to exceed Four Hundred Forty-Five Thousand Dollars and Zero Cents ($445,000.00) for all phases of the entire Development. Once the City has waived Tree Mitigation Fees for Developer in the amount of Four Hundred Forty-Five Thousand Dollars and Zero Cents ($445,000.00), the City's Tree Mitigation Fee waiver obligation shall have been fulfilled.

b. If the Development fails to meet the Target Assessed Value for the assessment for any respective Tax Year as provided above, the City may terminate this Agreement. Whether or not City decides to terminate this Agreement in its entirety for a breach of this provision by the Developmer, Developer shall pay the City for any and all fees waived or reimbursed by the City with respect to the Development for each respective Tax Year in which the Development fails to meet the Target Assessed Value pursuant to the following schedule:

Tax Year	Waiver Amount Subject to Refund
2026	$89,000.00
2027	$89,000.00
2028	$89,000.00
2029	$106,800.00
2030	$71,200.00

Reimbursement shall be due not more than sixty (60) days following the date Developer is notified of the failure of the Development to meet the Target

Assessed Value.

(ii) The City shall not unreasonably delay or deny any application or request that is necessary for Developer to complete the Development in accordance with the Ordinance No. 7433, Garland Development Code, applicable City Requirements, and this Agreement.

Section 5. Source of Funds. The monetary portion of the Incentive shall only effect Tree Mitigation Fees to be received by the City from the Developer. Notwithstanding any other provision contained herein to the contrary, the City shall not waive for Developer any amount or other thing of value in excess of seventy-five percent (75%) of the Tree Mitigation Fees, up to a maximum waiver of Four Hundred Forty-Five Thousand Dollars and Zero Cents ($445,000.00). No other source of funds shall be provided for the payment of the Incentive.

Section 6. Valuation Assessment. Developer agrees that by submitting to the City a request for the payment of any of the Incentive under this Agreement, the Developer has (i) fully and finally agreed to the DCAD assessed tax values and the City's tax rate and procedures on which the assessed value of the Development is or will be based without protest or challenge; (ii) will not make any claim for a refund, repayment, or reduction of those taxes from any source, including the City; and (iii) will not claim or accept any exemption from ad valorem taxes, prior to the date of termination of this Agreement.

Section 7. Rules of Construction. The capitalized terms listed in this Agreement shall have the meanings set forth herein whenever the terms appear in this Agreement, whether in the singular or the plural or in the present or past tense. Other terms used in this Agreement shall have meanings as commonly used in the English language. Words not otherwise defined herein that have well-known and generally accepted technical or trade meanings are used herein per such recognized meanings. In addition, the following rules of interpretation shall apply:

(A) References to "Articles," "Sections," or "Exhibits" shall be to articles, sections, or exhibits of this Agreement.

(B) The Exhibits attached hereto are incorporated in and are intended to be part of this Agreement; provided that in the event of a conflict between the terms of any Exhibit and the terms of this Agreement, the terms of this Agreement shall take precedence.

(C) This Agreement was negotiated and prepared by both Parties with the advice and participation of counsel. The Parties have agreed to the wording of this Agreement and none of the provisions hereof shall be construed against one Party on the ground that such Party is the author of this Agreement or any part hereof.

(D) Unless expressly provided otherwise in this Agreement, (a) where the Agreement requires the consent, approval, or similar action by a Party, such consent or approval shall not be unreasonably withheld, conditioned, or delayed, and (b) wherever the Agreement gives a Party a right to determine, require, specify, or take similar action concerning a matter, such determination, requirement, specification, or similar action shall be reasonable.

(F) Use of the words "include" or "including" or similar words shall be interpreted as "including but not limited to" or "including, without limitation."

(G) The recitals to this Agreement are incorporated herein.

Section 8. Dispute Resolution and Step Negotiations. The Parties shall attempt in good faith to resolve all disputes arising out of or relating to this Agreement or any of the transactions contemplated hereby promptly by negotiation, as follows:

(A) Either Party may give the other Party written notice of any such dispute not resolved in the normal course of business. Representatives of each of the Parties shall meet at a mutually acceptable time and place within ten days after delivery of such notice, and thereafter as often as they reasonably deem necessary, to exchange relevant information and to attempt to resolve the dispute. If the matter has not been resolved within thirty days from the referral of the dispute to such representatives, or if no meeting of such representatives has taken place within fifteen days after such referral, either Party may initiate mediation as provided hereinafter. If a Party intends to be accompanied at a meeting by an attorney, the other Party shall be given at least three business days' notice of such intention and may also be accompanied by an attorney. All negotiations according to this clause are confidential and shall be treated as compromise and settlement negotiations for purposes of the Federal Rules of Evidence and State Rules of Evidence. Each Party will bear its own costs for this dispute resolution phase.

(B) If any dispute arising out of or relating to this Agreement or any of the transactions contemplated hereby is not resolved by the procedures set forth in Section 8 (A), such dispute shall be submitted to non-binding mediation to a person mutually agreed by the Parties. The mediation may take place at a mutually agreed upon location. If the mediation process has not resolved the dispute within thirty days of the submission of the matter to mediation or within such a longer period as the Parties may agree to, either Party may exercise all remedies available at law or in equity under this Agreement, including the initiation of court proceedings. Each Party will bear its own costs, and share equally in the costs of mediators, for this dispute resolution phase.

(C) Nothing in this Section shall preclude, or be construed to preclude, the resort by either Party to a court of competent jurisdiction solely to secure a temporary or preliminary injunction or other relief to preserve the status quo or avoid irreparable harm.

Section 9. Jurisdiction and Venue. City and Developer, to the fullest extent permitted by applicable law, irrevocably (i) submit to the exclusive jurisdiction of the district courts located in Dallas County, Texas, and any appellate court thereof; (ii) waive any objection which either may have to the laying of the venue of any proceeding brought in any such court and (iii) waive any claim that such proceedings have been brought in an inconvenient forum. Nothing in this provision shall prohibit a Party from bringing an action to enforce a money judgment in any other jurisdiction where the courts of such jurisdiction have jurisdiction over the other Party.

Section 10. Accommodation of Financing Parties. To facilitate the Developer's obtaining of financing to construct and operate the Development, City shall make governmentally reasonable

efforts to provide such consents to assignments, certifications, representations, information, estoppels, or other documents as may be reasonably requested by the Developer or the Developer's financing parties in connection with the financing of the Development; provided that in responding to any such request, the City shall have no obligation to provide any consent, certification, representation, information, estoppel, or other documents, or enter into any agreement, that materially adversely affects, or could reasonably be expected to have or result in a material adverse effect on, any of City's rights, benefits, risks, or obligations under this Agreement. Developer shall reimburse, or shall cause the financing parties to reimburse, the City for the incremental, direct, and documented out-of-pocket third party expenses (including, without limitation, the reasonable fees and expenses of outside counsel) incurred by the City in the preparation, negotiation, execution, or delivery of any documents requested by Developer or the financing parties.

Section 11. Entire Agreement. This Agreement and its Exhibits constitute the entire understanding and agreement of the parties as to the matters set forth in this Agreement. No alteration of or amendment to this Agreement shall be effective unless given in writing and signed by the Party or Parties sought to be charged or bound by the alteration or amendment.

Section 12. Binding Effect; Successors and Assigns. The terms and conditions of this Agreement are binding upon the successors and assigns of the parties hereto. This Agreement, or the right to receive payments, pursuant to this Agreement, may not be assigned, in whole or in part, without the express written consent of the City.

Section 13. Amendments. No modifications or amendments to this Agreement shall be valid unless in writing and signed by a duly authorized signatory of each Party.

Section 14. Severability. In the event any provision of this Agreement shall be determined by any court of competent jurisdiction to be invalid or unenforceable, the Agreement shall, to the extent reasonably possible, remain in force as to the balance of its provisions as if such invalid provision were not a part hereof.

Section 15. Notices. All notices required to be given under this Agreement shall be in writing and shall be given by either Party or its counsel in person, via express mail service, courier, or receipted facsimile transmission (but only if duplicate notice is also given via express mail service, courier or certified mail) or certified mail, return receipt requested, to the respective parties at the below addresses (or at such other address as a party may hereafter designate for itself by notice to the other party as required hereby). All notices given according to this paragraph shall be deemed effective, as applicable, on the date such notice may be given in person or next business day following the date on which such communication is transferred via facsimile transmission, or as applicable, when deposited with the express mail service, courier, or in the United States mails. Any party may change its address for notices under this Agreement by giving formal written notice to the other parties, specifying that the purpose of the notice is to change the party's address.

If to City:	If to Developer:
City of Garland	Modern TH, LLC.
200 N. Fifth Street	811 S. Central Expressway, Suite 205

P.O. Box 469002
Garland Texas 75046-9002
Attn: City Manager
Phone: (972) 205-2000
Fax: (972) 205-2504

Richardson, Texas 75080
Attn: James Tanghongs

Phone: (469) 360-4660

With a required copies to:

City Attorney
200 N. Fifth Street
P.O. Box 469002
Garland, Texas 75046-9002
Phone: (972) 205-2380
Fax: (972) 205-2389

Economic Development Director
P.O. Box 469002
Garland, Texas 75046-9002
Phone: (972) 205-3800
Fax: (972) 205-3801

Section 17. Employment of Undocumented Workers. During the Term of this Agreement, the Developer agrees not to knowingly employ any undocumented workers and if convicted of a violation under 8 U.S.C. Section 1324a (f), the Developer shall repay the amount of the Incentive paid to and received by Developer from and by the City as of the date of such violation within 120 business days after the date the Developer is notified by the City of such violation, plus interest at the rate of 6% compounded annually from the date of violation until paid. The Developer is not liable for a violation of this Section concerning any workers employed by a subsidiary, affiliate, or franchisee of the Developer or by a person with whom the Developer contracts.

Section 18. Non-Collusion. Developer represents and warrants that neither Developer nor any representative of Developer has given, made, promised, or paid, nor offered to give, make, promise, or pay any gift, bonus, commission, money, or other consideration to any employee, agent, representative, or official of the City as an inducement to or to obtain the benefits to be provided by the City under this Agreement.

Section 19. Time of the Essence. Time is of the essence in the performance of this Agreement. If any deadline contained herein ends on a Saturday, Sunday, or a legal holiday generally recognized by banks in the State of Texas, such deadline shall automatically be extended to the next day that is not a Saturday, Sunday, or legal holiday.

Section 20. Multiple Counterparts. This Agreement may be executed in multiple counterparts, each of which shall have the force and effect of any original, as of the Effective Date.

Section 21. No Recording. The Parties agree that neither this Agreement nor any memorandum of this Agreement will be recorded in the real property records of Dallas County, Texas, though the any deeds and Right of First Refusals contemplated herein shall be.

EXECUTED and EFFECTIVE as of the 1st day of September, 2023.

DEVELOPER
Modern TH, LLC., ,
a Texas For-Profit Corporation

By: _____
Name: Jimmy Tanghongs
Title: CEO & President of Modern TH, LLC
Date Execute: Sept 1st, 2023

CITY
City of Garland, a Texas home-rule municipality

By: _____
Judson Rex
City Manager
Date Executed: _____

EXHIBIT "A"
Property Legal Descriptions

1951 State Highway 66 Tract:

BEING a 5.500 acre tract of land situated in the City of Garland, in the JOHN L. ANDERSON SURVEY, ABSTRACT NO.26 of DALLAS County, Texas and being a part of that certain called 56.455 acre tract described in a Warranty Deed to Garland Group I, a Texas partnership, dated April 3, 1987 and recorded in Volume 87064, Page 5039 of the Deed Records of DALLAS County, Texas and said 5.500 acres being more particularly described by metes and bounds as follows:

BEGINNING at a concrete right-of-way monument found for the Southeast corner of said 56.455 acre tract on the Northern right-of-way line of State Highway No. 66 (variable width right-of-way);

THENCE North 86 degrees 54 minutes 44 seconds West, (Reference bearing) along the South line of said 56.455 acre tract and the North right-of-way of said Highway, at 392.42 feet, passing a 1/2 inch iron rod found for the Southeast corner of a 50 foot wide Public Ingress & Egress Easement as shown on a plat of the Carr Addition, an addition to the City of Garland, recorded in Volume 84019, Page 384 of the Deed Records of DALLAS County, Texas and continuing on for a total distance of 425.00 feet to a 1/2 inch iron rod set for corner;

THENCE North 03 degrees 52 minutes 57 seconds West, departing from the South line of said 56.455 acre tract and parallel with the West line of said easement, a distance of 157.89 feet to a 1/2 inch iron rod set for corner on the South line of the above described 1.00 acre Carr Addition;

THENCE North 86 degrees 02 minutes 00 seconds East, along the South line of said Carr Addition and the North line of said Ingress & Egress Easement, a distance of 32.38 feet to a 1/2 inch iron rod found for the Southeast corner of said Carr Addition;

THENCE North 03 degrees 53 minutes 23 seconds West, along the East line of said Carr Addition, at 191.80 feet passing a 1/2 inch iron rod found for the Northeast corner of said addition and continuing on for a total distance of 220.22 feet to a 1/2 inch iron rod set with a red plastic cap stamped "RPLS 4701" for corner;

THENCE South 86 degrees 54 minutes 44 seconds East, a distance of 742.86 feet to a 1/2 inch iron rod set with a red plastic cap stamped "RPLS 4701", for corner one the West right-of-way line of Centerville Road (100 foot wide right-of-way) as relocated in 1988;

THENCE South 23 degrees 57 minutes 30 seconds West, along the current West right-of-way of said Centerville Road, a distance of 103.67 feet to an "X" chiseled in the concrete Rip Rap of a bridge at the beginning of a curve to the left, having a radius that bears South 66 degrees 02 minutes 30 seconds East, a distance of 1050.00 feet and a chord that bears South 20 degrees 33 minutes 51 seconds West, 124.33 feet;

THENCE along the current West right-of-way of said Centerville Road and with said curve to the left, through a central angle of 06 degrees 47 minutes 17 seconds, an arc distance of 124.40 feet to

an "X" chiseled on the edge of a concrete sidewalk at the beginning of a non-tangent curve to the right, having a radius that bears North 45 degrees 24 minutes 59 seconds West, a distance of 379.26 feet and a chord that bears South 54 degrees 29 minutes 34 seconds West, 130.53 feet;

THENCE along the Southeasterly line of said 56.455 acre tract and with said curve to the right through a central angle of 19 degrees 49 minutes 07 seconds, an arc distance of 131.19 feet to a 1/2 inch iron rod set with a red plastic cap stamped "RPLS 4701" for corner;

THENCE South 64 degrees 24 minutes 08 seconds West, along the Southeasterly line of said 56.455 acre tract, a distance of 64.92 feet to a inch iron rod set with a red plastic cap stamped "RPLS 4701" for corner at the beginning of a curve to the left, having a radius that bears South 25 degrees 35 minutes 52 seconds East, a distance of 348.32 feet and a chord that bears South 57 degrees 11 minutes 32 seconds
West, 87.43 feet;

THENCE along the Southeasterly line of said 56.455 acre tract and with said curve to the left through a central angle of 14 degrees 25 minutes 12 seconds, an arc distance of 87.66 feet to the POINT OF BEGINNING AND CONTAINING 5.500 acres of land, more or less.

1975 State Highway 66 Tract:

BEING situated in the J.L. ANDERSON SURVEY, ABSTRACT NO. 26, City of Garland, DALLAS County, Texas and being all of called 0.1677 acre tract of land described in a deed to the City of Garland, of record in Volume 91065, Page 5703, Deed Records of DALLAS County, Texas, and being a portion of Old Centerville Road (unimproved and not in use) and being more particularly described by metes and bounds as follows:

BEGINNING at an "X" set for corner at the intersection of the North Right-of-Way line of State Highway No. 66 (variable width Right-of-Way) with the West Right-of-Way line of E. Centerville Road (100 foot Right-of-Way) at the Southeast corner of said 0.1677 acre tract;

THENCE North 83 degrees 26 minutes 01 seconds West along the North Right-of-Way line of said State Highway No. 66, at a Distance of 137.30 feet passing the Southwest corner of said 0.1677 acre tract and crossing said Old Centerville Road for a total distance of 199.97 feet to a inch iron rod found for corner at the most Southern Southeast corner of a called 5.500 acre tract of land described in a deed to JJW Partners, Ltd. of record in Volume 2003014, Page 8436, Deed Records of DALLAS County, Texas, said point being the beginning of a non-tangent curve to the right having a radius of 348.32 feet, a central angle of 14 degrees 25 minutes 11 seconds and a chord which bears North 57 degrees 11 minutes 49 seconds East, a distance of 87.43 feet;

THENCE in a Northeasterly direction along said curve to the right an arc distance of 87.66 feet to a 1/2 inch iron rod found for corner;

THENCE North 64 degrees 24 minutes 08 seconds East along a Southeast line of said 5.500 acre tract, a distance of 64.92 feet to a 1/2 inch iron rod found for corner at the beginning of a curve to the left having a radius of 378.26 feet, a central angle of 19 degrees 52 minutes 17 seconds, and a chord which bears North 54 degrees 29 minutes 35 seconds East, a distance of 130.53 feet;

THENCE in a Northeasterly direction along said curve to the left, an arc distance of 131.19 feet to an "X" found for corner at the most Eastern Southeast corner of said 5.500 acre tract and being in the West Right-of-Way line of said E. Centerville Road, said point being the beginning of a curve to the left having a radius of 1050.00 feet, a central angle of 06 degrees 32 minutes 01 seconds, and a chord which bears South 13 degrees 54 minutes 12 seconds West, a distance of 119.67 feet;

THENCE in a Southerly direction along the curving West Right-of-Way line of said Centerville Road, an arc distance of 119. 73 feet to an "X" set for

THENCE South 10 degrees 38 minutes 12 seconds West continuing along the West Right-of-Way line of said Centerville Road, a distance of 58.95 feet to the PLACE OF BEGINNING AND CONTAINING 16,433 square feet or 0.377 acres of land.

GARLAND
PLANNING REPORT

City Council Regular Session Agenda **15. a.**

Meeting Date: 09/19/2023

Item Title: Z 23-06 Jamecisa Sims / Ron Hobbs Architecture & Interior Design, LLP - Specific Use Provision (District 4)

Submitted By: Matthew Wolverton, Development Planner

REQUEST

Approval of 1) a Specific Use Provision for a Restaurant, Drive-Through Service Use on a property zoned Community Retail (CR) District and 2) a Variance to Sections 4.34 and 4.39 in the Garland Development Code (GDC) regarding the site and perimeter screening landscaping.

Approval of 3) a Plan for a Restaurant, Drive-Through Use.

LOCATION

5514 & 5516 Broadway Boulevard

OWNER

Eric Finley

PLAN COMMISSION RECOMMENDATION

On August 28, 2023 the Plan Commission, by a vote of eight (8) to zero (0), recommended approval of a Specific Use Provision for a Restaurant, Drive-Through Service Use on a property zoned Community Retail (CR) District and approved a Variance to Section 4.34 of the Garland Development Code (GDC) regarding the landscape buffer width along Broadway Boulevard.

In addition, the Plan Commission approved a Variance to Section 4.39 but with the condition that a horizontal board-on-board fence with steel posts on the east end of the property. The applicant concurs with the condition.

The Plan Commission, by a vote of eight (8) to zero (0), also recommended approval of a Plan for a Restaurant, Drive-Through Use.

STAFF RECOMMENDATION

Approval of a Specific Use Provision for a Restaurant, Drive-Through Service Use on a property zoned Community Retail (CR) District.

Approval of a Plan for a Restaurant, Drive-Through Use.

BACKGROUND

The subject property is largely vacant but contains an ice kiosk on the east side of the property that will remain. The applicant proposes to construct a small restaurant serving snow cones and other small food items through a pickup window and drive-through service. The GDC requires a Specific Use Provision for a Drive-Through Service in the Community Retail (CR) District.

SITE DATA

The 0.289-acre site is accessed from Broadway Boulevard.

USE OF PROPERTY UNDER CURRENT ZONING

The subject property is zoned Community (CR) District. The Community Retail (CR) District is intended to accommodate a variety of retail, service, and business establishments that may or may not be designed in a shopping center configuration. The district may be used as a transition district between lower intensity retail or office uses and more intense uses. A Community Retail (CR) District is generally appropriate along major transportation corridors but is generally not appropriate in proximity to low-density residential districts without significant buffering and screening features. An example of allowed use in a CR district is a retail shopping area that may be large in scale with very limited or no outside storage. Traffic generated by uses in a CR district must be focused onto the major thoroughfare network. Development in a CR district may not be designed in a manner that increases traffic through residential areas.

CONSIDERATIONS

Specific Use Provisions

1. Development

   The applicant is requesting approval of a twenty-five (25) year Specific Use Provision for the 346 square foot building. The SUP Time Period Guide recommends twenty (20) to twenty-five (25) years for a Restaurant, Drive-Through.

   The hours of operation will be 10:30 am to 9:00 pm Monday through Thursday, 10:30 am to 11:00 pm on Friday and Saturday, and 1:00 pm to 9:00 pm on Sunday.
   Outdoor seating is available for patrons.

2. Building Design

   The building elevations (Exhibit E) for the proposed restaurant with drive-through comply with the Garland Development Code (GDC) and offer a unique architectural style.

3. Screening

The applicant proposes a six-foot horizontal board-on-board wood fence with steel posts to connect to and match the existing wooden fence on the adjacent North and South commercial properties, in accordance to the Plan Commission's approval.

4. Landscaping

   The GDC Section 4.34(B)(1)(b) requires a fifteen (15) foot landscape buffer on thoroughfares type A through D which Broadway Boulevard falls under.
   The applicant proposes a landscape buffer ranging from 6.67 feet to 10.46 feet on the property South of the entrance to the property. The Plan Commission granted this Variance request. The required landscape plantings per the GDC are provided accordingly.

5. Parking

   The proposed development will comply with the Garland Development Code (GDC) and contains one additional parking spot for the Ice Kiosk.

COMPREHENSIVE PLAN

Compact neighborhoods provide areas for moderate increases in residential density, including single-family attached and single-family detached housing. It expands housing options through infill and redevelopment, while continuing walkable development patterns. These areas provide transitions between traditional residential neighborhoods and higher density residential neighborhoods and non-residential developments. These areas accommodate uses such as convenience retail (goods and services), office space, and public services. The architectural character and scale of these areas are compatible with adjacent residential development.

The proposed use will offer additional food service to the surrounding residential area.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The properties to the North and South of the site are zoned Community Retail (CR) District as well. Properties to the West, across Broadway Boulevard, are zoned Planned Development (PD) 18-40 for Community Retail (CR) uses. These properties include retail stores, medical offices, auto repair, general office space, personal services, restaurants with and without drive-through service, a car wash, a tattoo shop, and a convenience store with fuel pumps. The properties to the East are zoned Single-Family-7 (SF-7) District and contain single-family homes and vacant lots.

Attachments

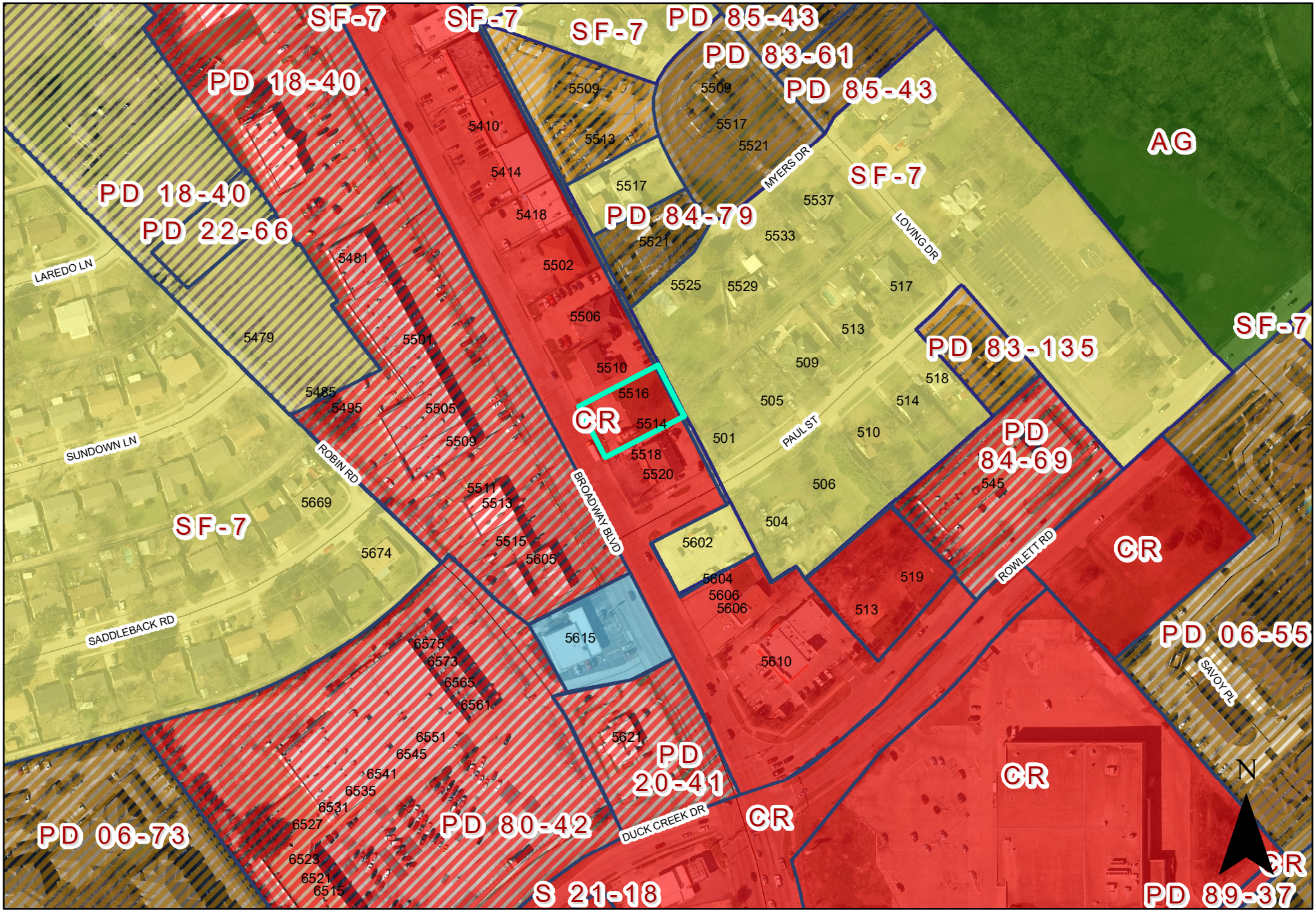
Z 23-06 Location Map

Z 23-06 SUP Conditions

Z 23-06 R&M SUP

Z 23-06 Responses

Z 23-06 Staff Presentation



0 130 260 Feet

1 inch = 198 feet

ZONING MAP Z 23-06

INDICATES AREA OF REQUEST

5514 & 5516 Broadway Boulevard

SPECIFIC USE PROVISION CONDITIONS

ZONING FILE Z 23-06

5514 & 5516 Broadway Boulevard

I. Statement of Purpose: The purpose of this Specific Use Provision is to allow a Restaurant, Drive-Through Use.

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 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:

Site Layout: The site shall be in general conformance with the approved Site Plan, Landscape Plan, and Elevations labeled Exhibit C, Exhibit D, and Exhibit E. In the event of conflict between the conditions and the site plan, the written conditions listed below are to apply.

V. Abandonment: In the event the land use for which this Specific Use Provision was granted ("Land Use") is abandoned, the SUP and all rights to the Land Use are automatically terminated, and the premises must be used in conformance with the PD, GDC, federal, and state law.

For the purposes of this Specific Use Provision, Abandonment is any of the following acts:

A. A failure to apply for a site or building permit on the premises, where applicable, within 180 days of the effective date of this SUP;

B. A failure to obtain a certificate of occupancy for the Land use within 730 days of the effective date of this SUP;

C. A failure to commence operating the Land Use on the premises within 90 days of receiving a final certificate of occupancy for the Land Use;

D. Discontinuance of the Land Use for a period of 180 days;

E. Applying for, and receiving, a new Certificate of Occupancy for a use other than the Land Use; or

F. Operating a use on the premises, whether as a primary or secondary use, that is not allowed within the PD District, by the GDC, or by state or federal law.

The termination of utilities on the premises for a period of 180 calendar days is prima facie evidence of abandonment and the owner shall have the burden to prove that the Land Use has not been abandoned.

VI. Specific Regulations:

A. Time Period: The Specific Use Provision shall have a twenty-five (25) year time period.

B. Site Plan: The site layout, building placement, parking and other development proposed shall be in general conformance with the approved Site Plan labeled Exhibit C.

C. Landscape Plan: Screening and landscaping shall be in general conformance with the landscape plan labeled Exhibit D. A horizontal board-on-board wood fence with steel posts shall be provided along the eastern property boundary as shown on Exhibit C.

D. Elevations: Building Elevations shall be in general conformance with the elevations labeled Exhibit E.

E. Signage: All signage shall comply with the standards in the Garland Development Code.

REPORT & MINUTES

P.C. Meeting, August 28, 2023

3a. APPROVED Consideration of the application of **Jamecisa Sims / Ron Hobbs Architecture & Interior Design, LLP,** requesting approval of a 1) Specific Use Provision for a Restaurant, Drive-Through Service Use on a property zoned Community Retail (CR) District and 2) Variances to Sections 4.34 and 4.39 in the Garland Development Code (GDC) regarding site and perimeter screening landscaping. This property is located at 5514 & 5516 Broadway Boulevard. (District 4) (Z 23-06 – Specific Use Provision)

The applicant, Jamecisa Sims, 323 Phoebe Lane, Allen, TX, gave an overview of the request and remained available for questions.

Commissioner Dalton asked the applicant if she intended to build a permanent facility at the location.

The applicant confirmed that is her intention.

Commissioner Jenkins asked the applicant how she came up with the idea for the proposed development.

The applicant stated that her initial goal was to go to school for interior design but moved away from that goal due to the high costs. In her prior work experience working for a non-profit and the struggles it brought with working with different vendors to have a snow cone machine at events, she came up with the idea of purchasing her own snow cone truck.

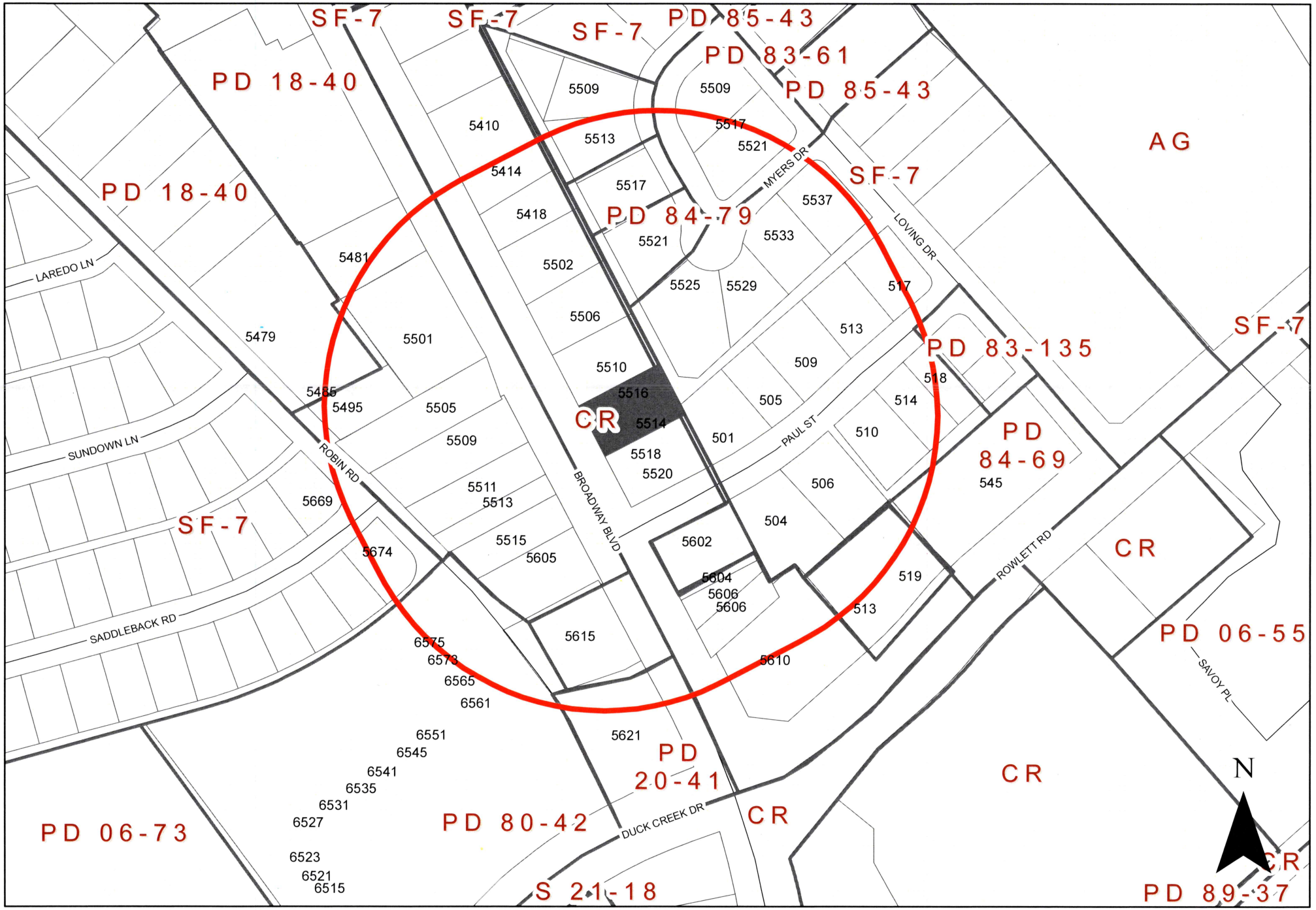
Motion was made by Commissioner Cornelius to close the public hearing. Seconded by Commissioner Jenkins. **Motion carried**: **7** Ayes, **0** Nays.

Commissioner Dalton stated that he believes the idea is cool. He also reiterated what was mentioned at the Pre-Meeting in regard to requiring the metal poles and fencing.

Commissioner Jenkins expressed his excitement about entrepreneurs growing their business in the City and concurred with Commissioner Dalton's comments regarding the metal poles and fencing.

Commissioner Cornelius stated her excitement for the development and the attraction it will provide for families.

Motion was made by Commissioner Cornelius to **approve** the application as presented with the provision that the rear fence is a horizontal board on board fence with steel posts. Seconded by Commissioner Williams. **Motion carried**: **7** Ayes, **0** Nays.



ZONING MAP Z 23-06

INDICATES AREA OF REQUEST

INDICATES NOTIFICATION AREA

5514 & 5516 Broadway Boulevard

Comment Form
Case Z 23-06

Outside the Notification Area

Z 23-06 Jamecisa Sims / Ron Hobbs Architecture & Interior Design, LLP. The applicant proposes a Restaurant / Snow Cone Establishment with a Drive-Through. The site is located at 5514 & 5516 Broadway Boulevard. (District 4)

Z 23-06 Jamecisa Sims / Ron Hobbs Architecture & Interior Design, LLP. El solicitante propone un Restaurante / Establecimiento de Cono de Nieve con Drive-Through. El sitio está ubicado en 5514 y 5516 Broadway Boulevard. (Distrito 4)

Z 23-06 Jamecisa Sims / Ron Hobbs Architecture & Interior Design, LLP. Người nộp đơn đề xuất một Cơ sở Nhà hàng / Snow Cone với Lái xe qua. Địa điểm tọa lạc tại 5514 & 5516 Broadway Boulevard. (Quận 4)

Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

☐ For / A Favor / Đúng

☒ Against / En Contra / Không

Please complete the following information and email the form to Planning@garlandtx.gov; deliver to the Planning Department at 800 Main Street Garland, TX; or mail to City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002./ Por favor Complete la siguiente información y envíe el formulario por correo electrónico a Planning@garlandtx.gov; entregar al Departamento de Planificación en 800 Main Street Garland, TX; o envíelo por correo a City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002./ Vui lòng điền đầy đủ thông tin sau và gửi biểu mẫu qua email tới Planning@garlandtx.gov; giao cho Phòng Kế hoạch tại 800 Main Street Garland, TX; hoặc gửi thư đến Thành phố Garland, Sở Kế hoạch, P.O. Hộp 469002 Garland, TX 75406-9002.

Benjamin I. Rincon owner

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

5519 Loving Dr (own) Live at 5034 Longhorn trl

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland TX

City, State / Estado de la Ciudad / Thành bang

75043

Zip Code / Código postal / Mã B u Chính

Signature / Firma / Ch ữ ký

8-18-23

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

AUG 28 '23 AM11:42

Comment Form Continued – Case Z 23-06

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

Las declaraciones a continuación reflejan mi (nuestra) opinión con respecto a las solicitudes propuestas.

Các tuyên bố dưới đây phản ánh quan điểm của tôi (chúng tôi) về (các) yêu cầu được đề xuất

I have lived here 18 years and it seems that apartment and townhomes – duplex housing has only brought more corruption to our community. We hardly see any police officers around. I can't disagree with this more then I already I'm.

GARLAND
TEXAS MADE HERE

The applicant requests approval of a Specific Use Provision for a Restaurant, Drive-Through Service Use (Snow cone and food) on a property zoned Community Retail (CR) District

City Council Meeting

September 19, 2023

Z 23-06

GARLAND
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CASE INFORMATION

Location: 5514 & 5516 Broadway Boulevard

Applicant: Jamecisa Sims

Owner: Eric Finley

Acreage: 0.289 acres

Zoning: Community Retail (CR) District

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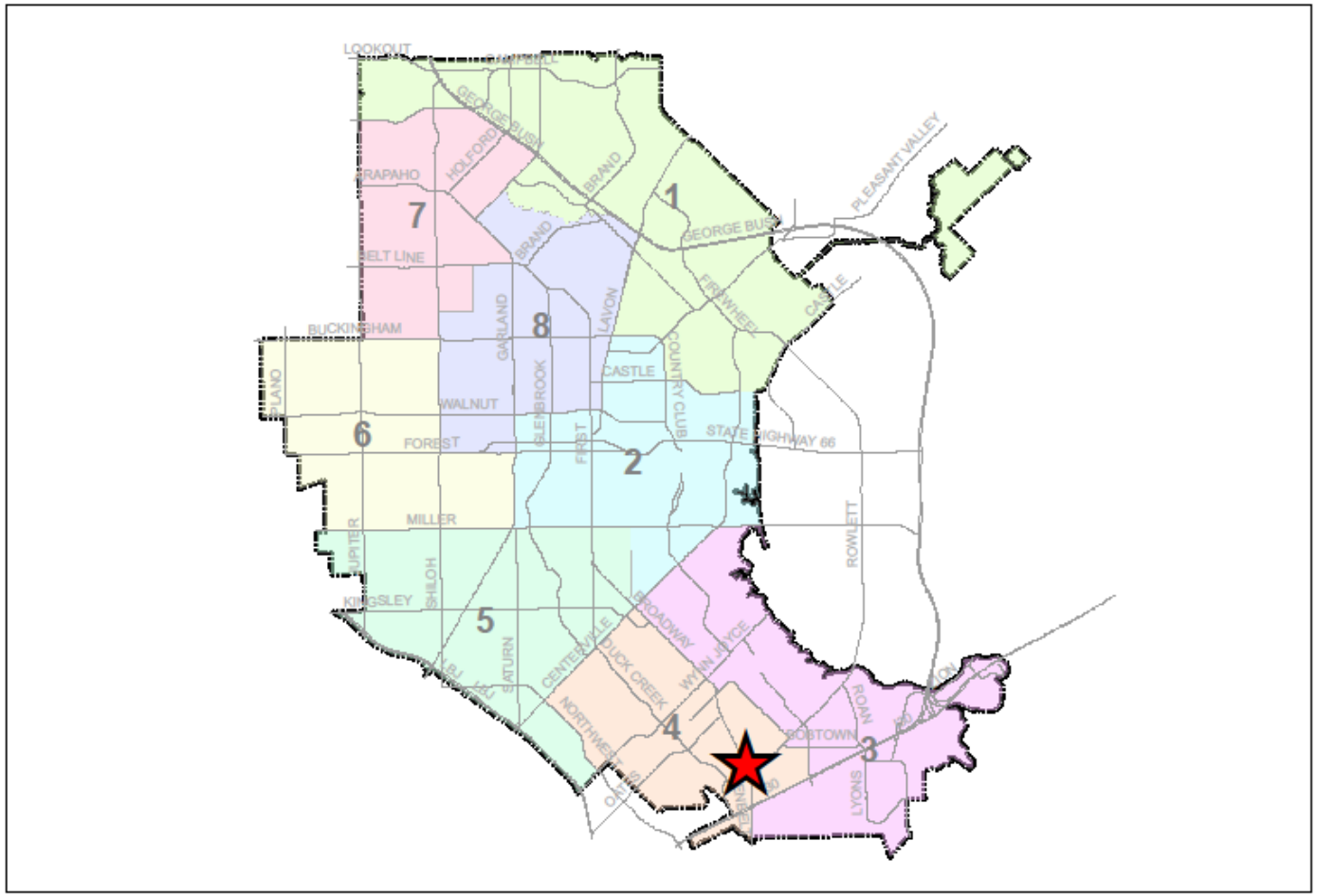
CITYWIDE LOCATION MAP



Z 23-06

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LOCATION MAP

5514 Broadway Boulevard

Z 23-06

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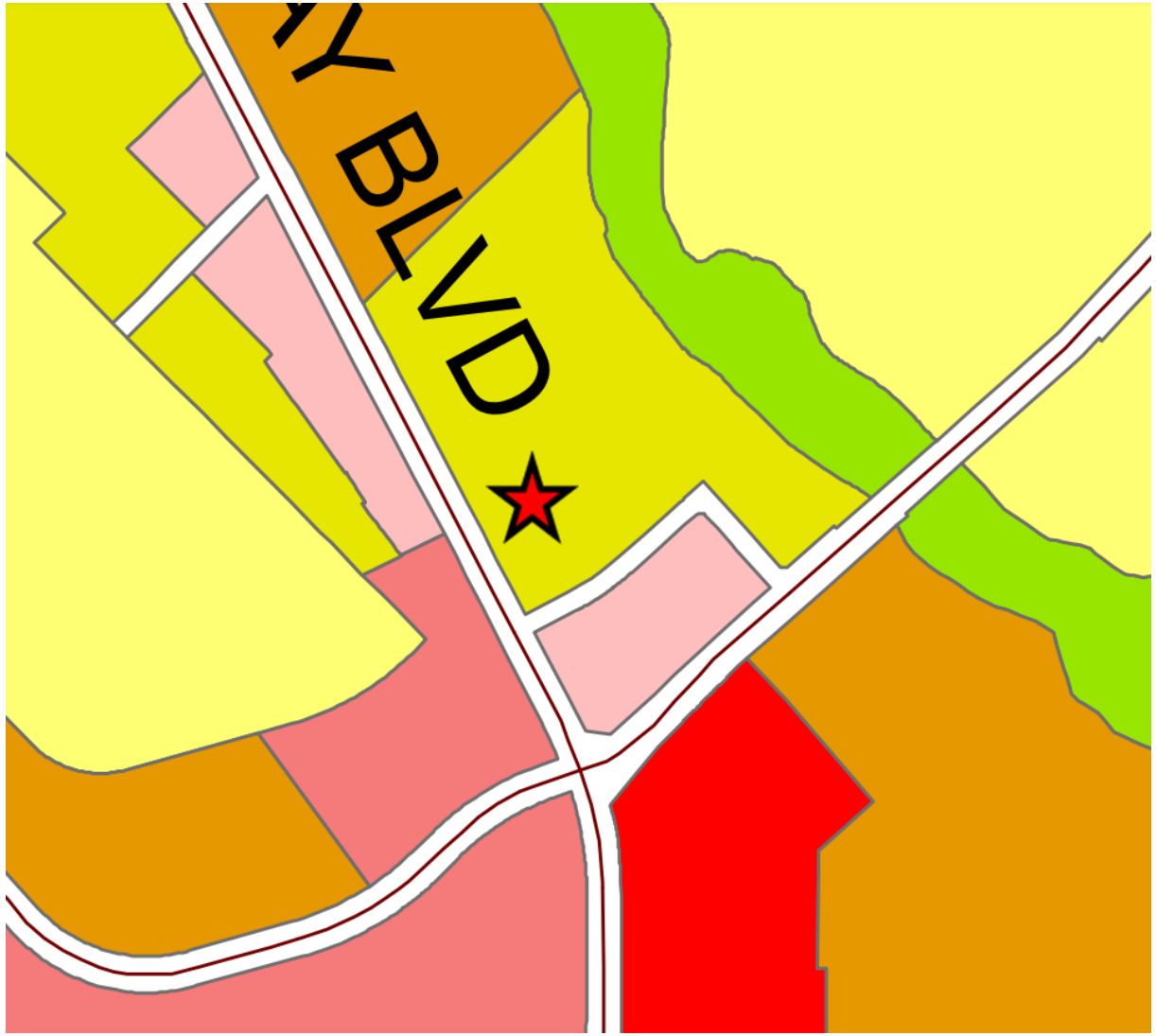
COMPREHENSIVE PLAN



Compact Neighborhoods

Z 23-06

GARLAND
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COMPREHENSIVE PLAN

- The Future Land Use Map of the Envision Garland Plan recommends Compact Neighborhoods for the subject site

- Compact neighborhoods provide areas for moderate increases in residential density, including single-family attached and single-family detached housing. It expands housing options through infill and redevelopment, while continuing walkable development patterns. These areas provide transitions between traditional residential neighborhoods and higher density residential neighborhoods and non-residential developments. These areas accommodate uses such as convenience retail (goods and services), office space, and public services. The architectural character and scale of these areas are compatible with adjacent residential development.

- The proposed use will offer additional food service to the surrounding residential area.

GARLAND
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PHOTOS

View from the subject site looking North down Broadway Boulevard

View from the subject site looking South down Broadway Boulevard

GARLAND
TEXAS MADE HERE

PHOTOS

View of the subject site looking East on Broadway Boulevard

View from the subject site looking West across Broadway Boulevard

GARLAND
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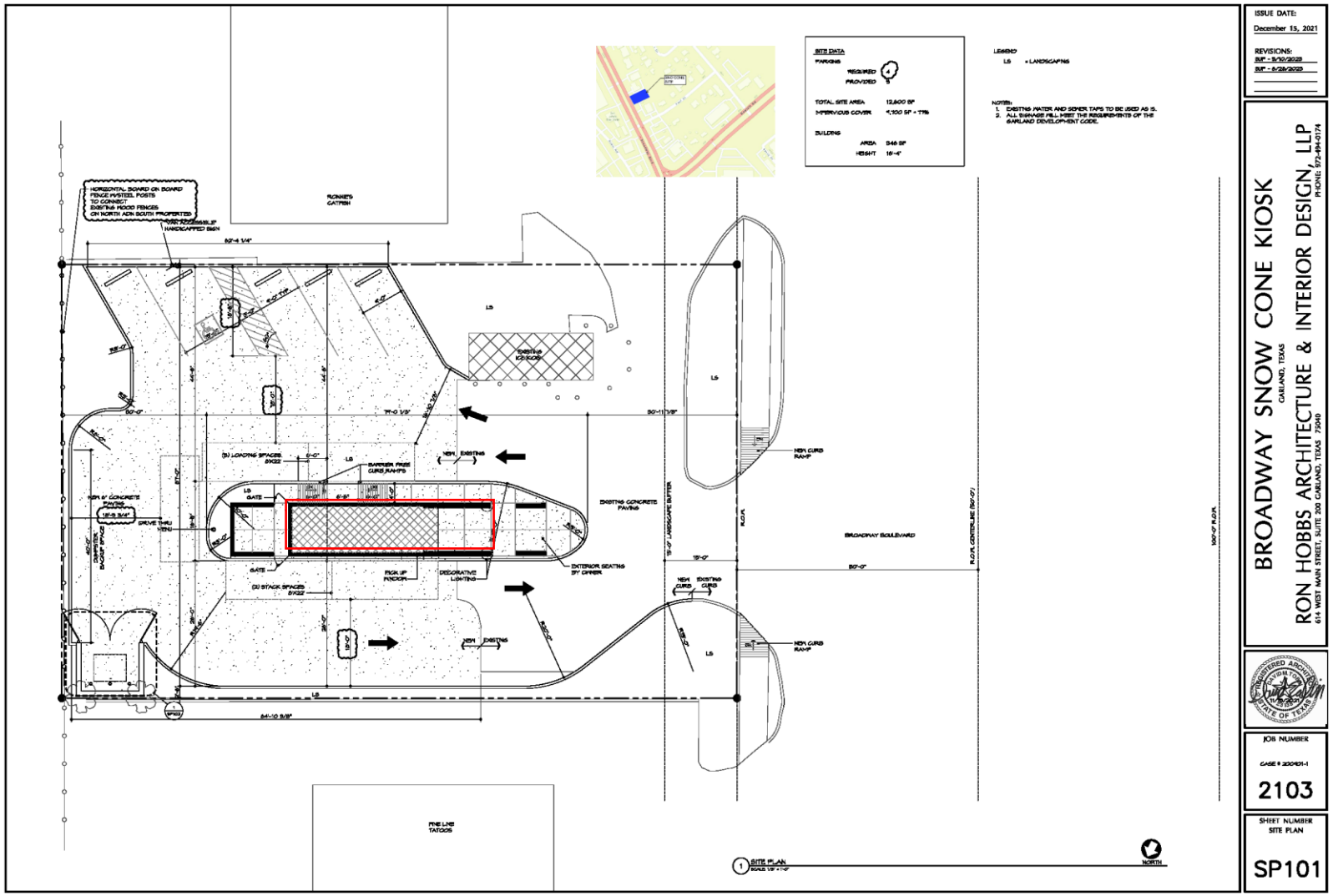
SITE PLAN



ISSUE DATE:
December 15, 2021

REVISIONS:
SUP - 5/10/2023
SUP - 8/28/2023

BROADWAY SNOW CONE KIOSK
GARLAND, TEXAS

RON HOBBS ARCHITECTURE & INTERIOR DESIGN, LLP
614 WEST MAIN STREET, SUITE 200 GARLAND, TEXAS 75040
PHONE: 972-494-0174

JOB NUMBER
2103

SHEET NUMBER
SITE PLAN
SP101

Z 23-06

GARLAND
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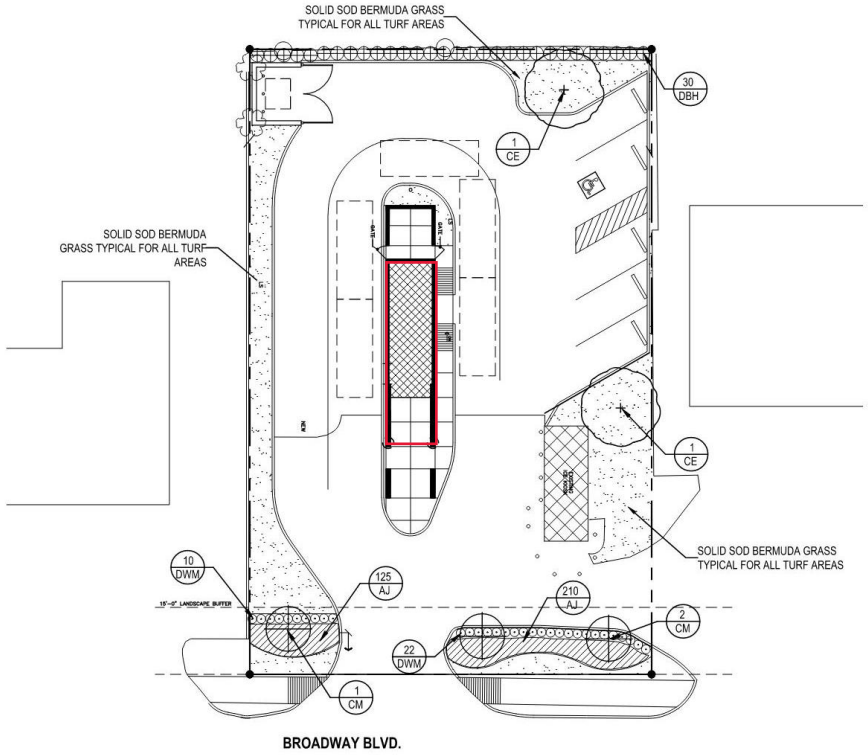
LANDSCAPE PLAN



01 LANDSCAPE PLAN
SCALE 1"=20'-0"
0 10 20 40

PLANT MATERIAL SCHEDULE

TREES					
TYPE	QTY	COMMON NAME	*BOTANICAL NAME*	SIZE	REMARKS
CE	2	Cedar Elm	*Ulmus crassifolia*	3" cal.	B&B, 12' ht., 5' spread min., 5' straight clear trunk container, 3 trucks, tree form
CM	3	Crepe Myrtle 'Dallas Red'	*Lagerstroemia indica 'Dallas Red'*	3" cal.	
SHRUBS					
TYPE	QTY	COMMON NAME	*BOTANICAL NAME*	SIZE	REMARKS
DBH	30	Dwarf Burford Holly	*Ilex cornuta Burfordii 'Nana'*	7 gal.	container, 30" ht., 28" spread
DWM	32	Dwarf Wax Myrtle	*Myrica cerifera*	5 gal.	container, 24" ht., 20" spread
GROUNDCOVERS					
TYPE	QTY	COMMON NAME	*BOTANICAL NAME*	SIZE	REMARKS
AJ	335	Asian Jasmine '419' Bermudagrass	*Trachelospermum asiaticum* *Cynodon dactylon '419'*	4" pots	container, 3- 12" runners min., 12" o.c. Solid Sod refer to notes

NOTE: Plant list is an aid to bidders only. Contractor shall verify all quantities on plan. All heights and spreads are minimums. All plant material shall meet or exceed remarks as indicated. All trees to have straight trunks and be matching within varieties.

Z 23-06

GARLAND
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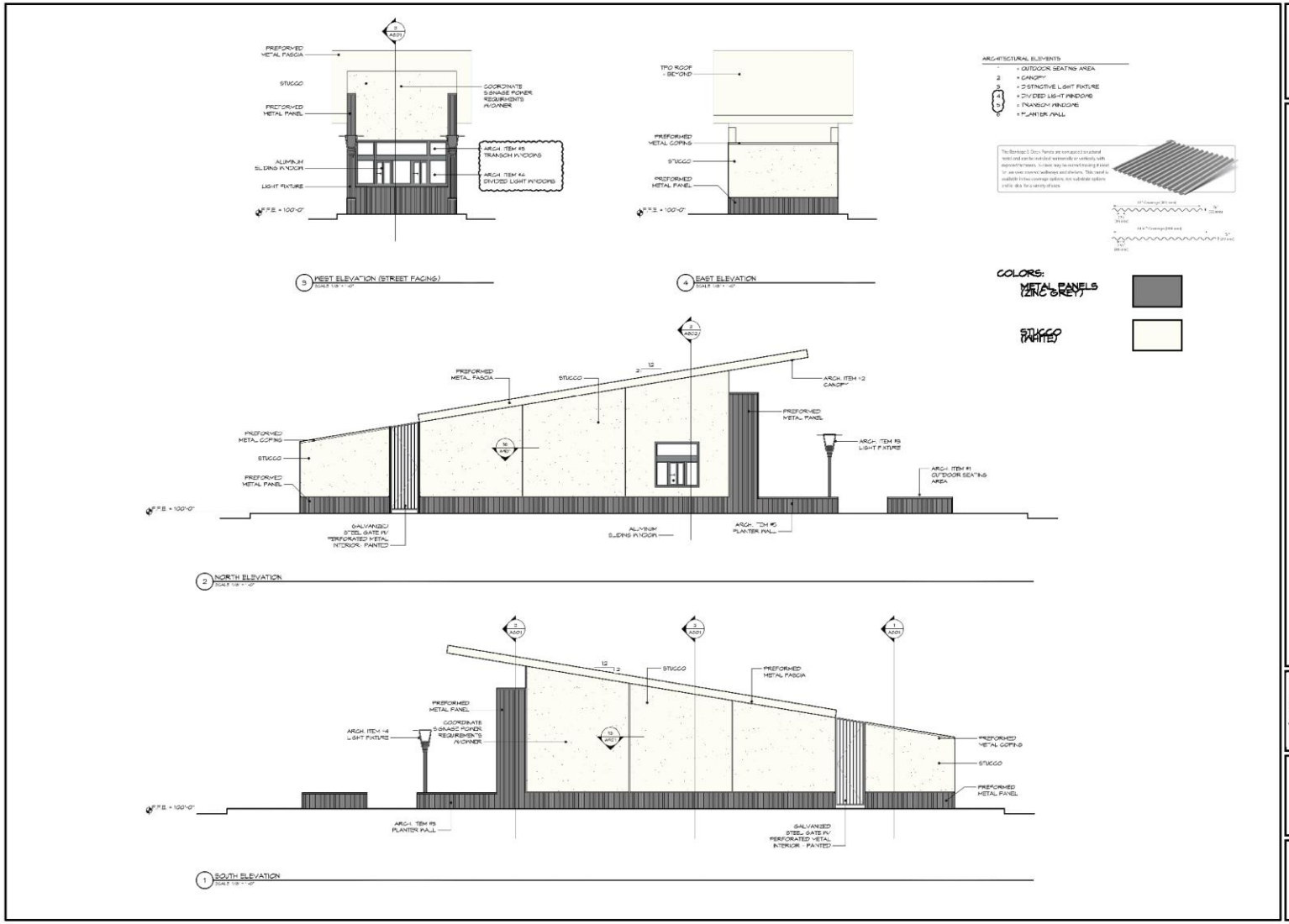
BUILDING ELEVATIONS



ISSUE DATE:
November 15, 2021

REVISIONS:
SUP - 6/20/2023

BROADWAY SNOW CONE KIOSK
GARLAND, TEXAS

RON HOBBS ARCHITECTURE & INTERIOR DESIGN, LLP
644 WEST MAIN STREET, SUITE 200 GARLAND, TEXAS 75040
PHONE: 972-494-0174

REGISTERED ARCHITECT
RONALD W. HOBBS
STATE OF TEXAS

JOB NUMBER
CASE # 20090-V
2103

SHEET NUMBER
EXTERIOR ELEVATIONS - COLOR
A201

Z 23-06

GARLAND
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SPECIFIC USE PROVISION

- The applicant is requesting approval of a twenty-five (25) year Specific Use Provision. The SUP Time Period Guide recommends twenty (20) to twenty-five (25) years for a Restaurant, Drive-Through

GARLAND
TEXAS MADE HERE

STAFF RECOMMENDATION

Approval of a Specific Use Provision for a Restaurant, Drive-Through Service Use on a property zoned Community Retail (CR) District.

Approval of a Plan for a Restaurant, Drive-Through Use.

GARLAND
TEXAS MADE HERE

PLAN COMMISSION

On August 28, 2023 the Plan Commission, by a vote of eight (8) to zero (0), recommended approval of a Specific Use Provision for a Restaurant, Drive-Through Service Use on a property zoned Community Retail (CR) District and approved a Variance to Section 4.34 of the Garland Development Code (GDC) regarding the landscape buffer width along Broadway Boulevard.

In addition, the Plan Commission approved a Variance to Section 4.39 but with the condition that a horizontal board-on-board fence with steel posts on the east end of the property. The applicant concurs with the condition.

The Plan Commission, by a vote of eight (8) to zero (0), also recommended approval of a Plan for a Restaurant, Drive-Through Use.

Z 23-06

GARLAND

TEXAS MADE HERE

GARLAND
PLANNING REPORT

City Council Regular Session Agenda **15. b.**

Meeting Date: 09/19/2023

Item Title: Z 23-06 Jamecisa Sims / Ron Hobbs Architecture & Interior Design, LLP - Plan (District 4)

Submitted By: Matthew Wolverton, Development Planner

REQUEST

Approval of 1) a Specific Use Provision for a Restaurant, Drive-Through Service Use on a property zoned Community Retail (CR) District and 2) a Variance to Sections 4.34 and 4.39 in the Garland Development Code (GDC) regarding the site and perimeter screening landscaping.

Approval of 3) a Plan for a Restaurant, Drive-Through Use.

LOCATION

5514 & 5516 Broadway Boulevard

OWNER

Eric Finley

PLAN COMMISSION RECOMMENDATION

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STAFF RECOMMENDATION

Approval of a Specific Use Provision for a Restaurant, Drive-Through Service Use on a property zoned Community Retail (CR) District.

Approval of a Plan for a Restaurant, Drive-Through Use.

BACKGROUND

The subject property is largely vacant but contains an ice kiosk on the east side of the property that will remain. The applicant proposes to construct a small restaurant serving snow cones and other small food items through a pickup window and drive-through service. The GDC requires a Specific Use Provision for a Drive-Through Service in the Community Retail (CR) District.

SITE DATA

The 0.289-acre site is accessed from Broadway Boulevard.

USE OF PROPERTY UNDER CURRENT ZONING

The subject property is zoned Community (CR) District. The Community Retail (CR) District is intended to accommodate a variety of retail, service, and business establishments that may or may not be designed in a shopping center configuration. The district may be used as a transition district between lower intensity retail or office uses and more intense uses. A Community Retail (CR) District is generally appropriate along major transportation corridors but is generally not appropriate in proximity to low-density residential districts without significant buffering and screening features. An example of allowed use in a CR district is a retail shopping area that may be large in scale with very limited or no outside storage. Traffic generated by uses in a CR district must be focused onto the major thoroughfare network. Development in a CR district may not be designed in a manner that increases traffic through residential areas.

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Attachments

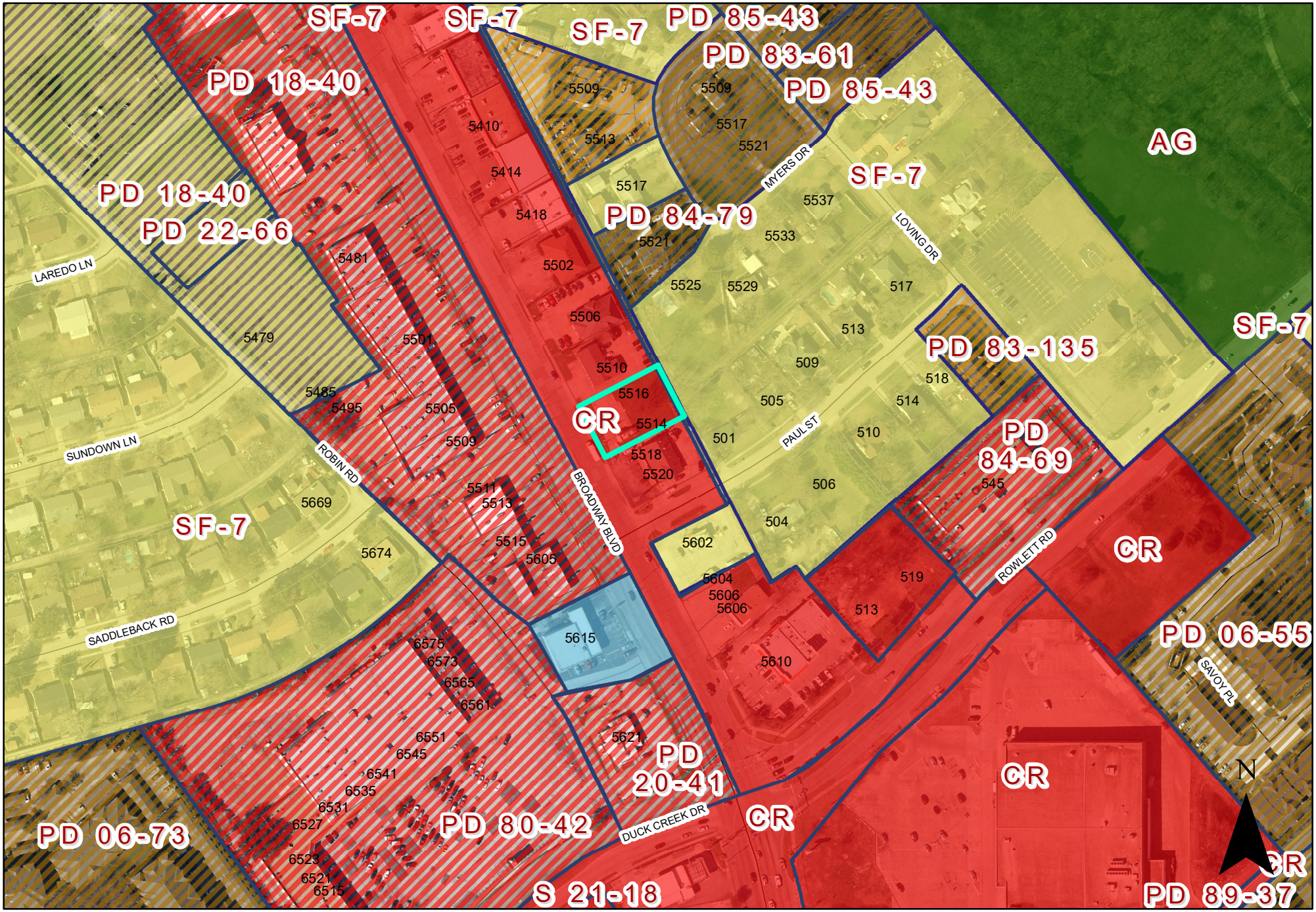
Z 23-06 Location Map

Z 23-06 Exhibits

Z 23-06 R&M Plan

Z 23-06 Responses

Z 23-06 Staff Presentation



0 130 260 Feet

1 inch = 198 feet

ZONING MAP Z 23-06

INDICATES AREA OF REQUEST

5514 & 5516 Broadway Boulevard

EXHIBIT C

SITE DATA

PARKING
- REQUIRED 4
- PROVIDED 5

TOTAL SITE AREA 12,600 SF

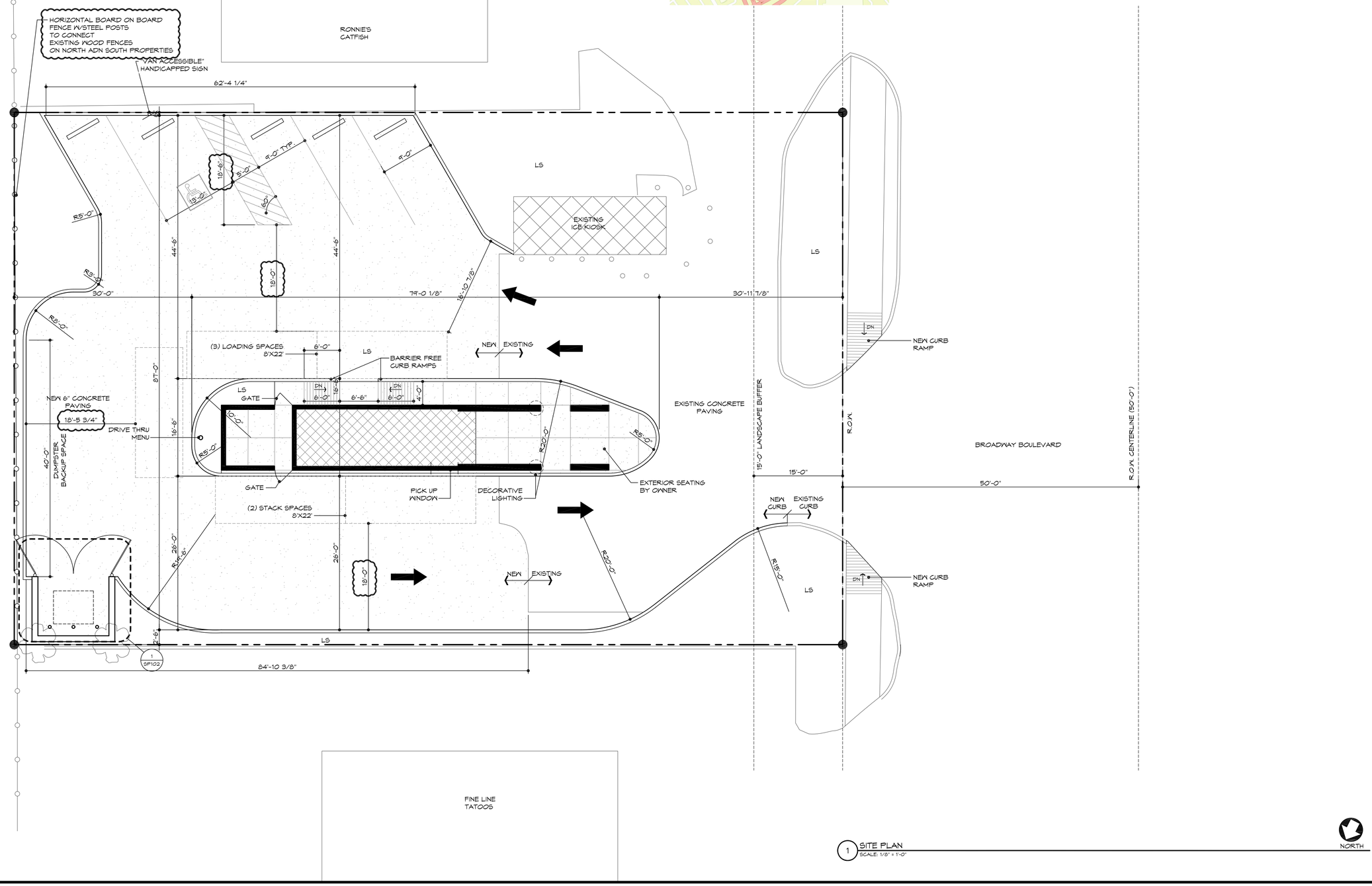
IMPERVIOUS COVER 9,700 SF = 77%

BUILDING
- AREA 346 SF
- HEIGHT 16'-4"

LEGEND

LS = LANDSCAPING

NOTES:
1. EXISTING WATER AND SEWER TAPS TO BE USED AS IS.
2. ALL SIGNAGE WILL MEET THE REQUIREMENTS OF THE GARLAND DEVELOPMENT CODE.



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

NORTH

ISSUE DATE:
December 15, 2021

REVISIONS:
SUP - 5/10/2023
SUP - 6/28/2023

BROADWAY SNOW CONE KIOSK

GARLAND, TEXAS

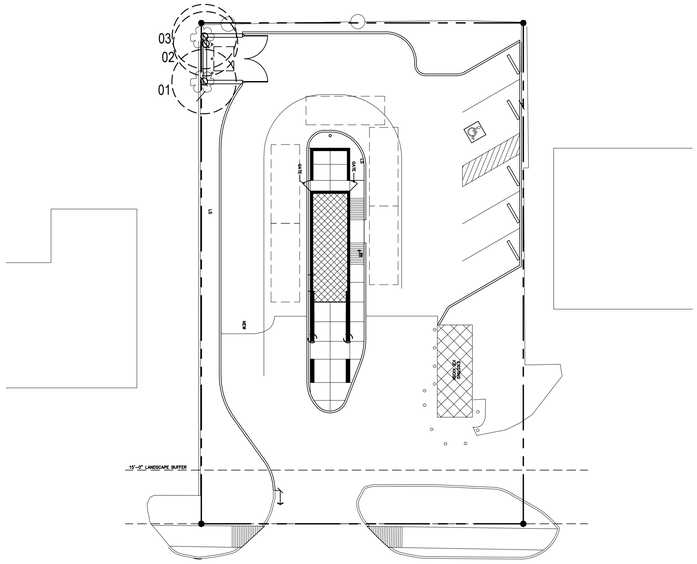
RON HOBBS ARCHITECTURE & INTERIOR DESIGN, LLP
614 WEST MAIN STREET, SUITE 200 GARLAND, TEXAS 75040
PHONE: 972-494-0174

REGISTERED ARCHITECT
DAVID M. TOBIN
11-15-21
23138
STATE OF TEXAS

JOB NUMBER
CASE # 200901-1
2103

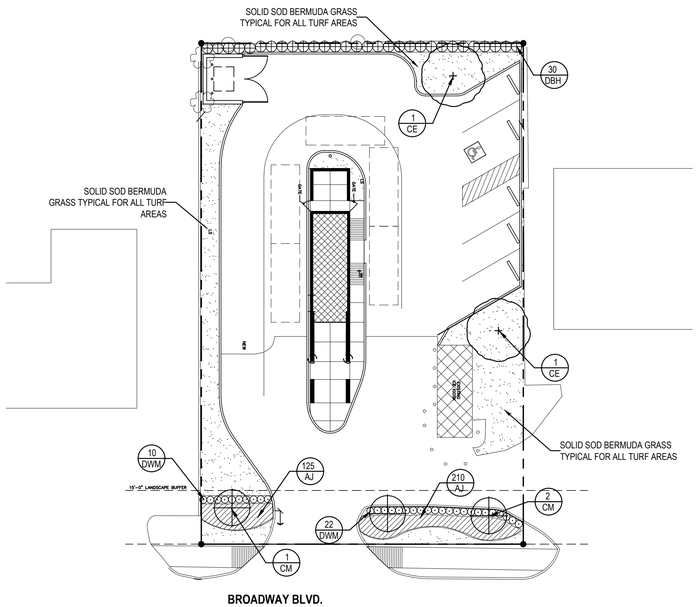
SHEET NUMBER
SITE PLAN
SP101

EXHIBIT D



BROADWAY BLVD.

01 EXISITNG TREE
SCALE 1"=20'-0"
0 10 20 40



BROADWAY BLVD.

01 LANDSCAPE PLAN
SCALE 1"=20'-0"
0 10 20 40

EXISTING TREE CHART

TREES #	CALIPER	COMMON NAME	BOTANICAL NAME	CONDITION	STATUS	MITIGATION
01	10 INCHES	HACKBERRY	CELTIS OCCIDENTALIS	GOOD	TO BE REMOVED	NOT PROTECTED
02	12 INCHES	HACKBERRY	CELTIS OCCIDENTALIS	GOOD	TO BE REMOVED	NOT PROTECTED
03	10 INCHES	HACKBERRY	CELTIS OCCIDENTALIS	GOOD	TO BE REMOVED	NOT PROTECTED

NO TREE MITIGATION IS REQUIRED

PLANT MATERIAL SCHEDULE

TYPE	QTY	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
TREES					
CE	2	Cedar Elm	*Ulmus crassifolia*	3" cal.	B&B, 12' ht., 5' spread min., 5' straight clear trunk
CM	3	Crepe Myrtle 'Dallas Red'	*Lagerstroemia indica 'Dallas Red'*	3" cal.	container, 3 trucks, tree form
SHRUBS					
TYPE	QTY	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
DBH	30	Dwarf Burford Holly	*Ilex cornuta Burfordii 'Nana'*	7 gal.	container, 30" ht., 28" spread
DWM	32	Dwarf Wax Myrtle	*Myrica cerifera*	5 gal.	container, 24" ht., 20" spread
GROUNDCOVERS					
TYPE	QTY	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
AJ	335	Asian Jasmine	*Trachelospermum asiaticum*	4" pots	container, 3- 12" runners min.,
		'419' Bermudagrass	*Cynodon dactylon '419'*		12" o.c. Solid Sod refer to notes

NOTE: Plant list is an aid to bidders only. Contractor shall verify all quantities on plan. All heights and spreads are minimums. All plant material shall meet or exceed remarks as indicated. All trees to have straight trunks and be matching within varieties.

VICINITY MAP
N.T.S.

GENERAL LAWN NOTES

1. FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS INDICATED ON CIVIL PLANS.
2. ADJUST CONTOURS TO ACHIEVE POSITIVE DRAINAGE AWAY FROM BUILDINGS. PROVIDE UNIFORM ROUNDING AT TOP AND BOTTOM OF SLOPES AND OTHER BREAKS IN GRADE. CORRECT IRREGULARITIES AND AREAS WHERE WATER MAY STAND.
3. ALL LAWN AREAS TO RECEIVE SOLID SOD SHALL BE LEFT IN A MAXIMUM OF 1" BELOW FINAL FINISH GRADE. CONTRACTOR TO COORDINATE OPERATIONS WITH ON-SITE CONSTRUCTION MANAGER.
4. IMPORTED TOPSOIL SHALL BE NATURAL, FRIABLE SOIL FROM THE REGION, KNOWN AS BOTTOM AND SOIL, FREE FROM LUMPS, CLAY, TOXIC SUBSTANCES, ROOTS, DEBRIS, VEGETATION, STONES, CONTAINING NO SALT AND BLACK TO BROWN IN COLOR.
5. *ALL LAWN AREAS TO BE FINE GRADED, IRRIGATION TRENCHES COMPLETELY SETTLED, AND FINISH GRADE APPROVED BY THE OWNER'S CONSTRUCTION MANAGER OR ARCHITECT PRIOR TO INSTALLATION.*
6. *ALL ROCKS 3/4" DIAMETER AND LARGER, DIRT CLODS, STICKS, CONCRETE SPOILS, ETC. SHALL BE REMOVED PRIOR TO PLACING TOPSOIL AND ANY LAWN INSTALLATION*
7. CONTRACTOR SHALL PROVIDE (1") ONE INCH OF IMPORTED TOPSOIL ON ALL AREAS TO RECEIVE LAWN.

SOLID SOD NOTES

1. FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS INDICATED. LEAVE AREAS TO RECEIVE TOPSOIL 3" BELOW FINAL DESIRED GRADE IN PLANTING AREAS AND 1" BELOW FINAL GRADE IN TURF AREAS.
2. ADJUST CONTOURS TO ACHIEVE POSITIVE DRAINAGE AWAY FROM BUILDINGS. PROVIDE UNIFORM ROUNDING AT TOP AND BOTTOM OF SLOPES AND OTHER BREAKS IN GRADE. CORRECT IRREGULARITIES AND AREAS WHERE WATER MAY STAND.
3. ALL LAWN AREAS TO RECEIVE SOLID SOD SHALL BE LEFT IN A MAXIMUM OF 1" BELOW FINAL FINISH GRADE. CONTRACTOR TO COORDINATE OPERATIONS WITH ON-SITE CONSTRUCTION MANAGER.
4. CONTRACTOR TO COORDINATE WITH ON-SITE CONSTRUCTION MANAGER FOR AVAILABILITY OF EXISTING TOPSOIL.
5. PLANT SOD BY HAND TO COVER INDICATED AREA COMPLETELY. INSURE EDGES OF SOD ARE TOUCHING. TOP DRESS JOINTS BY HAND WITH TOPSOIL TO FILL VOIDS.
6. ROLL GRASS AREAS TO ACHIEVE A SMOOTH, EVEN SURFACE, FREE FROM UNNATURAL UNDULATIONS.
7. WATER SOD THOROUGHLY AS SOD OPERATION PROGRESSES.
8. CONTRACTOR SHALL MAINTAIN ALL LAWN AREAS UNTIL FINAL ACCEPTANCE. THIS SHALL INCLUDE, BUT NOT LIMITED TO: MOWING, WATERING, WEEDING, CULTIVATING, CLEANING AND REPLACING DEAD OR BARE AREAS TO KEEP PLANTS IN A VIGOROUS, HEALTHY CONDITION.
9. CONTRACTOR SHALL GUARANTEE ESTABLISHMENT OF AN ACCEPTABLE TURF AREA AND SHALL PROVIDE REPLACEMENT FROM LOCAL SUPPLY IF NECESSARY.
10. IF INSTALLATION OCCURS BETWEEN SEPTEMBER 1 AND MARCH 1, ALL SOD AREAS TO BE OVER-SEEDED WITH WINTER RYEGRASS, AT A RATE OF (4) POUNDS PER ONE THOUSAND (1000) SQUARE FEET.

LANDSCAPE NOTES

1. CONTRACTOR SHALL VERIFY ALL EXISTING AND PROPOSED SITE ELEMENTS AND NOTIFY ARCHITECT OF ANY DISCREPANCIES. SURVEY DATA OF EXISTING CONDITIONS WAS SUPPLIED BY OTHERS.
2. CONTRACTOR SHALL LOCATE ALL EXISTING UNDERGROUND UTILITIES AND NOTIFY ARCHITECT OF ANY CONFLICTS. CONTRACTOR SHALL EXERCISE CAUTION WHEN WORKING IN THE VICINITY OF UNDERGROUND UTILITIES.
3. CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LANDSCAPE AND IRRIGATION PERMITS.
4. CONTRACTOR TO PROVIDE A MINIMUM 2% SLOPE AWAY FROM ALL STRUCTURES.
5. ALL PLANTING BEDS AND LAWN AREAS TO BE SEPARATED BY STEEL EDGING. NO STEEL TO BE INSTALLED ADJACENT TO SIDEWALKS OR CURBS.
6. ALL LANDSCAPE AREAS TO BE 100% IRRIGATED WITH AN UNDERGROUND AUTOMATIC IRRIGATION SYSTEM AND SHALL INCLUDE RAIN AND FREEZE SENSORS.
7. ALL LAWN AREAS TO BE SOLID SOD BERMUDA GRASS, UNLESS OTHERWISE NOTED ON THE DRAWINGS.
8. ALL SHRUBS SCREENING PARKING SPACES WILL REACH A MINIMUM HEIGHT OF 3 FEET WITHIN 2 YEARS OF PLANTING.

LANDSCAPE TABULATIONS

LANDSCAPE REQUIREMENTS
10% of total lot size to be landscape area
Lot SF: 12,598.91 S.F.

Required	Provided
(10%) 1,259.89 S.F.	(20%) 2,577 S.F.

STREET REQUIREMENTS
Requirements: (1) tree, 3" cal. per 30 l.f. (7) shrubs or ornamental grasses per tree required along landscape buffer. All parking spaces must be screened by a berm or shrubs, 24"ht.

Broadway Blvd.: 90 l.f. (10' wide landscape buffer)

Required :	Provided:
(3) trees, 3" cal.	(3) trees, 3" cal.
24" ht. screen	(32) 24" ht, evergreen shrubs

all shrubs screening parking spaces must be 36" tall within 2 years.

PARKING LOT: (5 SPACES) 7,588.49 s.f.
Requirements: 5% of total parking area must be landscape. (1) tree, 3" cal., per (10) parking spaces. All parking spaces shall be no further than 65 ft. of a required tree.

Required	Provided
379.42 s.f. (5%)	872.95 s.f. (12%)
(1) tree, 3" cal.	1 tree, (3) cal/

RESIDENTIAL ADJACENCY BUFFER 90.00 l.f.
Requirement- 5' ht. metal fence with large evergreen shrubs

Required	Provided
6' ht. metal fence	existing chain link fence
large evergreen shrubs	large evergreen shrubs- 30 inches tall at the time of planting.

CASE NO. 200901-1

LANDSCAPE ARCHITECT
STUDIO GREEN SPOT, INC.
CHRIS TRONZANO
(469) 369-4448
CHRIS@STUDIOGREENSPOT.COM

REGISTERED LANDSCAPE ARCHITECT
CHRIS TRONZANO
2442
STATE OF TEXAS
07.28.2023

BROADWAY SNOW CONE
5516 BROADWAY BLVD.
CITY OF GARLAND 75043
DALLAS COUNTY, TEXAS

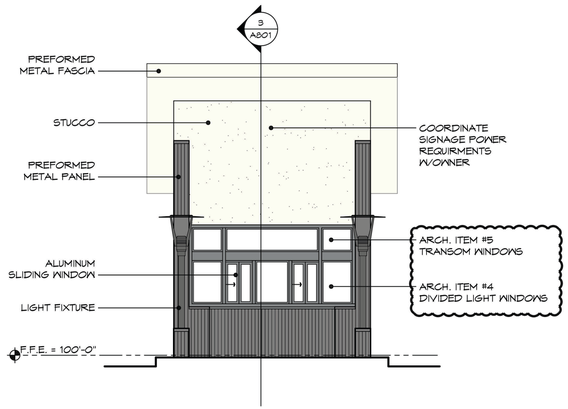
ISSUE:
FOR APPROVAL 01.27.2023
CITY COMMENTS 05.10.2023
CITY COMMENTS 06.14.2023
CITY COMMENTS 07.28.2023

DATE:
07.28.2023

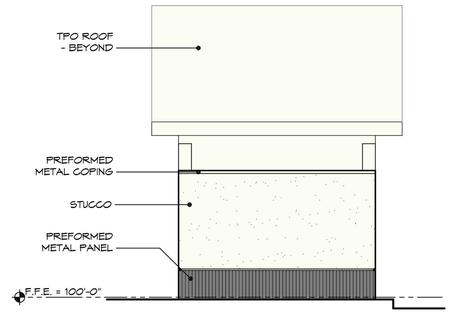
SHEET NAME:
LANDSCAPE PLAN

SHEET NUMBER:
L.1

EXHIBIT E



3 WEST ELEVATION (STREET FACING)
SCALE: 1/8" = 1'-0"

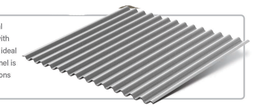


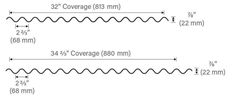
4 EAST ELEVATION
SCALE: 1/8" = 1'-0"

ARCHITECTURAL ELEMENTS

1 = OUTDOOR SEATING AREA
2 = CANOPY
3 = DISTINCTIVE LIGHT FIXTURE
4 = DIVIDED LIGHT WINDOWS
5 = TRANSOM WINDOWS
6 = PLANTER WALL

The Berridge S-Deck Panels are corrugated structural metal and can be installed horizontally or vertically with exposed fasteners. S-Deck may be curved making it ideal for use over covered walkways and shelters. This panel is available in two coverage options, two substrate options and is ideal for a variety of uses.

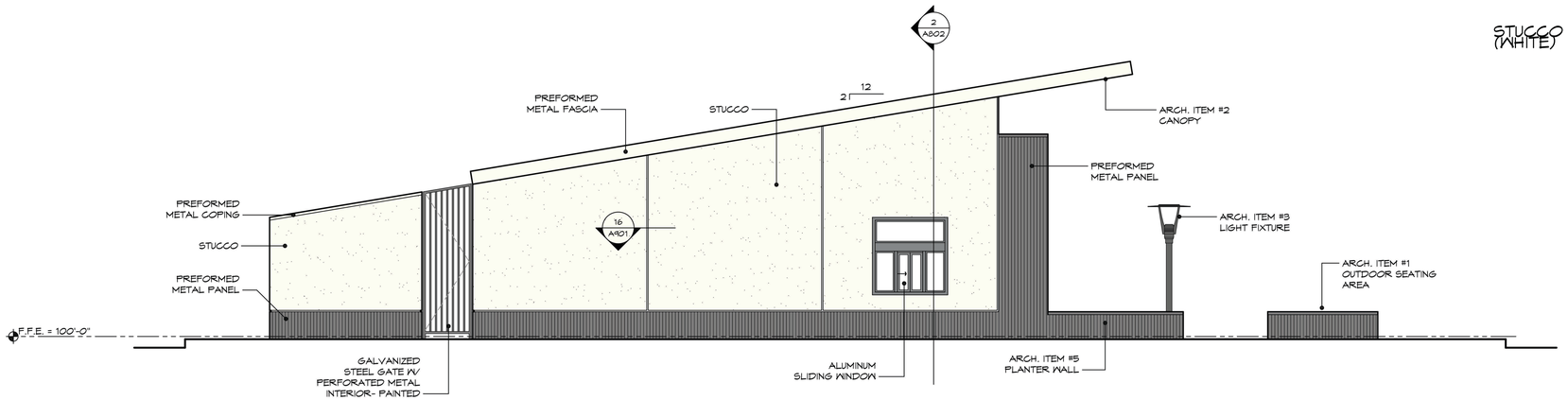




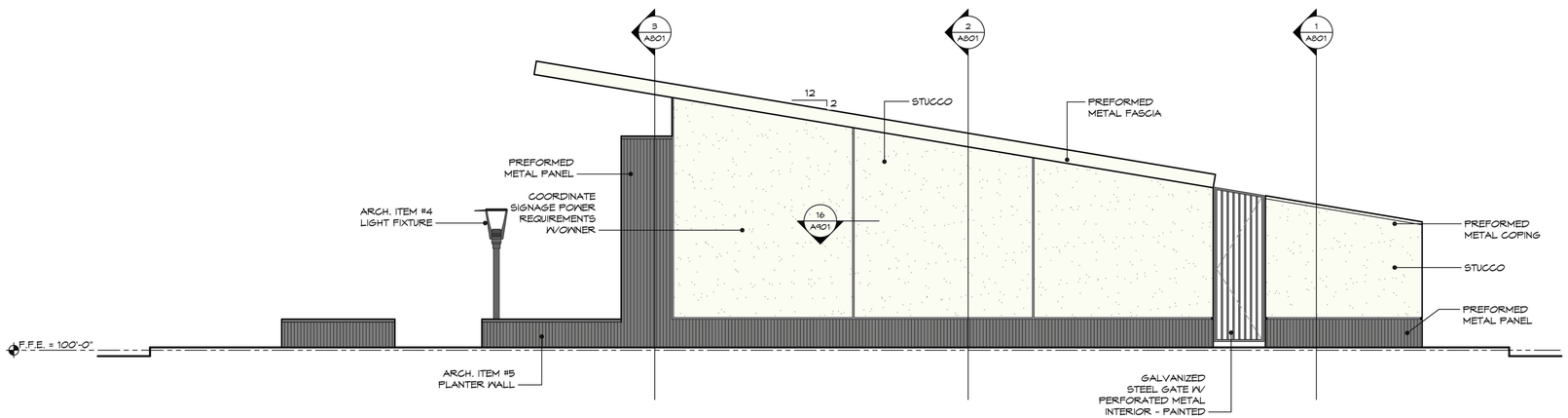
COLORS:

METAL PANELS (ZINC GREY)

STUCCO (WHITE)



2 NORTH ELEVATION
SCALE: 1/8" = 1'-0"



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

ISSUE DATE:
November 15, 2021

REVISIONS:
SUP - 6/28/2023

BROADWAY SNOW CONE KIOSK
GARLAND, TEXAS

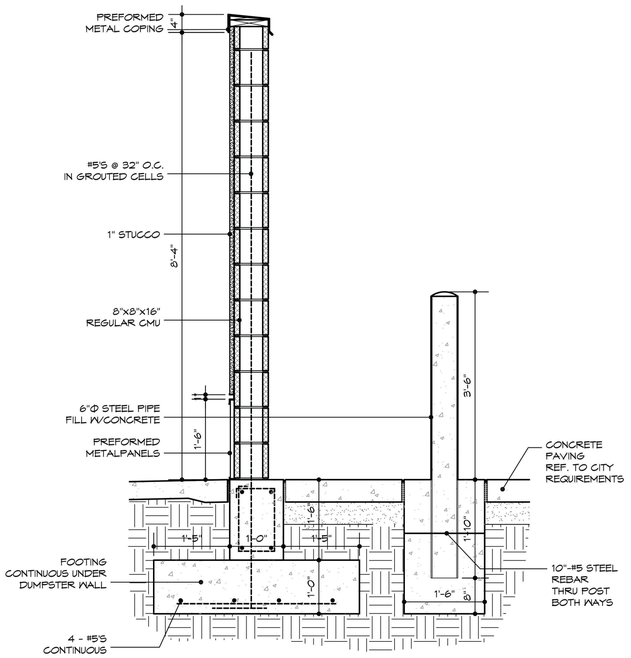
RON HOBBS ARCHITECTURE & INTERIOR DESIGN, LLP
614 WEST MAIN STREET, SUITE 200 GARLAND, TEXAS 75040
PHONE: 972-494-0174

REGISTERED ARCHITECT
DAVID M. TOBIN
11/15/2021
#23136
STATE OF TEXAS

JOB NUMBER
CASE # 200901-1
2103

SHEET NUMBER
EXTERIOR ELEVATIONS - COLOR
A201

EXHIBIT E



4 WALL SECTION
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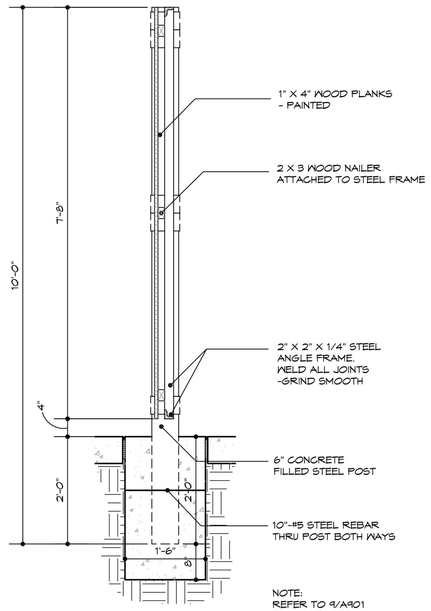

5 GATE SECTION
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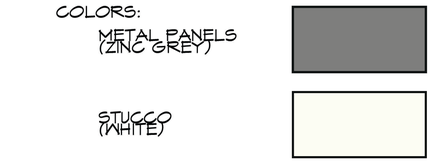
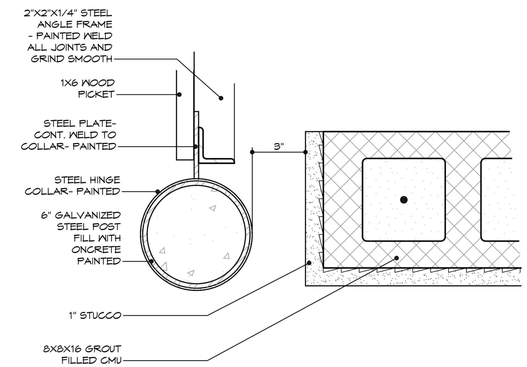
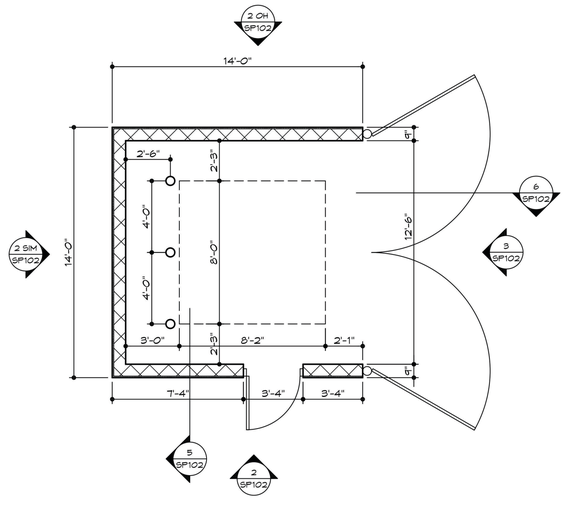




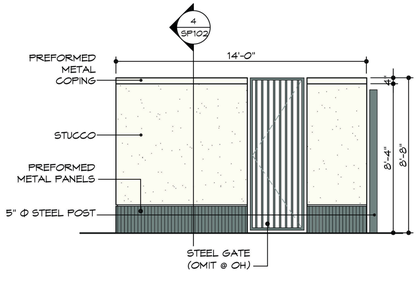
6 GATE DETAIL
SCALE: 3" = 1'-0"

0 8" 1'-4" 2'-8"
SCALE: 3/4" = 1'-0"

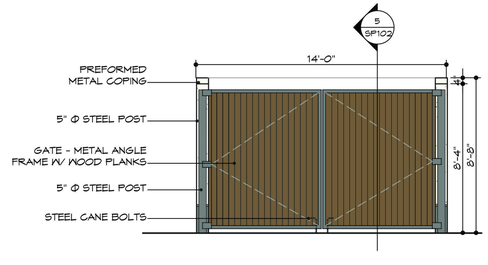
0 2" 4" 8"
SCALE: 3" = 1'-0"



1 DUMPSTER PLAN
SCALE: 1/4" = 1'-0"



2 DUMPSTER SIDE AND REAR ELEVATIONS
SCALE: 1/4" = 1'-0"



3 DUMPSTER FRONT ELEVATION
SCALE: 1/4" = 1'-0"

0 2' 4' 8'
SCALE: 1/4" = 1'-0"

ISSUE DATE:
December 15, 2022

REVISIONS:
SUP - 5/10/2023

BROADWAY SNOW CONE KIOSK
GARLAND, TEXAS

RON HOBBS ARCHITECTURE & INTERIOR DESIGN, LLP
614 WEST MAIN STREET, SUITE 200 GARLAND, TEXAS 75040
PHONE: 972-494-0174

REGISTERED ARCHITECT
DAVID M. TOMLIN
11/15/2021
23138
STATE OF TEXAS

JOB NUMBER
CASE # 200901-1
2103

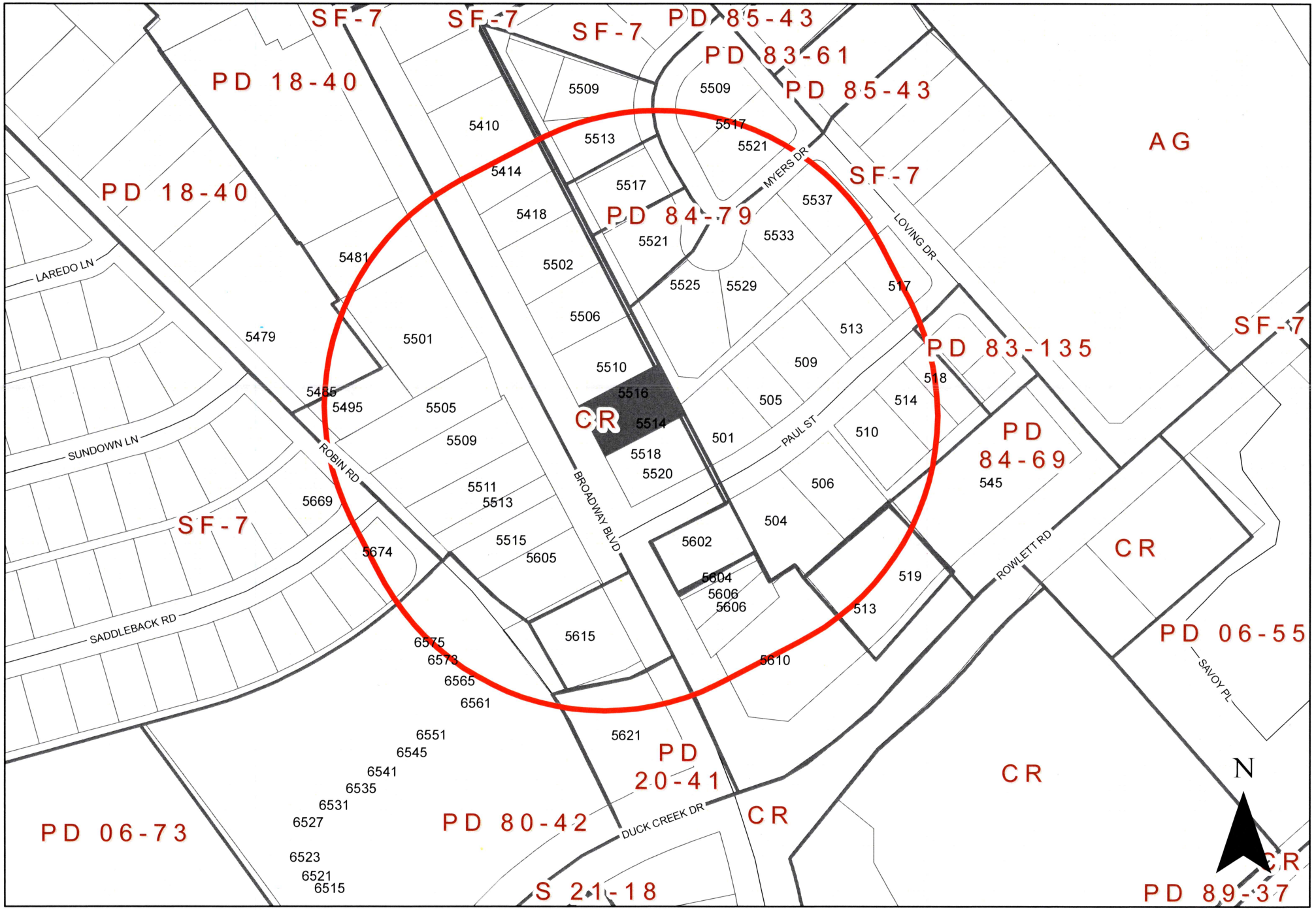
SHEET NUMBER
SITE PLAN DETAILS
SUP
SP102

REPORT & MINUTES

P.C. Meeting, August 28, 2023

3b. APPROVED Consideration of the application of **Jamecisa Sims / Ron Hobbs Architecture & Interior Design, LLP,** requesting approval of a Plan for a Restaurant, Drive-Through Use. This property is located at 5514 & 5516 Broadway Boulevard. (District 4) (Z 23-06 – Plan)

Motion was made by Commissioner Cornelius to **approve** the application as presented with the provision that the rear fence is a horizontal board on board fence with steel posts. Seconded by Commissioner Williams. **Motion carried**: **7** Ayes, **0** Nays.



ZONING MAP Z 23-06

INDICATES AREA OF REQUEST

INDICATES NOTIFICATION AREA

5514 & 5516 Broadway Boulevard

Comment Form
Case Z 23-06

Outside the Notification Area

Z 23-06 Jamecisa Sims / Ron Hobbs Architecture & Interior Design, LLP. The applicant proposes a Restaurant / Snow Cone Establishment with a Drive-Through. The site is located at 5514 & 5516 Broadway Boulevard. (District 4)

Z 23-06 Jamecisa Sims / Ron Hobbs Architecture & Interior Design, LLP. El solicitante propone un Restaurante / Establecimiento de Cono de Nieve con Drive-Through. El sitio está ubicado en 5514 y 5516 Broadway Boulevard. (Distrito 4)

Z 23-06 Jamecisa Sims / Ron Hobbs Architecture & Interior Design, LLP. Người nộp đơn đề xuất một Cơ sở Nhà hàng / Snow Cone với Lái xe qua. Địa điểm tọa lạc tại 5514 & 5516 Broadway Boulevard. (Quận 4)

Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

☐ For / A Favor / Đúng

☒ Against / En Contra / Không

Please complete the following information and email the form to Planning@garlandtx.gov; deliver to the Planning Department at 800 Main Street Garland, TX; or mail to City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002./ Por favor Complete la siguiente información y envíe el formulario por correo electrónico a Planning@garlandtx.gov; entregar al Departamento de Planificación en 800 Main Street Garland, TX; o envíelo por correo a City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002./ Vui lòng điền đầy đủ thông tin sau và gửi biểu mẫu qua email tới Planning@garlandtx.gov; giao cho Phòng Kế hoạch tại 800 Main Street Garland, TX; hoặc gửi thư đến Thành phố Garland, Sở Kế hoạch, P.O. Hộp 469002 Garland, TX 75406-9002.

Benjamin I. Rincon owner

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

5519 Loving Dr (own) Live at 5034 Longhorn trl

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland TX

City, State / Estado de la Ciudad / Thành bang

75043

Zip Code / Código postal / Mã B u Chính

Signature / Firma / Ch ữ ký

8-18-23

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

AUG 28 '23 AM11:42

Comment Form Continued – Case Z 23-06

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

Las declaraciones a continuación reflejan mi (nuestra) opinión con respecto a las solicitudes propuestas.

Các tuyên bố dưới đây phản ánh quan điểm của tôi (chúng tôi) về (các) yêu cầu được đề xuất

I have lived here 18 years and it seems that apartment and townhomes – duplex housing has only brought more corruption to our community. We hardly see any police officers around. I can't disagree with this more then I already I'm.

GARLAND
TEXAS MADE HERE

The applicant requests approval of a Specific Use Provision for a Restaurant, Drive-Through Service Use (Snow cone and food) on a property zoned Community Retail (CR) District

City Council Meeting

September 19, 2023

Z 23-06

GARLAND
TEXAS MADE HERE

CASE INFORMATION

Location: 5514 & 5516 Broadway Boulevard

Applicant: Jamecisa Sims

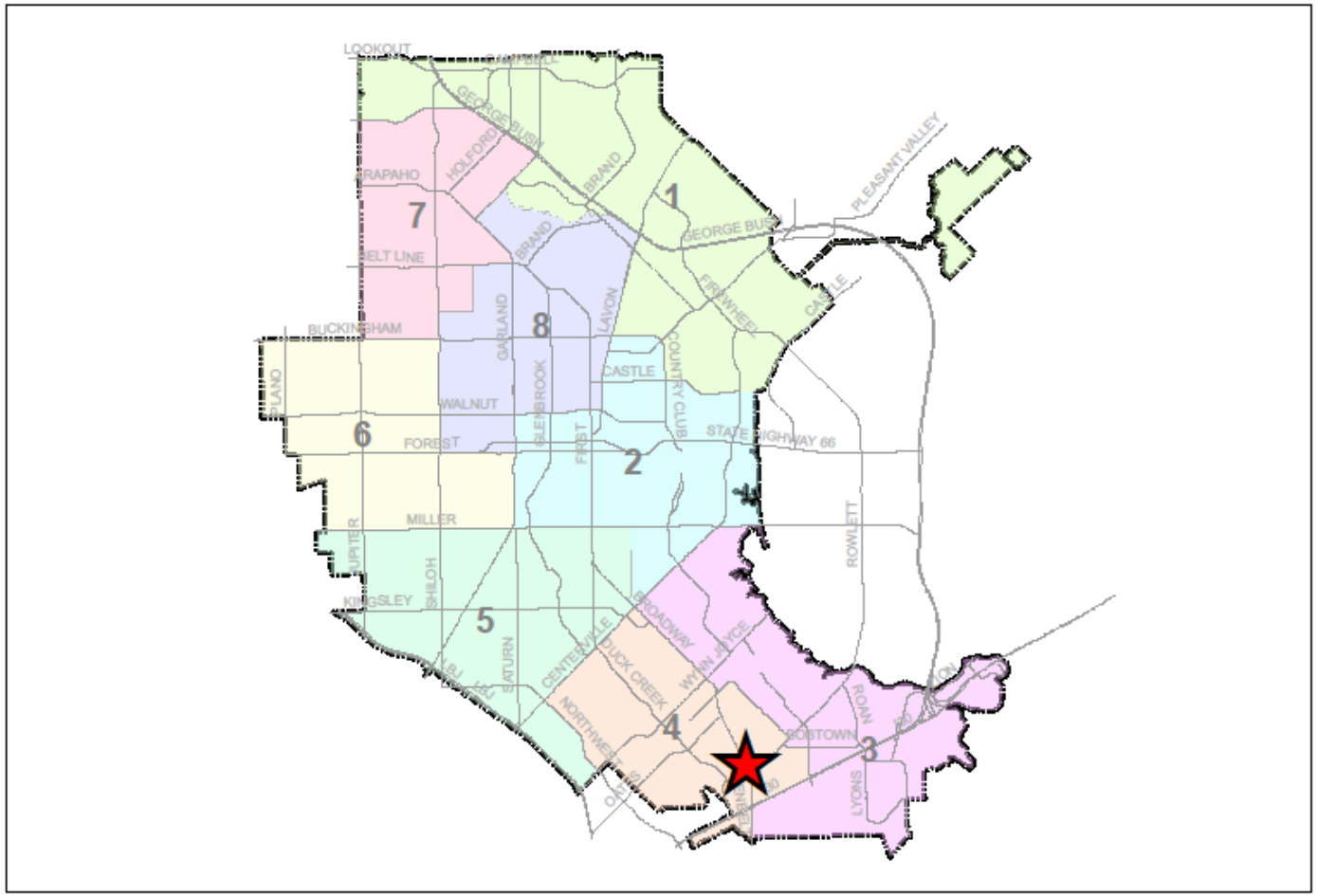
Owner: Eric Finley

Acreage: 0.289 acres

Zoning: Community Retail (CR) District

GARLAND
TEXAS MADE HERE

CITYWIDE LOCATION MAP



Z 23-06

GARLAND
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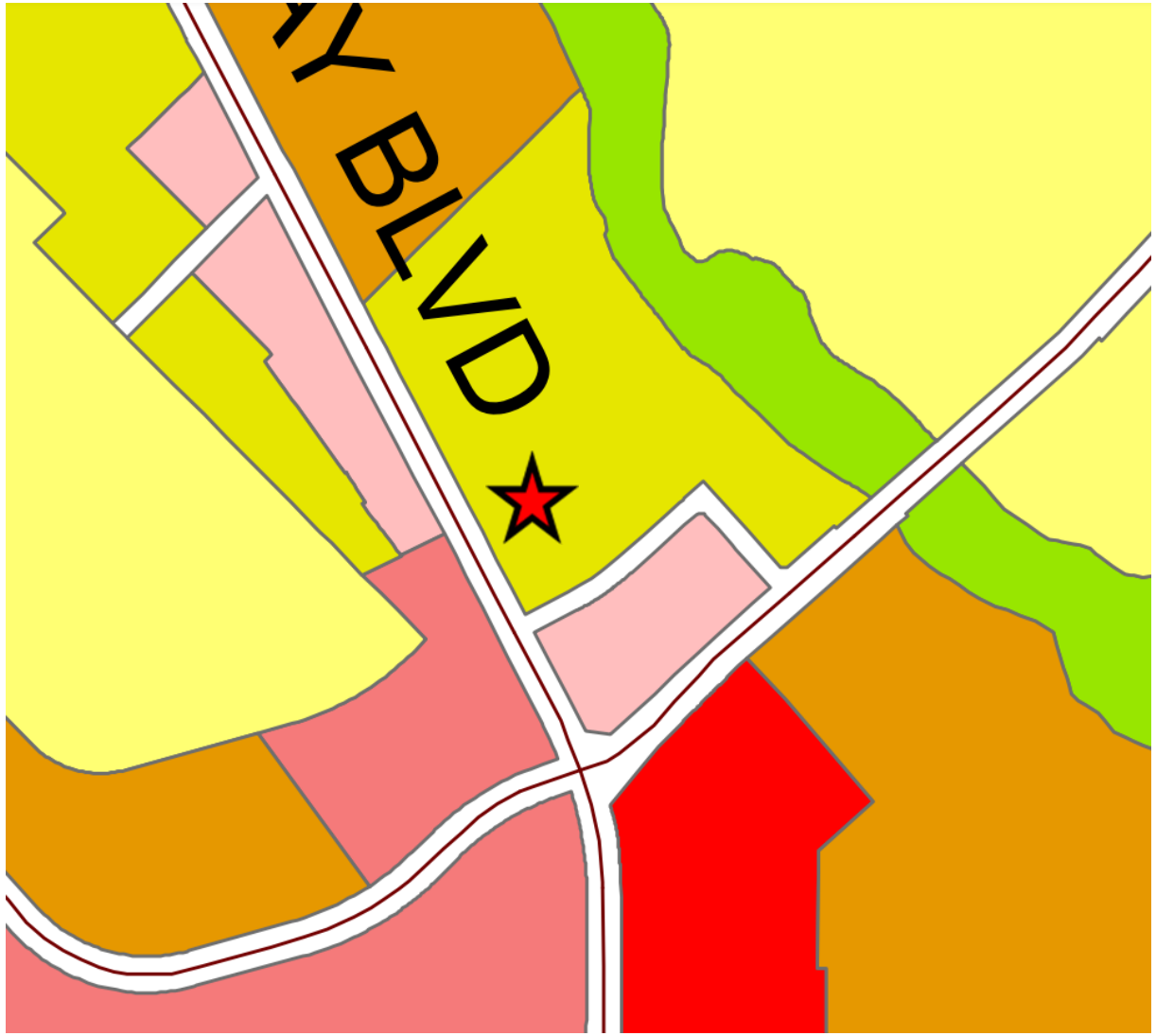
LOCATION MAP

5514 Broadway Boulevard

Z 23-06

GARLAND
TEXAS MADE HERE

COMPREHENSIVE PLAN



Compact Neighborhoods

Z 23-06

GARLAND
TEXAS MADE HERE

COMPREHENSIVE PLAN

- The Future Land Use Map of the Envision Garland Plan recommends Compact Neighborhoods for the subject site

- Compact neighborhoods provide areas for moderate increases in residential density, including single-family attached and single-family detached housing. It expands housing options through infill and redevelopment, while continuing walkable development patterns. These areas provide transitions between traditional residential neighborhoods and higher density residential neighborhoods and non-residential developments. These areas accommodate uses such as convenience retail (goods and services), office space, and public services. The architectural character and scale of these areas are compatible with adjacent residential development.

- The proposed use will offer additional food service to the surrounding residential area.

GARLAND
TEXAS MADE HERE

PHOTOS

View from the subject site looking North down Broadway Boulevard

View from the subject site looking South down Broadway Boulevard

GARLAND
TEXAS MADE HERE

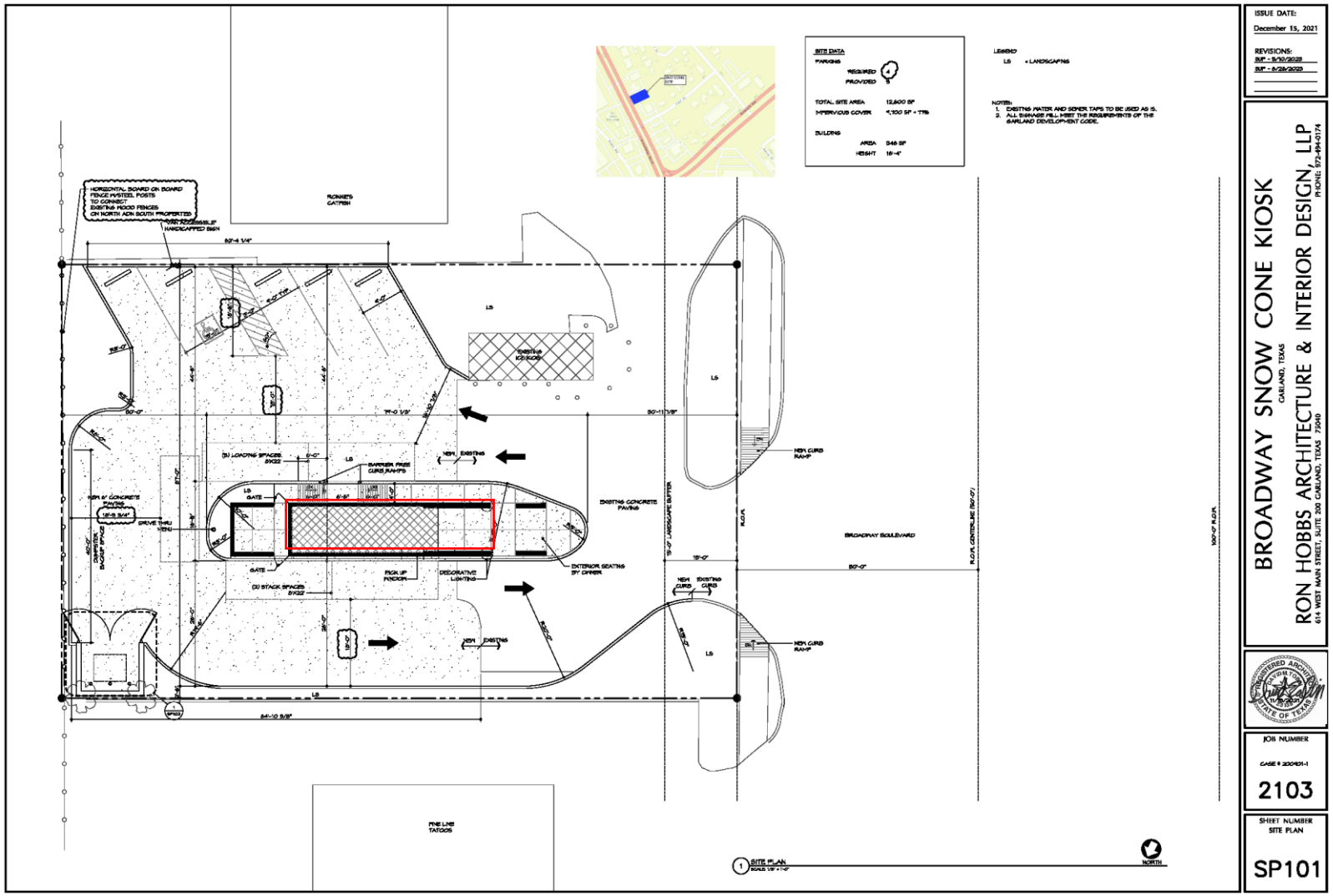
PHOTOS

View of the subject site looking East on Broadway Boulevard

View from the subject site looking West across Broadway Boulevard

GARLAND
TEXAS MADE HERE

SITE PLAN



ISSUE DATE:
December 15, 2021

REVISIONS:
SUP - 5/10/2023
SUP - 8/28/2023

BROADWAY SNOW CONE KIOSK
GARLAND, TEXAS

RON HOBBS ARCHITECTURE & INTERIOR DESIGN, LLP
614 WEST MAIN STREET, SUITE 200 GARLAND, TEXAS 75040
PHONE: 972-494-0174

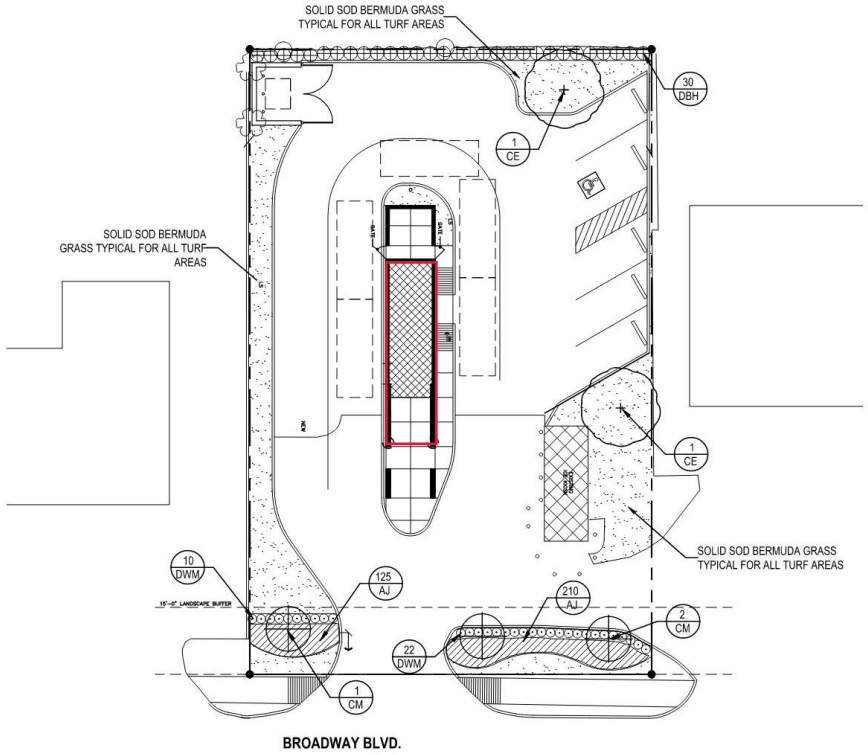
JOB NUMBER
2103

SHEET NUMBER
SITE PLAN
SP101

Z 23-06

GARLAND
TEXAS MADE HERE

LANDSCAPE PLAN



01 LANDSCAPE PLAN
SCALE 1"=20'-0"
0 10 20 40

PLANT MATERIAL SCHEDULE

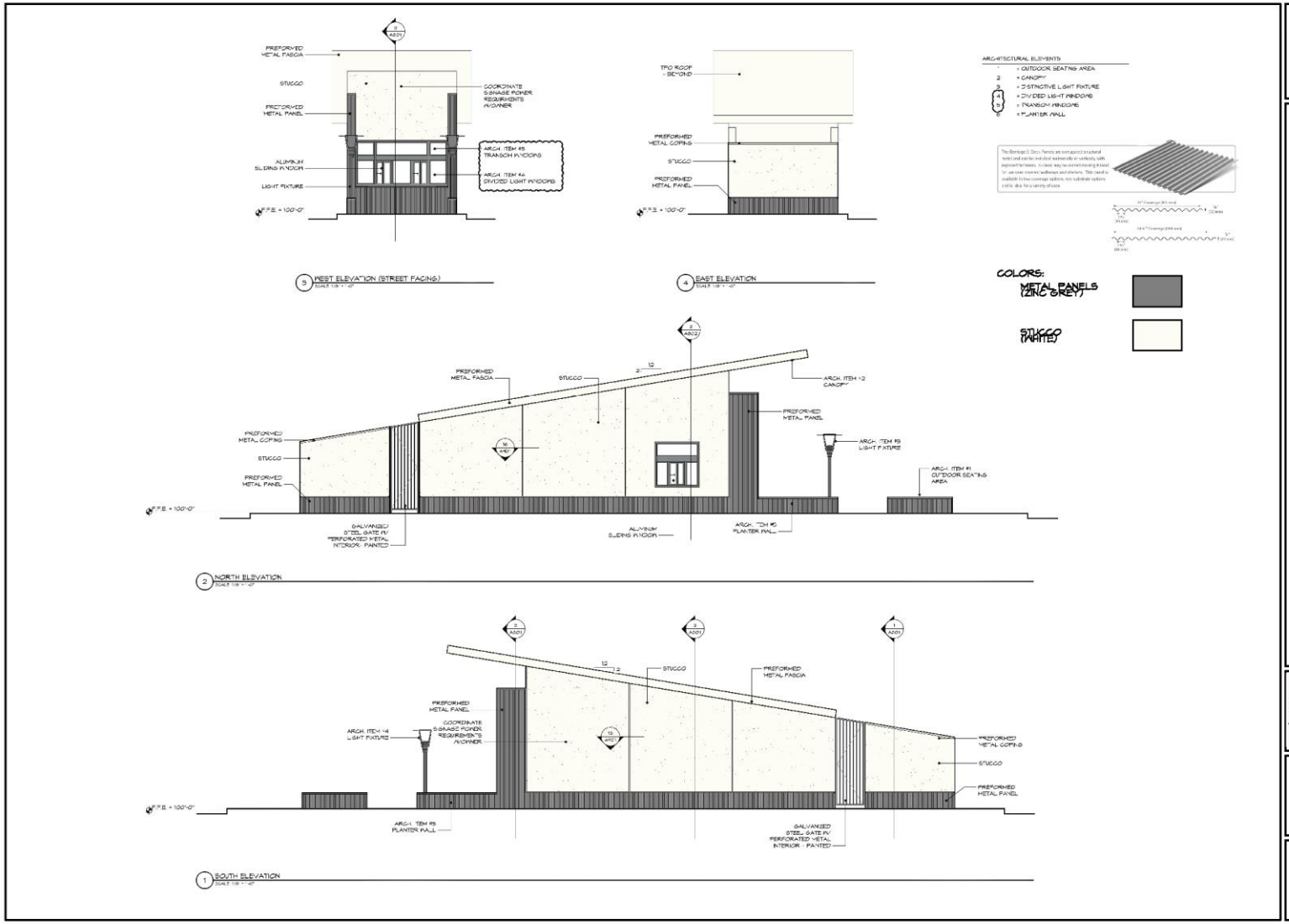
TREES					
TYPE	QTY	COMMON NAME	*BOTANICAL NAME*	SIZE	REMARKS
CE	2	Cedar Elm	*Ulmus crassifolia*	3" cal.	B&B, 12' ht., 5' spread min., 5' straight clear trunk container, 3 trucks, tree form
CM	3	Crepe Myrtle 'Dallas Red'	*Lagerstroemia indica 'Dallas Red'*	3" cal.	
SHRUBS					
TYPE	QTY	COMMON NAME	*BOTANICAL NAME*	SIZE	REMARKS
DBH	30	Dwarf Burford Holly	*Ilex cornuta Burfordii 'Nana'*	7 gal.	container, 30" ht., 28" spread
DWM	32	Dwarf Wax Myrtle	*Myrica cerifera*	5 gal.	container, 24" ht., 20" spread
GROUNDCOVERS					
TYPE	QTY	COMMON NAME	*BOTANICAL NAME*	SIZE	REMARKS
AJ	335	Asian Jasmine '419' Bermudagrass	*Trachelospermum asiaticum* *Cynodon dactylon '419'*	4" pots	container, 3- 12" runners min., 12" o.c. Solid Sod refer to notes

NOTE: Plant list is an aid to bidders only. Contractor shall verify all quantities on plan. All heights and spreads are minimums. All plant material shall meet or exceed remarks as indicated. All trees to have straight trunks and be matching within varieties.

Z 23-06

GARLAND
TEXAS MADE HERE

BUILDING ELEVATIONS



ISSUE DATE:
November 15, 2021

REVISIONS:
SUP - 6/20/2023

BROADWAY SNOW CONE KIOSK
GARLAND, TEXAS

RON HOBBS ARCHITECTURE & INTERIOR DESIGN, LLP
644 WEST MAIN STREET, SUITE 200 GARLAND, TEXAS 75040
PHONE: 972-494-0174

REGISTERED ARCHITECT
RONALD W. HOBBS
STATE OF TEXAS

JOB NUMBER
CASE # 20090-V
2103

SHEET NUMBER
EXTERIOR ELEVATIONS - COLOR
A201

Z 23-06

GARLAND
TEXAS MADE HERE

SPECIFIC USE PROVISION

- The applicant is requesting approval of a twenty-five (25) year Specific Use Provision. The SUP Time Period Guide recommends twenty (20) to twenty-five (25) years for a Restaurant, Drive-Through

GARLAND
TEXAS MADE HERE

STAFF RECOMMENDATION

Approval of a Specific Use Provision for a Restaurant, Drive-Through Service Use on a property zoned Community Retail (CR) District.

Approval of a Plan for a Restaurant, Drive-Through Use.

GARLAND
TEXAS MADE HERE

PLAN COMMISSION

On August 28, 2023 the Plan Commission, by a vote of eight (8) to zero (0), recommended approval of a Specific Use Provision for a Restaurant, Drive-Through Service Use on a property zoned Community Retail (CR) District and approved a Variance to Section 4.34 of the Garland Development Code (GDC) regarding the landscape buffer width along Broadway Boulevard.

In addition, the Plan Commission approved a Variance to Section 4.39 but with the condition that a horizontal board-on-board fence with steel posts on the east end of the property. The applicant concurs with the condition.

The Plan Commission, by a vote of eight (8) to zero (0), also recommended approval of a Plan for a Restaurant, Drive-Through Use.

Z 23-06

GARLAND

TEXAS MADE HERE

GARLAND
PLANNING REPORT

City Council Regular Session Agenda **15. c.**

Meeting Date: 09/19/2023

Item Title: Z 23-26 Larry Hishmeh - Downtown Development Plan (District 2)

Submitted By: Nabiha Ahmed, Lead Development Planner

REQUEST

Approval of a Downtown Development Plan, Major Waiver for a Mobile Food Truck Park on a property zoned Downtown District and in the Downtown Historic (DH) Sub-District.

Approval of a Specific Use Provision for a Mobile Food Truck Park.

LOCATION

101 South Sixth Street

OWNER

Larry Hishmeh

PLAN COMMISSION RECOMMENDATION

On August 28, 2023 the Plan Commission, by a vote of seven (7) to zero (0), recommended approval of a Specific Use Provision for a Mobile Food Truck Park on a property zoned Downtown District and in the Downtown Historic (DH) Sub-District.

The Plan Commission, by a vote of seven (7) to zero (0), recommended approval of a Downtown Development Plan, Major Waiver for a Mobile Food Truck Park.

In addition, the Plan Commission recommended a five (5) year SUP time period.

STAFF RECOMMENDATION

Approval of a Downtown Development Plan, Major Waiver for a Mobile Food Truck Park on a property zoned Downtown District and in the Downtown Historic (DH) Sub-District.

Approval of a Specific Use Provision for a Mobile Food Truck Park.

BACKGROUND

The subject property is currently vacant. The applicant proposes a mobile food truck park, which requires a Specific Use Provision in the Downtown Historic Sub-District of the Downtown (DT) District. In addition, any new development in the Downtown District requires a Downtown Development Plan.

SITE DATA

The site is 0.078 acres. The food trucks can access the site from the southern public alley.

USE OF PROPERTY UNDER CURRENT ZONING

The purpose of the Downtown (DT) district is to establish a pedestrian-oriented district with an infrastructure of streets and buildings that are flexible in terms of use, and that will attract ongoing reinvestment.

The goals of this district are:
(A) To make Downtown viable through:

1. Providing for integrated mixed-use;
2. Embodying LEED-ND (Leadership in Energy and Environmental Design - Neighborhood Development) and LEED building principles;
3. Providing focal open space amenities;
4. Assuring pedestrian and bicycle friendliness; and
5. Minimizing the “heat island” effect of large expanses of paving.

(B) To provide a mixture of residential, retail, entertainment, office and government uses.

(C) To encourage high-quality development by providing a balance of development standards and expedited administrative approvals for projects which meet the intent of this district.

(D) To create standards that ensure an appropriate transition between existing neighborhoods and new development.

CONSIDERATIONS

Specific Use Provision and Downtown Development Plan:

1. The applicant proposes a maximum of five (5) mobile food truck pads and a centralized seating area for customers.

   The GDC defines a Mobile Food Truck Park as a fixed commercial location and permanent development designed to accommodate mobile food preparation vehicles offering food and/or beverages for sale to the public as the primary use of land.

2. The GDC requires permanent restroom facility within a mobile food truck park. The applicant is requesting a Major Waiver to not propose a restroom and instead utilize the new/existing public restroom across South Sixth Street.

3. The parking requirements for the mobile food truck park is determined with the SUP. Additionally, there is no minimum off-street parking requirement within the Downtown Historic (DH) sub-district given its urban environment and high building coverage. The

applicant intends to use the available on-street parking.

The site plan (Exhibit C) also provides a bicycle rack with three (3) spaces.

4. The Downtown District requires street tree wells within the public sidewalk. The applicant is requesting a Major Waiver the landscaping requirements per Section 7.17 of the GDC due to the size of the site. However, a row of large planters are provided along the South Sixth Street sidewalk to create a buffer between the sidewalk and the subject property. Large planters are proposed within the centralized dining area and on every food truck pad as well.

   However, the applicant is proposing an eight (8)-foot horizontal wood privacy fence along the northern perimeter.

5. The applicant initially requested for a ten (10) year Specific Use Provision. However, the applicant has amended the request to a five (5) year SUP time period per the Plan Commission's recommendation. The SUP Time Period Guide does not have recommended time period for a mobile food truck park.

6. The hours of operation will be 9:00 am to 9:00 pm every day of the week.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommend Community Centers for the subject site. Community centers are areas with compact development, primarily non-residential, serving a collection of neighborhoods. This type of development consists of a mix of uses, including retail, services, office use, multi-family residential, and entertainment.

The proposal is consistent with the Community Centers designation and may add to the vibrancy of the core Downtown area.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The surrounding properties are generally in the Downtown (DT) District. These properties are developed with restaurants, a tattoo shop, a bank, automobile repair and other retail use.

Attachments

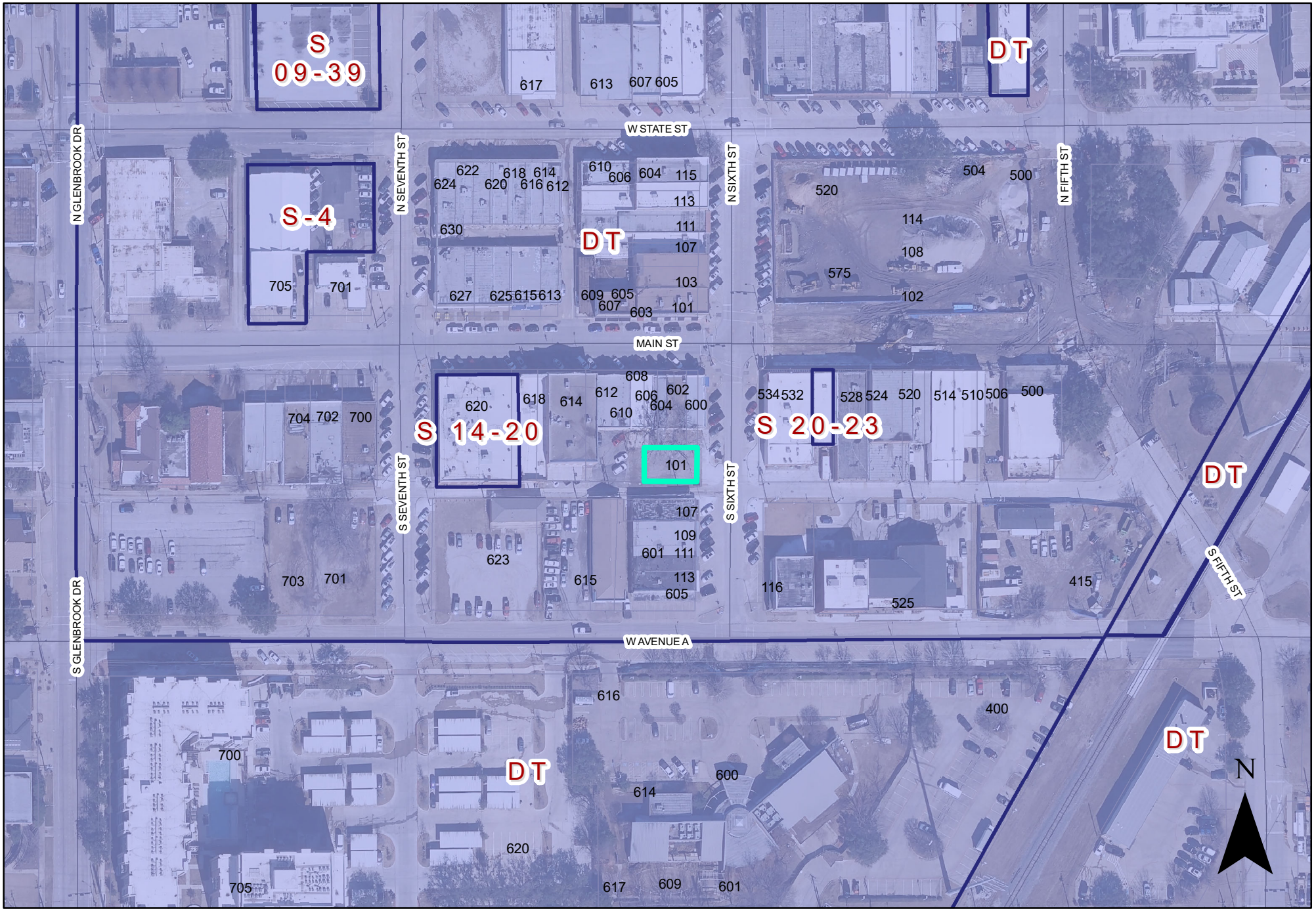
Z 23-26 Location Map

Z 23-26 Exhibit C

Z 23-26 R&M Downtown Development Plan

Z 23-26 Responses

Z 23-26 Staff Presentation



0 90 180 Feet

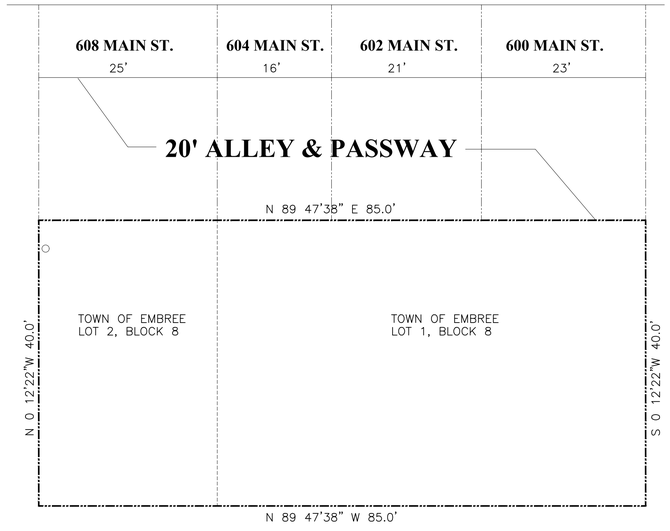
1 inch = 142 feet

ZONING MAP Z 23-26

INDICATES AREA OF REQUEST

101 South Sixth Street

EXHIBIT C

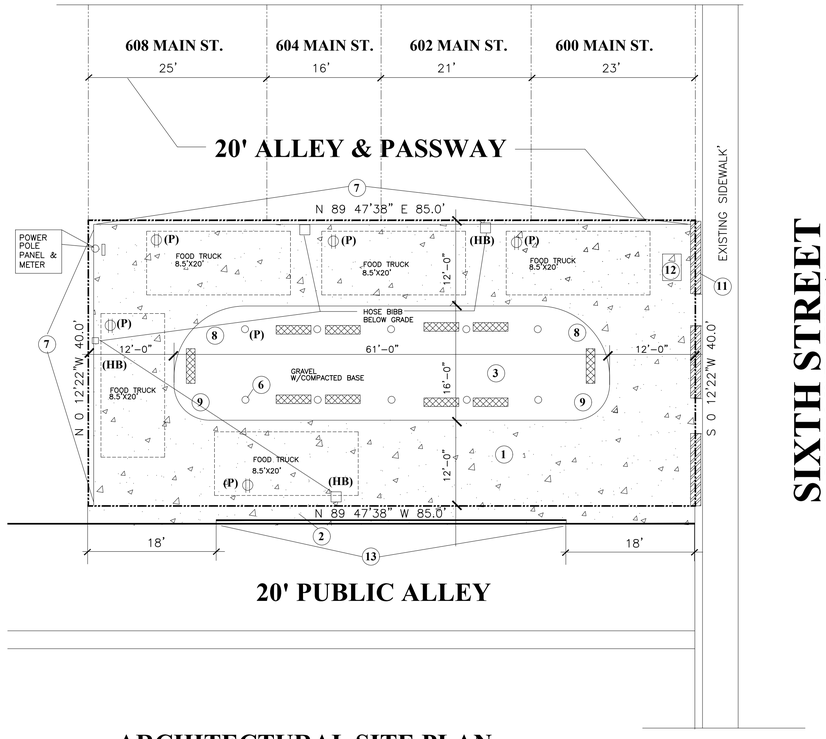


20' PUBLIC ALLEY

SIXTH STREET
PLATTED AS FOURTH STREET 70'ROW

1 SITE PLAN

SCALE 1" = 10'-0"



20' PUBLIC ALLEY

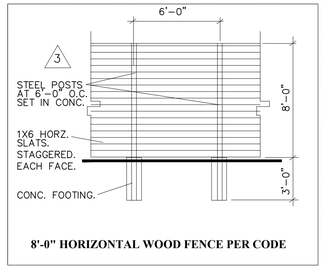
SIXTH STREET
PLATTED AS FOURTH STREET 70'ROW

1 ARCHITECTURAL SITE PLAN

SCALE 1" = 10'-0"

KEY NOTES:

1. PAVING 5" CONCRETE W/ #3 AT 16" O.C.E.W PER CITY OF GARLAND STANDARDS
2. ALLEY TO NEW PAVING PER CITY OF GARLAND STANDARDS
3. GRAVEL AREA FOR EATING AREA
4. (P) POWER FOR EACH TRAILER LOCATION
5. (HB)HOSE BIBB-BELOW GRADE-FREEZE PROOF
6. CANOPY POST-WITH STRING LIGHTS
7. 8'-0" HORIZONTAL WOOD FENCE PER CODE
8. 10' RADIUS
9. 5' RADIUS
10. PLANTERS
11. PLANTERS AT SIDEWALK 3' HEIGHT X 18" X 9'-0" LONG WITH 6' WALK THRU'S (2)
12. BIKE RACK
13. CURB PER CITY OF GARLAND STANDARDS



8'-0" HORIZONTAL WOOD FENCE PER CODE

REGISTERED ARCHITECT CHARLES W. VOIGT 7226 STATE OF TEXAS
5-18-23

Shearer, Monk, & Voigt
Architects & Engineers
1200 W. STATE STREET, GARLAND, TEXAS 75040
OFFICE 972-272-1763 -FAX 972-272-8761

Site Improvements

PART OF LOT 1 AND LOT 2, BLOCK 8
TOWN OF EMBREE
Garland, Texas 75040

△ 8-31-23 WOOD FENCE
△ 8-15-23 CITY COMMENTS
△ 223-26 TRC COMMENTS

Date Issued 05-12-23
Project No. 2023-15
Sheet Title
ARCHITECTURAL SITE PLAN
Sheet Number
A100
Sequence ____ of ____

REPORT & MINUTES

P.C. Meeting, August 28, 2023

3f. APPROVED Consideration of the application of **Larry Hishmeh,** requesting approval of a Downtown Development Plan for a Mobile Food Truck Park on a property zoned Downtown District and in the Downtown Historic (DH) Sub-District. This property is located at 101 South Sixth Street. (District 2) (Z 23-26 – Downtown Development Plan)

Motion was made by Commissioner Rose to **approve** the application as presented with an SUP time period of five (5) years. Seconded by Commissioner Jenkins. **Motion carried**: **7** Ayes, **0** Nays.

101 South Sixth Street

Comment Form
Case Z 23-26

Z 23-26 Larry Hishmeh. The applicant proposes a mobile food truck park. The site is located at 101 South Sixth Street. (District 2)

Z 23-26 Larry Hishmeh. El solicitante propone un parque móvil de camiones de comida. El sitio está ubicado en 101 South Sixth Street. (Distrito 2)

Z 23-26 Larry Hishmeh. Người nộp đơn đề xuất một bãi đậu xe tải thực phẩm lưu động. Địa điểm tọa lạc tại 101 South Sixth Street. (Quận 2)

Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

☑ For / A Favor / Đúng

☐ Against / En Contra / Không

Please complete the following information and email the form to Planning@garlandtx.gov; deliver to the Planning Department at 800 Main Street Garland, TX; or mail to City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002./ Por favor Complete la siguiente información y envíe el formulario por correo electrónico a Planning@garlandtx.gov; entregar al Departamento de Planificación en 800 Main Street Garland, TX; o envíelo por correo a City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002./ Vui lòng điền đầy đủ thông tin sau và gửi biểu mẫu qua email tới Planning@garlandtx.gov; giao cho Phòng Kế hoạch tại 800 Main Street Garland, TX; hoặc gửi thư đến Thành phố Garland, Sở Kế hoạch, P.O. Hộp 469002 Garland, TX 75406-9002.

Owner Momentum Tattoo Caitrin Walters

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

532B Main st, Garland Tx

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland Tx

City, State / Estado de la Ciudad / Thành bang

75040

Zip Code / Código postal / Mã B u Chính

Caitrin Walters 8/18/23

Signature / Firma / Ch ữ ký — Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

Comment Form Continued – Case Z 23-26

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

Las declaraciones a continuación reflejan mi (nuestra) opinión con respecto a las solicitudes propuestas.

Các tuyên bố dưới đây phản ánh quan điểm của tôi (chúng tôi) về (các) yêu cầu được đề xuất

We here at Momentum are excited and in total favor. it would be an additional great attraction to downtown.
And we cant wait!

Comment Form
Case Z 23-26

Z 23-26 Larry Hishmeh. The applicant proposes a mobile food truck park. The site is located at 101 South Sixth Street. (District 2)

Z 23-26 Larry Hishmeh. El solicitante propone un parque móvil de camiones de comida. El sitio está ubicado en 101 South Sixth Street. (Distrito 2)

Z 23-26 Larry Hishmeh. Người nộp đơn đề xuất một bãi đậu xe tải thực phẩm lưu động. Địa điểm tọa lạc tại 101 South Sixth Street. (Quận 2)

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[X] For / A Favor / Đúng

[ ] Against / En Contra / Không

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Robert K. Smith

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

107 N. 6th Stuart, 506 Main, 510 Main

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland, Texas

City, State / Estado de la Ciudad / Thành bang

75040

Zip Code / Código postal / Mã B u Chính

Signature / Firma / Ch ữ ký

8/17/23

Date / Fecha / Ngày

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Comment Form Continued –
Case Z 23-26

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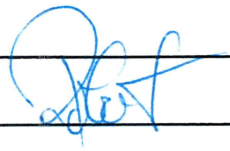
Các tuyên bố dưới đây phản ánh quan điểm của tôi (chúng tôi) về (các) yêu cầu được đề xuất

Food truck park would be perfect for a downtown.
Excellent idea and excellent draw for the area.



~~South Sixth Street. (District 2)~~ CASE Z 23-26

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☑ For / A Favor / Đúng

☐ Against / En Contra / Không

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Jakelyne Alberto / Co-Owner

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

113 N. Sixth St

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland, TX

City, State / Estado de la Ciudad / Thành bang

75040

Zip Code / Código postal / Mã B u Chính

Signature / Firma / Ch ữ ký

8/9/23

Date / Fecha / Ngày

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☐ For / A Favor / Đúng

☒ Against / En Contra / Không

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Donna Williams Manager DKB Global Enterprises

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

606 Main St & 608 Main St.

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland TX

City, State / Estado de la Ciudad / Thành bang

75406

Zip Code / Código postal / Mã B u Chính

Donna Williams 8/22/22

Signature / Firma / Ch ữ ký Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

DKB GLOBAL ENTERPRISES LLC.
DONNA WILLIAMS
PO BOX 703
FRISCO, TX 75034

AUG. 22, 2023

RE: APPLICATION - Z 23-26 LARRY HISHMEH

PROPERTY ADDRESS: 606 Main Street and 608 Main Street

CITY OF GARLAND
PLANNING DEPARTMENT
ATTEN: NABIHA AHMED
PO BOX 469002
GARLAND, TX 75406-9006

TO: THE CITY PLANNING DEPARTMENT

I hope this message finds you well. I wanted to address some concerns regarding the potential impact of allowing food trucks in our community. Over the past two years, our current restaurants and businesses have endured significant challenges due to the city's massive construction projects. During this time, many of our local establishments have struggled to maintain their operations and sustain their customer base. It's essential to recognize their perseverance and the resilience they've shown in the face of these difficulties.

As we look towards the future, it's crucial that we prioritize supporting our existing businesses and restaurant owners. Rather than introducing additional competition through food trucks, now is the time to help these establishments get back on their feet and regain their footing. The construction period has already imposed hardships on them, and introducing a new dynamic of competition could further hinder their recovery.

Economic Challenges and Investment Impact: Introducing food trucks can result in direct competition with our local restaurants. Their ability to offer lower prices due to reduced overhead costs can lead to a decrease in revenue for our established eateries. This might even force some businesses to shut down. Moreover, the disparity in regulations and overhead costs creates an uneven playing field, where food trucks can undercut restaurant prices without facing the same financial burdens. This could discourage potential investors from opening new restaurants, seeing the market as challenging and saturated.

Customer Base Dilution and Negative Brand Image: The arrival of food trucks can fragment our customer base. Patrons who would usually dine at local restaurants might opt for the novelty and convenience of food trucks. This shift could reduce foot traffic and overall patronage at our traditional eateries. The innovative and trendy image associated with food trucks might also make our restaurants appear outdated in comparison, leading to a negative brand perception and a decline in overall appeal.

Operational Efficiency and Regulatory Disparities: Food trucks' streamlined menus allow for quick service, which can challenge our restaurants with diverse offerings. Maintaining the same level of efficiency can be

challenging. Additionally, differing regulations for food trucks and restaurants might lead to frustration among restaurant owners advocating for equal scrutiny and standards.

Strain on Relationships and Loyalty Shift: The mobility and flexibility of food trucks could strain relationships between restaurant owners and our local community. The perception of unfair advantages due to their mobility might lead to conflict and tension. Moreover, the variety and novelty offered by food trucks could shift customer loyalty away from traditional restaurants, jeopardizing their long-term viability.

Lack of Stability and Consistency: It's worth considering that the rotating nature of food trucks might lead to an inconsistent dining experience for our community. The absence of fixed operating hours and locations can create uncertainty for patrons seeking reliable dining options. This lack of stability might hinder the development of a consistent and loyal customer base, which is vital for the sustainability of our local businesses.

Environmental Concerns and Sustainability Challenges: Beyond their effects on the restaurant industry, food trucks can have severe environmental impacts that need our consideration. Their limited space can hinder the implementation of eco-friendly practices like recycling and composting, resulting in a larger ecological footprint. Improper wastewater disposal and waste management can lead to water and environmental contamination. Increased traffic from food trucks and their generators can contribute to air and noise pollution, adversely affecting our community's health and wellbeing. Food trucks also have the potential to increase their carbon footprint by using too much energy or producing too much waste. Additionally, because they are operating trucks, they can produce large amounts of gases into the atmosphere.

Urban Disruption and Social Impact: The introduction of food trucks might alter the visual aesthetics of our community, potentially clashing with architectural styles and compromising our unique appeal. Their lack of proper seating arrangements can contribute to congestion, making our urban environment uncomfortable for pedestrians. Furthermore, food trucks' transient nature might hinder the development of a sense of community that traditional restaurants often foster.

Community Disruption and Gentrification: The influx of food trucks, particularly those offering upscale or trendy cuisine, could trigger gentrification in our neighborhoods. Rising property values and changing demographics might lead to the displacement of long-standing residents, altering the social fabric of our community.

Considering all these negative aspects, it is crucial that we thoroughly evaluate the potential impacts of allowing food trucks in our area. Balancing their convenience with the potential harm to our local economy, environment, and community dynamics is essential. I encourage the department to thoroughly assess all aspects and VOTE AGAINST THIS Application Z23-26 LARRY HISHMEH.

Thank you for your time and consideration.

Sincerely,

Donna Williams
Dkb Global Enterprises LLC.
(214) 315-7355

From: Larry Hishmeh
To: Planning Group
Subject: Case Z 23-26
Date: Tuesday, August 22, 2023 12:20:40 PM

Attached please find the complete Comment Form for Case Z 23-26.

I also commented online, I think I may have double dipped but just wanted to make sure I got the comment in!

Karen Wiseman and Trayc Claybrook own two businesses in one address location so we both signed.

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Comment Form
Case Z 23-26

Z 23-26 Larry Hishmeh. The applicant proposes a mobile food truck park. The site is located at 101 South Sixth Street. (District 2)

Z 23-26 Larry Hishmeh. El solicitante propone un parque móvil de camiones de comida. El sitio está ubicado en 101 South Sixth Street. (Distrito 2)

Z 23-26 Larry Hishmeh. Người nộp đơn đề xuất một bãi đậu xe tải thực phẩm lưu động. Địa điểm tọa lạc tại 101 South Sixth Street. (Quận 2)

Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

☒ For / A Favor / Đúng

☐ Against / En Contra / Không

Please complete the following information and email the form to Planning@garlandtx.gov; deliver to the Planning Department at 800 Main Street Garland, TX; or mail to City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002./ Por favor Complete la siguiente información y envíe el formulario por correo electrónico a Planning@garlandtx.gov; entregar al Departamento de Planificación en 800 Main Street Garland, TX; o envíelo por correo a City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002./ Vui lòng điền đầy đủ thông tin sau và gửi biểu mẫu qua email tới Planning@garlandtx.gov; giao cho Phòng Kế hoạch tại 800 Main Street Garland, TX; hoặc gửi thư đến Thành phố Garland, Sở Kế hoạch, P.O. Hộp 469002 Garland, TX 75406-9002.

TheFrocksy / Karin Wiseman Trayc Claybrook owners

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

510 Main Street

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland, TX 75040

City, State / Estado de la Ciudad / Thành bang

75040

Zip Code / Código postal / Mã B u Chính

8.18.23

Signature / Firma / Ch ữ ký — Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

Sent from my iPad

Morales, Elisa

From: Guerin, Will
Sent: Tuesday, August 22, 2023 2:51 PM
To: Morales, Elisa
Subject: FW: 101 S. Sixth Street - Food Truck Park Proposal

Elisa, you can include this in the Z 23-26 responses.

From: Thomas De Nolf <tomdenolf@me.com>
Sent: Tuesday, August 22, 2023 2:49 PM
To: Guerin, Will <WGuerin@garlandtx.gov>
Cc: McNatt, Letecia <LMcnatt@garlandtx.gov>
Subject: Re: 101 S. Sixth Street - Food Truck Park Proposal

Hi Will,

I don't open my mail (I know its weird) so I wanted to connect with you concerning the food truck park for 101 S. Sixth St.

I own 4 buildings in the entertainment district and I am in favor of the food trucks park. I spoke with my tenant at 604 W State St, both tenants at 500 Main st and my tenant at 708 Main St. and all are in favor of the food truck park.

I appreciate all you do for the city. If you need anything else please email, don't snail mail. :)

Tom de Nolf

> On Aug 22, 2023, at 1:39 PM, McNatt, Letecia <LMcnatt@garlandtx.gov> wrote:
>
> Hi Will,
>
> Tom de Nolf is owns several properties in Downtown (500 Main St, 708 Main St, and 716 Main St). He asked that I connect you both via email so that he can share his position on the project proposed at 101 S. Sixth Street.
> I'll let you two take it from here.
>
> Let me know if you need anything else,
> Letecia
>
> **Letecia McNatt**
> Downtown Development Manager
> Convention and Visitors Bureau | City of Garland
> 211 N. Fifth Street
> Garland, TX 75040
> P: 972-205-2370 | C: 469-628-0680
>
> <image001.jpg>

Comment Form
Case Z 23-26

Z 23-26 Larry Hishmeh. The applicant proposes a mobile food truck park. The site is located at 101 South Sixth Street. (District 2)

Z 23-26 Larry Hishmeh. El solicitante propone un parque móvil de camiones de comida. El sitio está ubicado en 101 South Sixth Street. (Distrito 2)

Z 23-26 Larry Hishmeh. Người nộp đơn đề xuất một bãi đậu xe tải thực phẩm lưu động. Địa điểm tọa lạc tại 101 South Sixth Street. (Quận 2)

Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

☑ For / A Favor / Đúng

☐ Against / En Contra / Không

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CATHY CLOPTON

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

610 MAIN ST.

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

GARLAND, TX ~~75040~~

City, State / Estado de la Ciudad / Thành bang

75040

Zip Code / Código postal / Mã B u Chính

Cathy R. Clop

Signature / Firma / Ch ữ ký

8/24/23

Date / Fecha / Ngày

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Comment Form Continued – Case Z 23-26

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

Las declaraciones a continuación reflejan mi (nuestra) opinión con respecto a las solicitudes propuestas.

Các tuyên bố dưới đây phản ánh quan điểm của tôi (chúng tôi) về (các) yêu cầu được đề xuất

I LIKE THE CONCEPT VERY MUCH. MY 2 CONCERNS ARE TRASH + PARKING. (WE HAVE A PAVED LOT NEXT TO THIS PROPERTY WITH 5 SPACES — JUST ENOUGH FOR LEE'S.) WEEKEND PARKING IS NORMALLY NOT A PROBLEM (MAYBE DURING JAN-APR — TAX SEASON).

Bestcowhides.com

August 24th, 2023

Attn. Mrs. Nabiha Ahmed

City Planner

City of Garland Planning Department

PO BOX 4690002

Garland Tx 75406-9006

RE: Z 23-26 Larry Hishmeh

Collective Concerns and suggestions regarding the proposal Food Truck Park location.

As the owner of a local business in Downtown Garland for the last three years, I want to express my voice **Opposing the proposed zoning change** for a **Food truck Park at 101 S 6th St. Garland 75040.**

These are my concerns:

-Creation of waist will **increase the homeless to sneak around** the food park zone.

- Benches and shades will invite Homeless to sleep in the food truck park **creating insecurity risk.**

-The Ile between food truck park and my back door will be again, the **storage and WC for homeless.**

-The **infestation of insects, rats and roaches** will be increase with the food truck park.

- The **loosing of parking spaces** for our walk-in customers will impact our sales, with the food truck customers.

-The **trash cans are too small** in downtown square will not be enough for all the trash generated.

There have been several years of struggle for our local economy: The Covid pandemic, Downtown Construction and the inflation had an impact on our sales, making more difficult to our business to pay our bills, lease, taxes, salaries etc. I ask for to **help small business**, so we can continue serving our community.

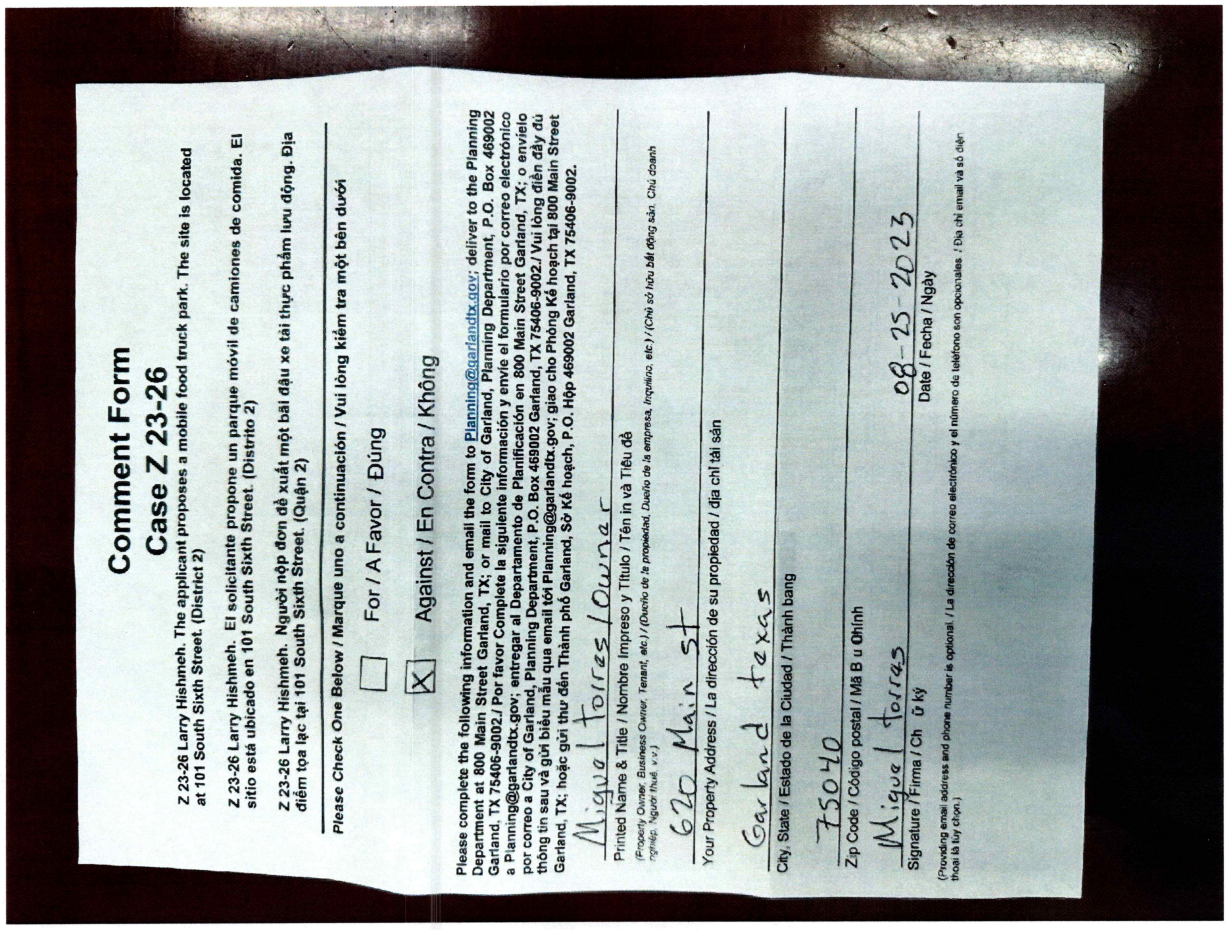
Sincerely

Mr. Javier Giribet

E Cactus goods, LLC
602 Main St.
Garland, TX 75040

dba: Bestcowhides
214-500-8012
bestcowhides@gmail.com

From: Roberto Torres
To: Planning Group
Subject: No food trucks
Date: Friday, August 25, 2023 10:12:57 AM



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Case Z 23-26

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Z 23-26 Larry Hishmeh. El solicitante propone un parque móvil de camiones de comida. El sitio está ubicado en 101 South Sixth Street. (Distrito 2)

Z 23-26 Larry Hishmeh. Người nộp đơn đề xuất một bãi đậu xe tải thực phẩm lưu động. Địa điểm tọa lạc tại 101 South Sixth Street. (Quận 2)

Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

☐ For / A Favor / Đúng

☒ Against / En Contra / Không

Please complete the following information and email the form to Planning@garlandtx.gov; deliver to the Planning Department at 800 Main Street Garland, TX; or mail to City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002./ Por favor Complete la siguiente información y envíe el formulario por correo electrónico a Planning@garlandtx.gov; entregar al Departamento de Planificación en 800 Main Street Garland, TX; o envíelo por correo a City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002./ Vui lòng điền đầy đủ thông tin sau và gửi biểu mẫu qua email tới Planning@garlandtx.gov; giao cho Phòng Kế hoạch tại 800 Main Street Garland, TX; hoặc gửi thư đến Thành phố Garland, Sở kế hoạch, P.O. Hộp 469002 Garland, TX 75406-9002.

Miguel Torres / Owner

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề
(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

620 Main st

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland Texas

City, State / Estado de la Ciudad / Thành bang

75040

Zip Code / Código postal / Mã B u Chính

Miguel Torres

Signature / Firma / Ch ữ ký

08-25-2023

Date / Fecha / Ngày

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Morales, Elisa

From: Garland Downtown Business Owners <businessownersgarlanddowntown@gmail.com>
Sent: Friday, August 25, 2023 12:34 PM
To: Ahmed, Nabiha; Mayor; Council2; Morales, Elisa; Guerin, Will
Cc: info@devidevi.org; InfinityArcade@yahoo.com; bestcowhides@gmail.com; scoopnboba@gmail.com; jaytawat@hotmail.com; Justin Estes; David Nordyke; Torresbeto@icloud.com; norvellkiddos3@yahoo.com; alice@ayscatering.com
Subject: Z 23-26 Larry Hishmeh. Unified AGAINST votes from Downtown Business Owners
Attachments: Z 23-26 for 101 Sout St.pdf

Dear Committee Members, Planning Commision and City Representatives for District 2
Please also forward to Mr. Julius Jenkins as his e-mail is not listed in the city's website

---

We hope this email finds you well. The attached PDF letter conveys the **unified vote AGAINST** the referred zone change proposition in downtown Garland, and which is being considered for a public hearing next Monday August 28, 2023.

The attached letter serves as the cohesive voice of the following businesses and business owners in downtown Garland:

- **Mr. Roberto Torres,** G.A.M. Torress II LLC dba Fish n Tails Restaurant. 620 Main St.
- **Mrs Tammy Hanck-Norwell**, Main Street Cafe LLC dba Main Street Cafe. 627 Main St.
- **Mr. Javier Giribet**, E. Cactus Goods LLC dba Best Cowhides. 602 Main St.
- **Mrs. Patricia Alonso**, Shakti Love LLC dba Shakti Yoga Center. 604 Main St
- **Mrs Zoya Elsisura**, Scoop N' Boba. 606 Main St
- **Mr. Mongkol Tuatison**, The Blue Rat Thai Kitchen. 608 Main St
- **Mr. Justin Estes**, 3Q Fitness CrossFit Garland. 109 South 6th St
- **Mrs. Trinidad Mills**, Infinite Arcade Restaurant & Bar. 532 Main St, Suite A
- **Mrs. Alice Oldenburg**, At Your Service Catering. 601 W State St. OUTSIDE OF NOTIFICATION AREA
- **Mrs. Alice Oldenburg**, Tavern on the Square. 601 W State St
- **Mrs. Annie Barrientes and Aldo Sandoval**, Rosalind Coffee Shop. 107 N. 6th St.

A significant concern for us is the inadequate communication to existing businesses and property owners regarding the proposed food truck application. It's particularly disconcerting that City Council Member Deborah Morris chose to publicly announce this initiative on social media before official notifications were sent. Her public assertions that downtown Garland restaurants enthusiastically were supporting this plan contrasts sharply with our positions and the feedback we've received from our patrons, prompting questions about her genuine motivations. This lack of

transparency has left many stakeholders feeling caught off guard, with limited time to organize a meaningful response for the upcoming public hearing.

Before such a significant change in the zoning for the empty lot at 101 S 6th is considered, we humbly request that concerns of businesses and landlords - the backbone of this community - be taken into account. We would greatly appreciate a more timely dialogue and propose an alternative solution that would be more amenable to all stakeholders involved.

Thank you for taking time to consider our perspective. We look forward to the opportunity for a collaborative discussion on this matter.

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Friday, August 25th 2023

ATT'N: Mrs. Nabiha Ahmed
City Planner for the City of Garland Planning Department
PO BOX 469002
Garland, TX 75406-9006

c.c. Scott LeMay, Mayor
c.c. Deborah Morris, City Council District 2
c.c. Julius Jenkins, Plan commission District 2

RE: Z 23-26 Larry Hishmeh.
Collective Concerns and Suggestions Regarding the Proposed Food Truck Park Location

Dear Mrs. Ahmed et al:

We, a collective of local business owners operating within downtown Garland, extend our unified concerns about the proposed food truck park. Our establishments, deeply rooted in the community, have weathered challenges from the pandemic to the city's downtown infrastructure projects for the past 3 years. These challenges have tested our resilience and affected patron loyalty, owing to disruptions, excessive noise and limited parking access.

Our shops and restaurants have dedicated years to serving our community, considering both employment opportunities and quality services. We cherish and remain steadfast in supporting our city's growth, diversity, and evolving culinary scene, but the proposed permanent location of a food truck park presents several concerns for our businesses, including:

- **Unfair Competition**: Food trucks generally have lower overhead costs compared to our restaurants. This could introduce a skewed competitive landscape. They do not have to pay rent for a large space, maintain extensive facilities or utilities, or employ as many staff members as we do. This can allow them to offer competitive pricing, potentially drawing customers away from our establishments.
- **Parking & Traffic Issues:** An influx of vehicles and visitors will exacerbate the already limited parking resources in Downtown and accentuate traffic challenges. We just lost 4 parking spaces on Main St., which are being converted to flower beds. The constant flow of customers parking in those limited spaces, will discourage our regulars from visiting due to inconvenience or lack of accessibility. If potential diners struggle to find parking because of food trucks, they might opt to dine elsewhere.
- **Novelty factor**: The singularity of food trucks, coupled with their often diverse and rotating menus, can attract customers seeking new and unique dining experiences. This can be especially challenging for our restaurants if we are unable to frequently update our offerings or provide a similarly novel dining experience.
- **Transient Nature**: Our brick-and-mortar establishments contribute to the local community's long-term growth by creating stable jobs and paying consistent local taxes. In contrast, the transient nature of food trucks means they might not have the same level of long-term commitment to our local community in Garland.

- **Perceived Value:** Because of their mobility and typically lower prices, food trucks can sometimes be perceived as offering better value for money. This perception, whether accurate or not, can draw price-sensitive customers away from our traditional establishments.

Environmental and safety issues also arise:

- **Environmental hazards:** one pressing issue about food truck parks is the pollution arising from generators used by these mobile vendors. Carbon monoxide fumes emitted from these generators are not just environmentally detrimental, but they also pose serious health risks. Both residents and workers in our nearby buildings could be exposed to these harmful emissions, further exacerbating health concerns.
- **Emissions:** Food trucks run on gasoline or diesel fuel. The combustion of these fuels releases greenhouse gases into the atmosphere, contributing to global climate change.
- **Excess waste and littering:** The increase in foot traffic and consumption of food on-the-go will create excess trash from use of single use disposable plates, cups, cutlery, and containers. While some may argue that proper waste management will be implemented at this proposed park, studies have shown that such establishments often lead to an increase in littering around their vicinity, increasing health risks associated with attracting pests such as rodents or insects and tarnishing the aesthetic appeal of the city. At the end of the day, the reality is that only those of us at the front stores from 600-608 Main will be left with the responsibility to clean and constantly fumigate for pest control.
- **Potential for Oil and Grease Spillage:** Cooking and operating kitchen equipment can lead to accidental spills of oils and greases. If not managed properly, these can seep into the ground, contaminating soil and potentially reaching our water sources.
- **Utilities strains:** By converging several food trucks in a single location, they will connect to local utilities for power or water, adding a strain to these systems in Downtown.
- **Potential for a propane explosion:** While these mobile eateries offer a diverse culinary experience, the safety implications of having propane-fueled kitchens near bustling pedestrian areas cannot be ignored. Propane, being a highly flammable gas, has inherent risks, especially when contained within the confined space of a truck. The tragic incidents in Philadelphia (2014), Forestdale (2021), Portland (2018), South end Charlotte (2019), San Marcos (2020) and many other, serve as a stark reminder of the potential consequences. Although such incidents might be statistically rare, the repercussions are profound, endangering lives and causing significant property damage. We must carefully weigh the culinary benefits against the heightened risks to public safety and judiciously decide if the risk of potentially blow our historic downtown overweights the benefits.
- **Homeless:** Lastly, establishing a food truck park may exacerbate existing homeless issues within our community in downtown. While it is important to support those experiencing homelessness through appropriate channels such as shelters or social services programs, concentrating multiple food vendors at one location may inadvertently attract individuals who are unable or unwilling to access these resources properly.

We **collectively propose that the empty lot at 101 South 6th St. be considered for a public parking facility.** This would address existing accessibility concerns, while boosting the commercial vibrancy of our downtown.

It is essential to clarify that we are not universally opposed to food trucks. Our concerns are permanency and location specific. Indeed, during special events, concerts, festivals, and other occasions drawing significant crowds, we fully endorse the presence of food trucks parked around the main square. These events naturally attract a larger number of visitors, creating a fitting environment for diverse food offerings that cater to a broad spectrum of tastes.

In conclusion, while some may see this project as an exciting addition to downtown, those of us who operate nearby businesses understand the potential negative impact it can have on our daily operations and the community. Our collective goal is to find harmonious options that cater to the broader community's benefit.

We appeal to the City of Garland's Planning Department to consider the long-term impacts on established businesses that have tirelessly served the community. We aim for solutions fostering mutual growth, maintaining Garland's downtown essence, and ensuring its prosperity.

We trust in your understanding and earnestly hope for a resolution that upholds the city's vibrant character.

Warm regards,

- **Mr. Roberto Torres,** G.A.M. Torress II LLC dba Fish n Tails Restaurant. 620 Main St.
- **Mrs Tammy Hanck-Norwell**, Main Street Cafe LLC dba Main Street Cafe. 627 Main St.
- **Mr. Javier Giribet**, E. Cactus Goods LLC dba Best Cowhides. 602 Main St.
- **Mrs. Patricia Alonso**, Shakti Love LLC dba Shakti Yoga Center. 604 Main St
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- **Mrs. Alice Oldenburg**, Tavern on the Square. 601 W State St
- **Mrs. Annie Barrientes and Aldo Sandoval**, Rosalind Coffee Shop. 107 N. 6th St.

Morales, Elisa

From: Shakti Yoga Center <shaktigarland@gmail.com>
Sent: Friday, August 25, 2023 1:36 PM
To: Mayor; Council2; Morales, Elisa; Guerin, Will; Ahmed, Nabiha
Subject: RE Z23-26 Larry Hishmeh. - AGAINST

Dear Mrs Ahmed and Zoning Planning Commission for District 2:

My name is Patricia Alonso. I'm a licensed massage therapist, certified yoga therapist and Licensed Massage Educator, and I own the yoga studio/holistic center at 604 Main St.

First and foremost, let me share my personal story. I've been a Garland resident for 23 years. I have poured all my savings, passion and countless hours of work into establishing and maintaining my business here in Garland for the past 7 years. It has been a labor of love that has allowed me to contribute to the local economy, and support residents in need of alternative healing methods, while providing for myself and my employees.

I'm a minority small business owner, and have worked hard to stay open, struggling due to closures during covid, and later waiting 2 years for the downtown construction to be finished. I also had a massage studio at 613 Main which operated successfully for 5 years, but the construction negatively impacted my patrons, since they didn't want to deal with the detours, lack of parking and extra noise. So, I had to permanently close it three months ago.

I've always held a deep appreciation for the tight-knit community we've fostered in Garland. While restaurants undeniably play a crucial role in drawing visitors, a vibrant downtown also benefits from a diverse mix of establishments such as galleries, shops, antiques, yoga centers, gyms, etc. My shop has been a sanctuary for 7 years, hosting individuals to escape, recharge, and find respite from the hectic pace of daily life, and despite facing financial challenges over the past three years, I've remained committed to our community, hopeful for the opportunities on the horizon.

A food truck park right in the backyard of my remaining business will directly affect my livelihood as a business owner, plus the well-being of my patrons. In addition to the impact on public health, since most food trucks often offer limited healthy options while predominantly serving fast food or fried dishes high in calories, the increased noise levels, unwanted food smells and hazardous fumes from generators, will disrupt my operations and potentially harm my clients. Older buildings like mine at 604 Main, are more susceptible to infiltration of smells, fumes and carbon monoxide vapors which can compromise indoor air quality.

Furthermore, the increase in foot traffic and consumption of food on-the-go will create excess trash and exacerbate existing homeless issues. While some may argue that proper waste management will be implemented at this proposed park, the reality is that only those of us at the front stores from 600-608 Main will be left with the responsibility to clean.

Moreover, introducing a dedicated space for food trucks will inevitably result in reduced parking availability for local businesses' patrons. We lost 4 parking spaces on Main St., which are being converted to flower beds. The constant flow of customers parking in those limited spaces, will discourage my regulars from visiting due to inconvenience or lack of accessibility.

To clarify, I fully support economic growth in downtown. Over the years, we've successfully coordinated with numerous concerts, events, and bustling crowds, even encouraging our clients to join in. I understand that downtown won't always be quiet. However, the proposed food truck will attract significant crowds on a daily basis to a compact area directly behind my studio, posing a detrimental quality of our services.

We can keep welcoming food trucks during special events, concerts, festivals, etc., and have them parked around the square, just like they did before the construction started.

I implore you to stand behind the resilience of local brick-and-mortar vendors who have weathered the challenges of the pandemic and two years of construction. Transforming that vacant lot into additional parking—something visitors have already grown accustomed to—would be a more beneficial and supportive gesture for all.

--
Kind regards

Patricia Alonso
Founder and Managing Director, LMT, E-RYT 500HR
Shakti Yoga Center
Call or Text: 469.223.6673

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Morales, Elisa

From: Justin Estes <justin@3qfitness.com>
Sent: Monday, August 28, 2023 12:01 PM
To: Morales, Elisa
Subject: Re: Z 23-26 Larry Hishmeh. Unified AGAINST votes from Downtown Business Owners

I'd like to advise that the letter sent doesn't accurately capture how I, or my business, feel about the food truck proposal.

My only concerns are

1. Plan for possible overflow of foot traffic with popular food trucks, is there a plan for that? Ex: "Food Truck A" is very popular and bring a 50 people an hour, and people are wanting to hangout. Where will they spill over to? Is there going to be a site manager to make sure patrons don't hangout in the alley or sit on the window ledge of our businesses at 6th and Ave A.

2. Is Larry going to be providing oversight for the property or a property manager to make sure the lot is kept clean, that the impact on neighboring businesses isn't a burden, etc.

As far as the desire for it to be parking or other things listed I am not in direct support of those items. I wanted to clarify that.

Best,

Justin Estes

Owner of 3Q Fitness CrossFit Garland

Sent from my iPhone

> On Aug 25, 2023, at 1:42 PM, Morales, Elisa <EMorales@garlandtx.gov> wrote:
>
> Good afternoon,
>
> Please be advised that your response has been received and recorded.
>
> Regards,
> Elisa Morales
>
> **From:** Garland Downtown Business Owners <businessownersgarlanddowntown@gmail.com>
> **Sent:** Friday, August 25, 2023 12:34 PM
> **To:** Ahmed, Nabiha <NAhmed@garlandtx.gov>; Mayor <mayor@garlandtx.gov>; Council2 <council2@garlandtx.gov>; Morales, Elisa <EMorales@garlandtx.gov>; Guerin, Will <WGuerin@garlandtx.gov>

Cc: info@devidevi.org; InfinityArcade@yahoo.com; bestcowhides@gmail.com; scoopnboba@gmail.com; jaytawat@hotmail.com; Justin Estes <justin@3qfitness.com>; David Nordyke <Buzz@rosalindcoffeetx.com>; Torresbeto@icloud.com; norvellkiddos3@yahoo.com; alice@ayscatering.com
Subject: Z 23-26 Larry Hishmeh. Unified AGAINST votes from Downtown Business Owners

Dear Committee Members, Planning Commision and City Representatives for District 2
Please also forward to Mr. Julius Jenkins as his e-mail is not listed in the city's website

---

We hope this email finds you well. The attached PDF letter conveys the **unified vote AGAINST** the referred zone change proposition in downtown Garland, and which is being considered for a public hearing next Monday August 28, 2023.

The attached letter serves as the cohesive voice of the following businesses and business owners in downtown Garland:

1. **Mr. Roberto Torres,** G.A.M. Torress II LLC dba Fish n Tails Restaurant. 620 Main St.
2. **Mrs Tammy Hanck-Norwell**, Main Street Cafe LLC dba Main Street Cafe. 627 Main St.
3. **Mr. Javier Giribet**, E. Cactus Goods LLC dba Best Cowhides. 602 Main St.
4. **Mrs. Patricia Alonso**, Shakti Love LLC dba Shakti Yoga Center. 604 Main St
5. **Mrs Zoya Elsisura**, Scoop N' Boba. 606 Main St
6. **Mr. Mongkol Tuatison**, The Blue Rat Thai Kitchen. 608 Main St
7. **Mr. Justin Estes**, 3Q Fitness CrossFit Garland. 109 South 6th St
8. **Mrs. Trinidad Mills**, Infinite Arcade Restaurant & Bar. 532 Main St, Suite A
9. **Mrs. Alice Oldenburg**, At Your Service Catering. 601 W State St.
10. **Mrs. Alice Oldenburg**, Tavern on the Square. 601 W State St
11. **Mrs. Annie Barrientes and Aldo Sandoval**, Rosalind Coffee Shop. 107 N. 6th St.

A significant concern for us is the inadequate communication to existing businesses and property owners regarding the proposed food truck application. It's particularly disconcerting that City Council Member Deborah Morris chose to publicly announce this initiative on social media before official notifications were sent. Her public assertions that downtown Garland restaurants enthusiastically were supporting this plan contrasts sharply with our positions and the feedback we've received from our patrons, prompting questions about her genuine motivations. This lack of

transparency has left many stakeholders feeling caught off guard, with limited time to organize a meaningful response for the upcoming public hearing.

Before such a significant change in the zoning for the empty lot at 101 S 6th is considered, we humbly request that concerns of businesses and landlords - the backbone of this community - be taken into account. We would greatly appreciate a more timely dialogue and propose an alternative solution that would be more amenable to all stakeholders involved.

Thank you for taking time to consider our perspective. We look forward to the opportunity for a collaborative discussion on this matter.

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Comment Form

Outside the Notification Area

Case Z 23-26

Z 23-26 Larry Hishmeh. The applicant proposes a mobile food truck park. The site is located at 101 South Sixth Street. (District 2)

Z 23-26 Larry Hishmeh. El solicitante propone un parque móvil de camiones de comida. El sitio está ubicado en 101 South Sixth Street. (Distrito 2)

Z 23-26 Larry Hishmeh. Người nộp đơn đề xuất một bãi đậu xe tải thực phẩm lưu động. Địa điểm tọa lạc tại 101 South Sixth Street. (Quận 2)

Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

☑ For / A Favor / Đúng

☐ Against / En Contra / Không

Please complete the following information and email the form to Planning@garlandtx.gov; deliver to the Planning Department at 800 Main Street Garland, TX; or mail to City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002./ Por favor Complete la siguiente información y envíe el formulario por correo electrónico a Planning@garlandtx.gov; entregar al Departamento de Planificación en 800 Main Street Garland, TX; o envíelo por correo a City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002./ Vui lòng điền đầy đủ thông tin sau và gửi biểu mẫu qua email tới Planning@garlandtx.gov; giao cho Phòng Kế hoạch tại 800 Main Street Garland, TX; hoặc gửi thư đến Thành phố Garland, Sở Kế hoạch, P.O. Hộp 469002 Garland, TX 75406-9002.

Leslee Madrid Office Administrator

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

115 S. Glenbrook Dr.

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland, TX 75040

City, State / Estado de la Ciudad / Thành bang

75040

Zip Code / Código postal / Mã B u Chính

Leslee Madrid

Signature / Firma / Ch ữ ký

5/22/2023

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

Comment Form Continued –
Case Z 23-26

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

Las declaraciones a continuación reflejan mi (nuestra) opinión con respecto a las solicitudes propuestas.

Các tuyên bố dưới đây phản ánh quan điểm của tôi (chúng tôi) về (các) yêu cầu được đề xuất

We'd enjoy being able to get lunch from a food truck every so often.

Comment Form
Case Z 23-26

Z 23-26 Larry Hishmeh. The applicant proposes a mobile food truck park. The site is located at 101 South Sixth Street. (District 2)

Z 23-26 Larry Hishmeh. El solicitante propone un parque móvil de camiones de comida. El sitio está ubicado en 101 South Sixth Street. (Distrito 2)

Z 23-26 Larry Hishmeh. Người nộp đơn đề xuất một bãi đậu xe tải thực phẩm lưu động. Địa điểm tọa lạc tại 101 South Sixth Street. (Quận 2)

Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

☑ For / A Favor / Đúng

☐ Against / En Contra / Không

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Corinne Forbes + Branch Manager + Tenant

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

603 Main Street #101 Garland, Tx 75040

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland, Tx

City, State / Estado de la Ciudad / Thành bang

75040

Zip Code / Código postal / Mã B u Chính

Signature / Firma / Ch ữ ký

8/21/23

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

AUG 28 '23 AM 11:41

Comment Form Continued –
Case Z 23-26

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

Las declaraciones a continuación reflejan mi (nuestra) opinión con respecto a las solicitudes propuestas.

Các tuyên bố dưới đây phản ánh quan điểm của tôi (chúng tôi) về (các) yêu cầu được đề xuất

As a small business in the Square we support this proposal that we believe will elevate downtown Garland!

Zoning Response Case Comments

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 23-26	August 28, 2023	September 19, 2023	Nabiha Ahmed

Z 23-26 Larry Hishmeh. The applicant proposes a mobile food truck park. The site is located at 101 South Sixth Street. (District 2)

Lyla Chustz — **Against**

8/27/2023
3:40:59 PM

330 Faircrest Dr.
Garland
Texas
United States
75040

Ljchustz@yahoo.com
214-7293215

Outside the Notification Area

I have been attending the Yoga studio for 22 months , 3-5 times a week. During this time, there have been numerous issues with the building. It'is old and not well insulated with poor overall upkeep. I believe there will be problems with the noise level coming from customers and the trucks. The fumes from the trucks and generators is also a great concern. Who is responsible for keeping the area picked up., before and after use. Customers can't be relied upon to pick up after themselves. Who will clean up after people have spent the night there? Are you aware that after a tree was cut down behind the Shakti yoga studio the bees swarmed inside the studio. Don't you think that the various food odors, truck exhaust and generator exhaust will be a major factor.? The building is poorly kept and is not a great fit to have food trucks behind it generating environmental issues.

Theresa — **Against**

8/27/2023
3:18:02 PM

514 Monticello Ct
Garland
TX
United States
75043

tesslee9@gmail.com
2145335889

Outside the Notification Area

Pls no exhaust, toxic fumes, even more heat. Why do this to restaurants still standing after Covid and street work?

Patricia Alonso — **AGAINST**

8/25/2023
5:36:56 PM

604 Main St
Garland

shaktigarland@gmail.com
4692236673

TX
United States
75040

Patricia Alonso **AGAINST**

8/25/2023
5:36:54 PM

604 Main St
Garland
TX
United States
75040

shaktigarland@gmail.com

4692236673

Karin Wiseman **For**

8/22/2023
5:17:35 PM

510 Main Street
Garland
Texas
United States
75040

karin@karinwisem.com

4803816933

Highly agree with approving this a zoning case.

Sheetal Patel **For**

8/21/2023
8:48:58 PM

600 Main Street
Garland
Texas
United States
75040

Sdpatel@allstate.com

9122201293

Sheetal Patel **For**

8/21/2023
8:48:58 PM

600 Main Street

Sdpatel@allstate.com

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 23-26	August 28, 2023	September 19, 2023	Nabiha Ahmed

Garland
Texas
United States
75040

9122201293

GARLAND
TEXAS MADE HERE

The applicant requests approval of a Mobile Food Truck Park.

City Council Meeting

September 19, 2023

Z 23-26

GARLAND
TEXAS MADE HERE

CASE INFORMATION

Location: 101 South Sixth Street

Applicant: Larry Hishmeh

Owner: Larry Hishmeh

Acreage: 0.078 acres

Zoning: Downtown District

Z 23-26

GARLAND
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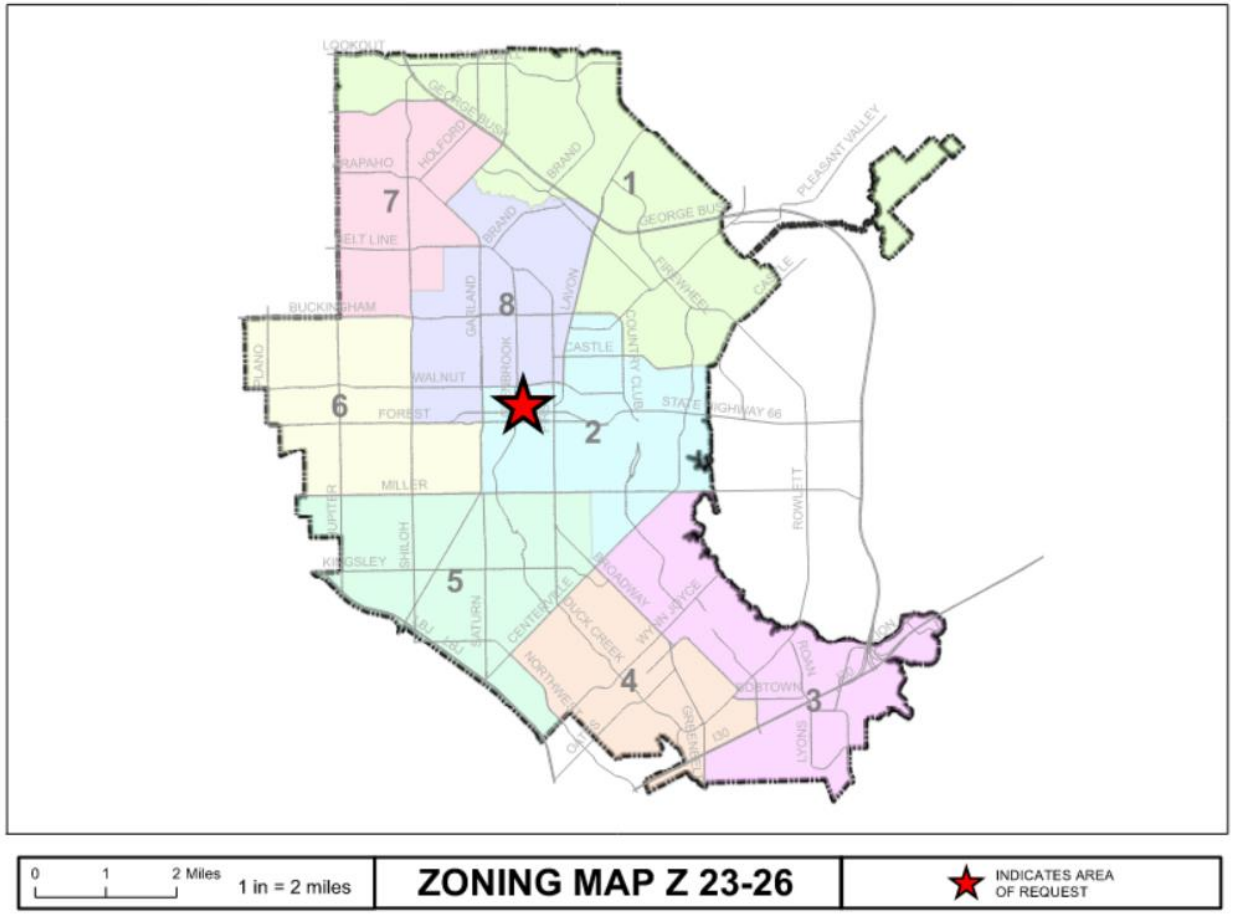
CITYWIDE LOCATION MAP



Z 23-26

GARLAND
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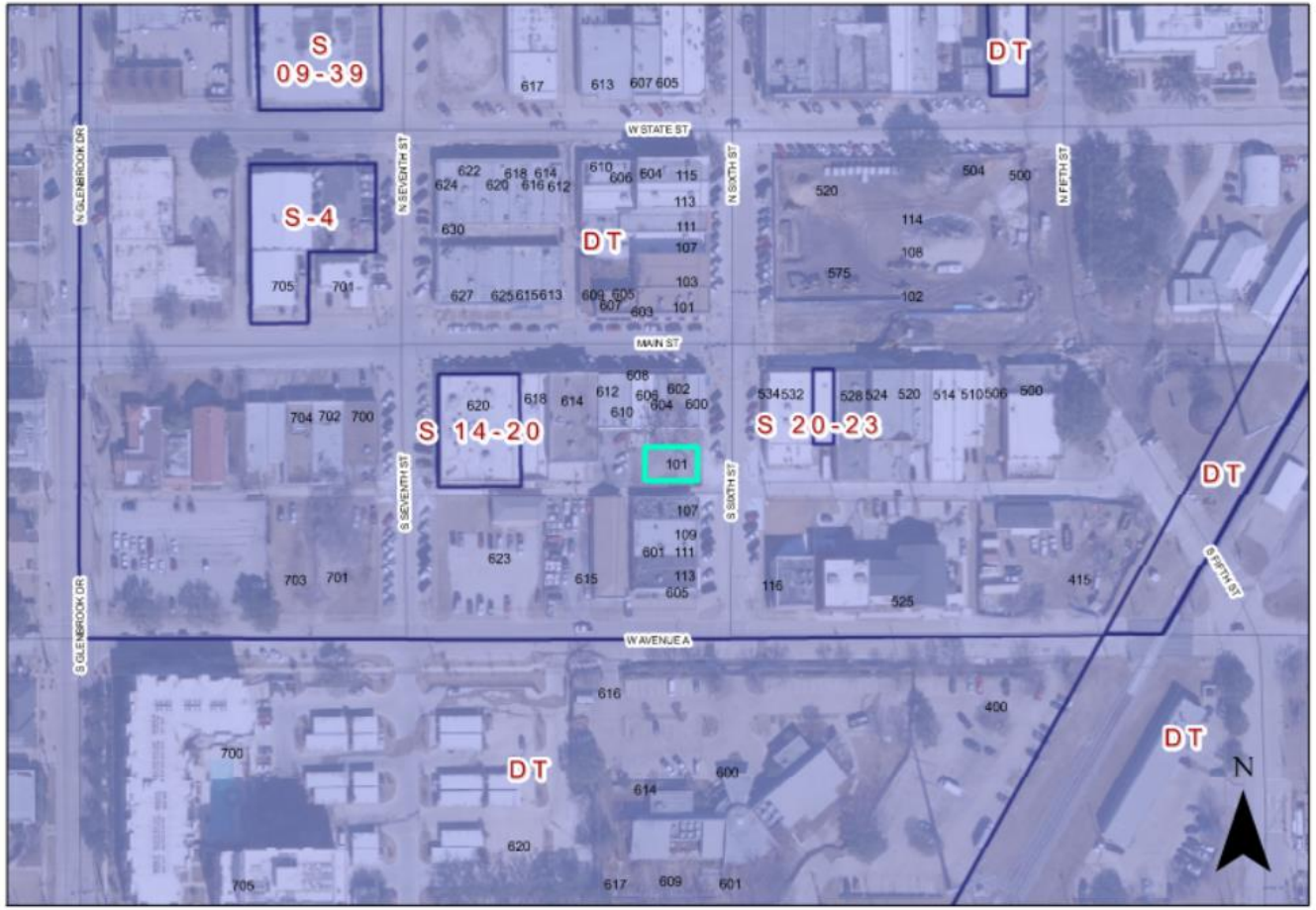
LOCATION MAP



101 South Sixth Street

Z 23-26

GARLAND
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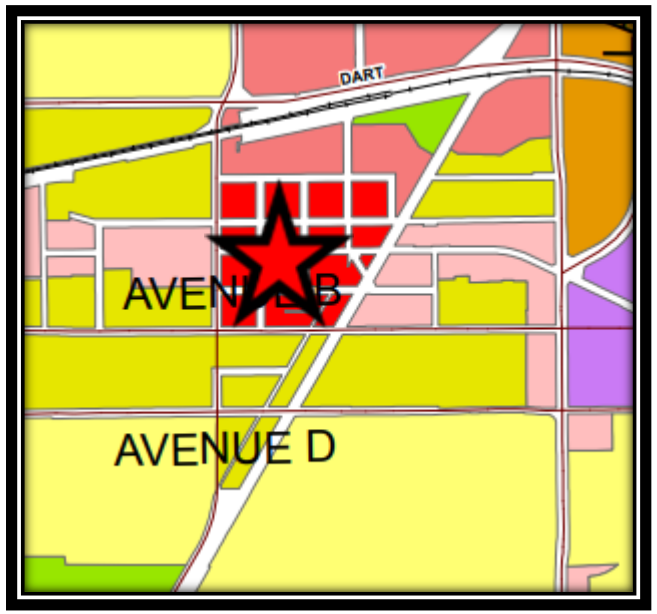
COMPREHENSIVE PLAN



Z 23-26

GARLAND
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COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommend Community Center for the subject site. Community centers are areas with compact development, primarily non-residential, serving a collection of neighborhoods. This type of development consists of a mix of uses, including retail, services, office use, multi-family residential, and entertainment.

The proposal is consistent with the Community Centers designation and may add to the vibrancy of the core Downtown area.

GARLAND
TEXAS MADE HERE

PHOTOS

View of the subject property from South Sixth Street

South of South Sixth Street

GARLAND
TEXAS MADE HERE

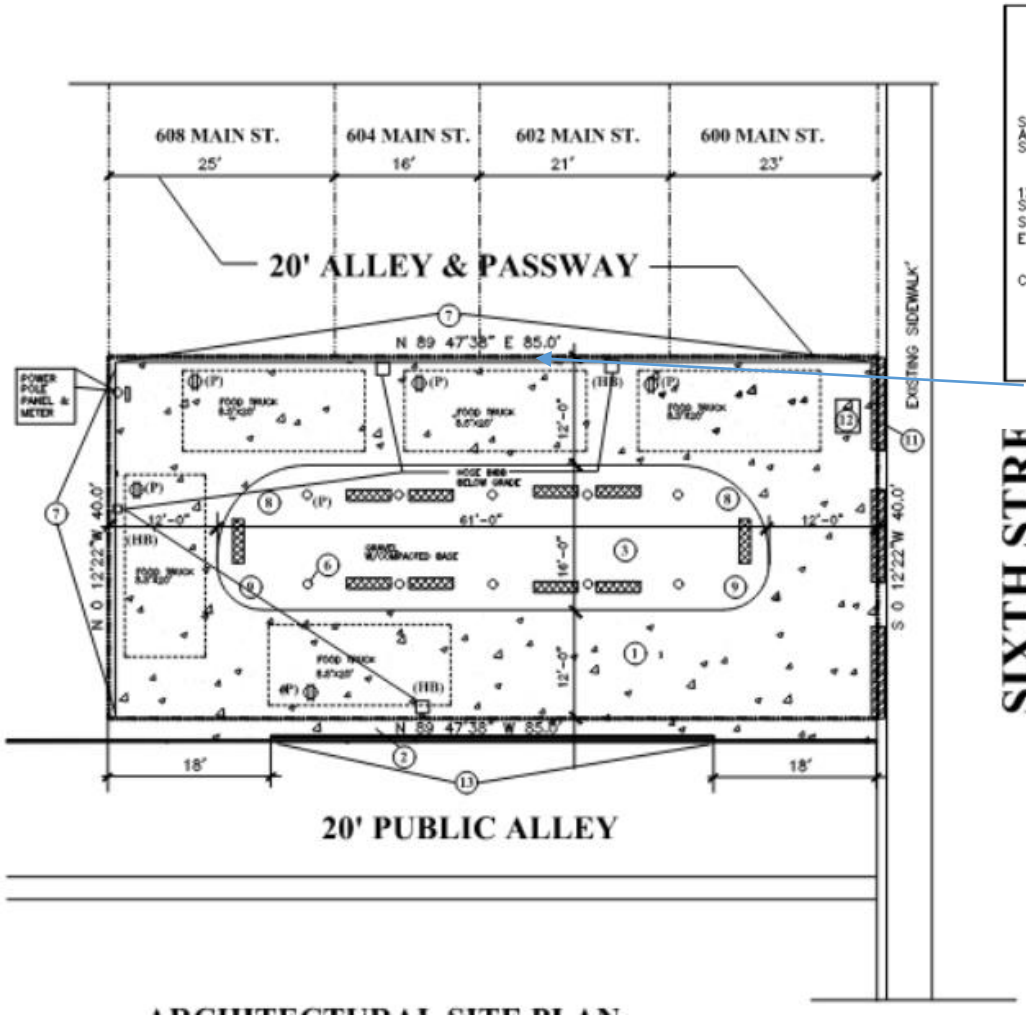
PHOTOS

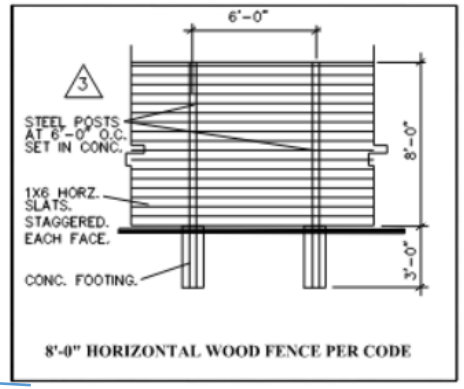
East of the subject property

North of the subject property

GARLAND
TEXAS MADE HERE

SITE PLAN





SIXTH STRE
PLATTED AS FOURTH STREET 70'

Z 23-26

GARLAND
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CONSIDERATION

The applicant initially requested for a ten (10) year Specific Use Provision. However, the applicant is requesting a five (5) year SUP time period per the Plan Commission's recommendation. The SUP Time Period Guide does not have recommended time period for a mobile food truck park.

GARLAND
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STAFF RECOMMENDATION

Approval of a Downtown Development Plan, Major Waiver on a property zoned Downtown District and in the Downtown Historic (DH) Sub-District.

Approval of a Specific Use Provision for a Mobile Food Truck Park.

Approval of a Plan on a property zoned Downtown District and in the Downtown Historic Sub-District.

GARLAND
TEXAS MADE HERE

PLAN COMMISSION RECOMMENDATION

On August 28, 2023 the Plan Commission, by a vote of seven (7) to zero (0), recommended approval of a Downtown Development Plan, Major Waiver for a Mobile Food Truck Park on a property zoned Downtown District and in the Downtown Historic (DH) Sub-District.

The Plan Commission, by a vote of seven (7) to zero (0), recommended approval of a Specific Use Provision for a Mobile Food Truck Park.

In addition, the Plan Commission recommended a five (5) year SUP time period.

GARLAND

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GARLAND
PLANNING REPORT

City Council Regular Session Agenda **15. d.**

Meeting Date: 09/19/2023
Item Title: Z 23-26 Larry Hishmeh - Specific Use Provision (District 2)
Submitted By: Nabiha Ahmed, Lead Development Planner

REQUEST

Approval of a Downtown Development Plan, Major Waiver for a Mobile Food Truck Park on a property zoned Downtown District and in the Downtown Historic (DH) Sub-District.

Approval of a Specific Use Provision for a Mobile Food Truck Park.

LOCATION

101 South Sixth Street

OWNER

Larry Hishmeh

PLAN COMMISSION RECOMMENDATION

On August 28, 2023 the Plan Commission, by a vote of seven (7) to zero (0), recommended approval of a Specific Use Provision for a Mobile Food Truck Park on a property zoned Downtown District and in the Downtown Historic (DH) Sub-District.

The Plan Commission, by a vote of seven (7) to zero (0), recommended approval of a Downtown Development Plan, Major Waiver for a Mobile Food Truck Park.

In addition, the Plan Commission recommended a five (5) year SUP time period.

STAFF RECOMMENDATION

Approval of a Downtown Development Plan, Major Waiver for a Mobile Food Truck Park on a property zoned Downtown District and in the Downtown Historic (DH) Sub-District.

Approval of a Specific Use Provision for a Mobile Food Truck Park.

BACKGROUND

The subject property is currently vacant. The applicant proposes a mobile food truck park, which requires a Specific Use Provision in the Downtown Historic Sub-District of the Downtown (DT) District. In addition, any new development in the Downtown District requires a Downtown Development Plan.

SITE DATA

The site is 0.078 acres. The food trucks can access the site from the southern public alley.

USE OF PROPERTY UNDER CURRENT ZONING

The purpose of the Downtown (DT) district is to establish a pedestrian-oriented district with an infrastructure of streets and buildings that are flexible in terms of use, and that will attract ongoing reinvestment.

The goals of this district are:
(A) To make Downtown viable through:

1. Providing for integrated mixed-use;
2. Embodying LEED-ND (Leadership in Energy and Environmental Design - Neighborhood Development) and LEED building principles;
3. Providing focal open space amenities;
4. Assuring pedestrian and bicycle friendliness; and
5. Minimizing the “heat island” effect of large expanses of paving.

(B) To provide a mixture of residential, retail, entertainment, office and government uses.

(C) To encourage high-quality development by providing a balance of development standards and expedited administrative approvals for projects which meet the intent of this district.

(D) To create standards that ensure an appropriate transition between existing neighborhoods and new development.

CONSIDERATIONS

Specific Use Provision and Downtown Development Plan:

1. The applicant proposes a maximum of five (5) mobile food truck pads and a centralized seating area for customers.

   The GDC defines a Mobile Food Truck Park as a fixed commercial location and permanent development designed to accommodate mobile food preparation vehicles offering food and/or beverages for sale to the public as the primary use of land.

2. The GDC requires permanent restroom facility within a mobile food truck park. The applicant is requesting a Major Waiver to not propose a restroom and instead utilize the new/existing public restroom across South Sixth Street.

3. The parking requirements for the mobile food truck park is determined with the SUP. Additionally, there is no minimum off-street parking requirement within the Downtown Historic (DH) sub-district given its urban environment and high building coverage. The

applicant intends to use the available on-street parking.

The site plan (Exhibit C) also provides a bicycle rack with three (3) spaces.

4. The Downtown District requires street tree wells within the public sidewalk. The applicant is requesting a Major Waiver the landscaping requirements per Section 7.17 of the GDC due to the size of the site. However, a row of large planters are provided along the South Sixth Street sidewalk to create a buffer between the sidewalk and the subject property. Large planters are proposed within the centralized dining area and on every food truck pad as well.

   However, the applicant is proposing an eight (8)-foot horizontal wood privacy fence along the northern perimeter.

5. The applicant initially requested for a ten (10) year Specific Use Provision. However, the applicant has amended the request to a five (5) year SUP time period per the Plan Commission's recommendation. The SUP Time Period Guide does not have recommended time period for a mobile food truck park.

6. The hours of operation will be 9:00 am to 9:00 pm every day of the week.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommend Community Centers for the subject site. Community centers are areas with compact development, primarily non-residential, serving a collection of neighborhoods. This type of development consists of a mix of uses, including retail, services, office use, multi-family residential, and entertainment.

The proposal is consistent with the Community Centers designation and may add to the vibrancy of the core Downtown area.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The surrounding properties are generally in the Downtown (DT) District. These properties are developed with restaurants, a tattoo shop, a bank, automobile repair and other retail use.

Attachments

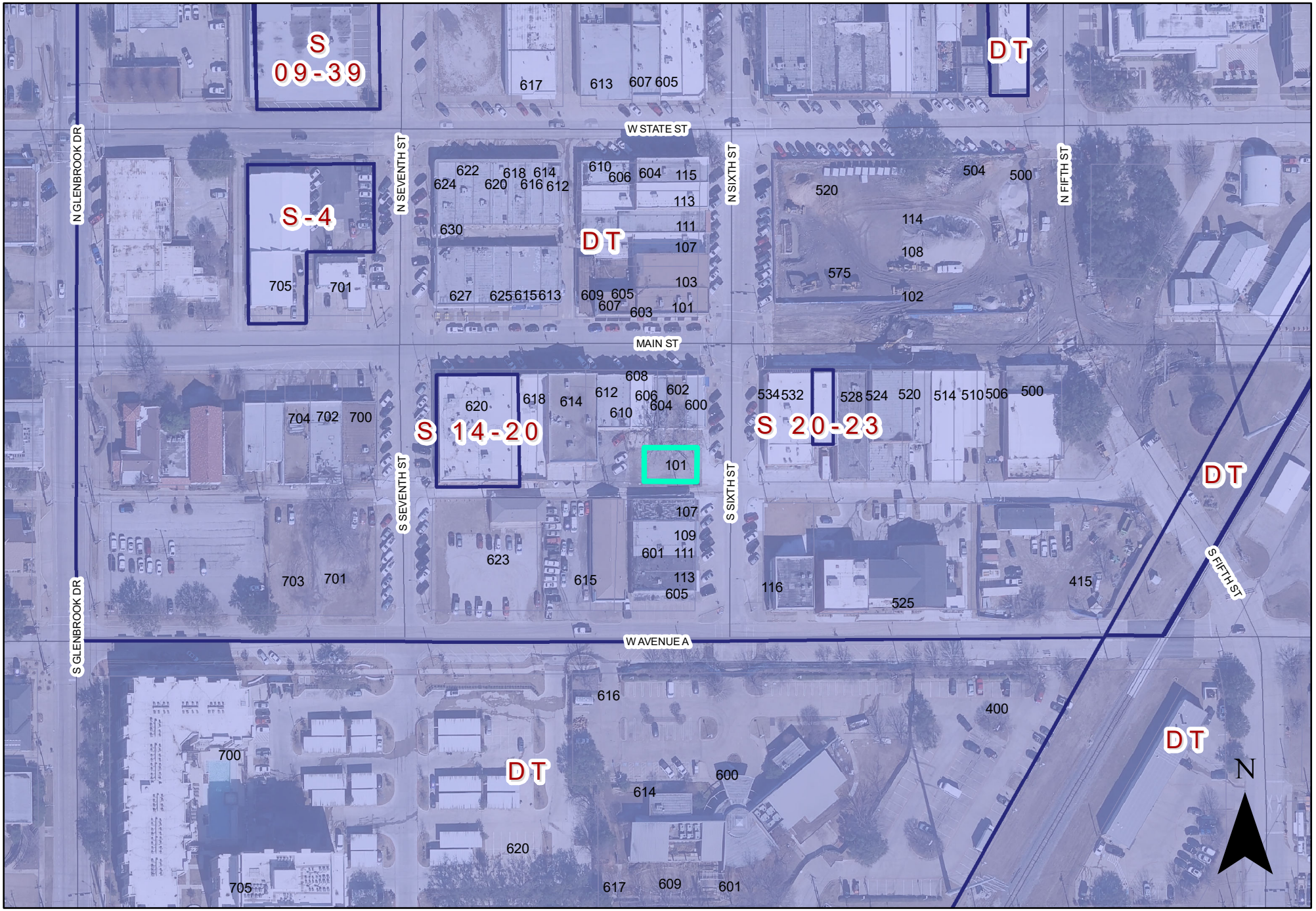
Z 23-26 Location Map

Z 23-26 SUP Conditions

Z 23-26 R&M SUP

Z 23-26 Responses

Z 23-26 Staff Presentation



0 90 180 Feet

1 inch = 142 feet

ZONING MAP Z 23-26

INDICATES AREA OF REQUEST

101 South Sixth Street

SPECIFIC USE PROVISION CONDITIONS

ZONING FILE Z 23-26

101 South Sixth Street

I. Statement of Purpose: The purpose of this Specific Use Provision is to allow a Mobile Food Truck Park.

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 Downtown (DT) District, Downtown Historic Sub-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:

Site Layout: The site shall be in general conformance with the approved Site Plan, Landscape Plan, and Elevations labeled Exhibit C. In the event of conflict between the conditions and the site plan, the written conditions listed below are to apply.

V. Abandonment: In the event the land use for which this Specific Use Provision was granted ("Land Use") is abandoned, the SUP and all rights to the Land Use are automatically terminated, and the premises must be used in conformance with the GDC, federal, and state law.

For the purposes of this Specific Use Provision, Abandonment is any of the following acts:

A. A failure to apply for a site or building permit on the premises, where applicable, within 180 days of the effective date of this SUP;

B. A failure to obtain a certificate of occupancy for the Land use within 730 days of the effective date of this SUP;

C. A failure to commence operating the Land Use on the premises within 90 days of receiving a final certificate of occupancy for the Land Use;

D. Discontinuance of the Land Use for a period of 180 days;

E. Applying for, and receiving, a new Certificate of Occupancy for a use other than the Land Use; or

F. Operating a use on the premises, whether as a primary or secondary use, that is not allowed within the GDC, or by state or federal law.

The termination of utilities on the premises for a period of 180 calendar days is prima facie evidence of abandonment and the owner shall have the burden to prove that the Land Use has not been abandoned.

VI. Specific Regulations:

A. Time Period: The Specific Use Provision shall have a five (5) year time period.

B. Hours of Operation: The hours of operation will be 9:00 am to 9:00 pm every day of the week.

C. Number of food trucks: A maximum of five (5) food trucks shall be permitted on site.

EXHIBIT B

REPORT & MINUTES

P.C. Meeting, August 28, 2023

3e. APPROVED Consideration of the application of **Larry Hishmeh,** requesting approval of a 1) Specific Use Provision for a Mobile Food Truck Park and 2) Major Waiver on a property zoned Downtown District and in the Downtown Historic (DH) Sub-District. This property is located at 101 South Sixth Street (District 2) (Z 23-26 – Specific Use Provision)

The applicant, Larry Hishmeh, 520 Main St., Garland, TX, provided an overview of the request, and remained available for questions.

Commissioner Dalton asked the applicant if he would be providing power, water and sewer as well as the length of time a particular food truck would be able to stay.

The applicant explained that he would be providing power and water but no sewer and that each food truck would have a maximum of one month and then would need to enter the rotation if they wish to return. The applicant further explained that each food truck request he received would first have to be cleared by the Health Department.

Commissioner Rose asked the applicant what the hours of operation would be for the food trucks.

The applicant explained the hours of operation would be 9 a.m. to 9 p.m. to allow those vendors the opportunity to serve during the lunch hours as well as dinner.

Commissioner Jenkins asked the applicant to explain the long-term presence of the food truck concept as he is not familiar with food trucks staying for a long period of time.

The applicant explained that he got the idea of the food truck yard from an existing food truck yard operator in Lower Greenville who shared the one-month rotation idea after he inquired putting his personal food truck at his establishment.

Commissioner Jenkins asked the applicant if he would be willing to consider decreasing the hours of operation, particularly in the evenings, for the food trucks.

The applicant explained that most food trucks work in the evenings and that is when a lot of their business is conducted, so he does not see the food trucks leaving the area before 9 p.m.

Commissioner Aubin asked the applicant if the electric and water connections would be permanent.

The applicant explained that all water and electric connections would be underground to prevent any pipes from freezing as well as from having any tripping hazards with exposed electric cords.

Commissioner Aubin asked the applicant if overnight parking would be allowed.

The applicant explained that it would be up to the food truck operators discretion if they left their food trucks parked overnight taking into consideration the possibility of break-ins.

Commissioner Aubin asked the applicant if he would consider expanding the hours of operation as he feels too many places close too early.

The applicant explained that he agrees that more options are needed later in the evening.

Commissioner Jenkins asked the applicant if he would remain the sole manager of the food truck lot or if he would hire someone else to handle that.

The applicant explained that he would be the only manager of the lot.

Residents speaking in opposition:
Donna Williams, 606 & 608 Main St., Garland, TX
Patricia Alonso, 604 Main St., Garland, TX

Residents speaking in opposition raised concerns on the challenges the existing businesses have experienced during COVID and the downtown construction, environmental concerns, noise concerns, parking issues, excess trash and homeless presence increase as a result of the food trucks.

The Commissioners clarified for the residents that the property owner has a right to develop the property and that there would not be any generators as electricity would be provided by the applicant.

Resident speaking for clarification purposes:
Karin Wiseman, 1332 Rockcreek, Garland, TX

Ms. Wiseman wanted to clarify that as part of the GDBA they were not taking a formal position in regard to this development and were instead allowing each business to express their position individually. Ms. Wiseman explained that the GDBA is separate from the GDBO who circulated an email expressing opposition by several of the businesses downtown.

Resident speaking in favor:
Karin Wiseman, 510 Main St., Garland, TX

Ms. Wiseman expressed excitement over attracting new and more patrons to the downtown area, the idea of rotating food truck options and the lot being put to use instead of being empty.

Resident Jim Griffin, 2409 Lone Oak Trl., Garland, TX, asked what the GDBO stood for.

Chair Roberts asked for Mr. Griffin to privately speak with another resident to get an answer to his question, as the Commission was not aware of what exactly GDBO stood for.

Additional residents speaking in opposition:
Gerardo Hernandez, 606 Main St., Garland, TX
Zarael Castillo, 226 N. 12th St., Garland, TX
Kenneth Johnson, 604 Main St., Garland, TX

Residents speaking in opposition expressed concerns over noise, loss of business due to competing food trucks, wastewater issues and the notification process overall as being rushed.

The Commissioners briefly explained how the notification process on behalf of the Planning Department worked.

The applicant clarified that he too is a business owner in downtown and has also felt the impacts of COVID and the downtown construction and his goal is to help make the downtown area better as he has with his current restaurant.

Chairman Roberts clarified that with regard to the Special Use Provision (SUP), the City Council can revoke it at anytime.

Motion was made by Commissioner Jenkins to close the public hearing. Seconded by Commissioner Rose. **Motion carried**: **7** Ayes, **0** Nays.

There was discussion between the Commissioners regarding the concerns involving food trucks not being new concerns, the potential parking issues, the limited additional potential uses for the location and the length of the SUP.

Motion was made by Commissioner Rose to **approve** the application as presented with an SUP time period of five (5) years. Seconded by Commissioner Jenkins. **Motion carried**: **7** Ayes, **0** Nays.

101 South Sixth Street

Comment Form
Case Z 23-26

Z 23-26 Larry Hishmeh. The applicant proposes a mobile food truck park. The site is located at 101 South Sixth Street. (District 2)

Z 23-26 Larry Hishmeh. El solicitante propone un parque móvil de camiones de comida. El sitio está ubicado en 101 South Sixth Street. (Distrito 2)

Z 23-26 Larry Hishmeh. Người nộp đơn đề xuất một bãi đậu xe tải thực phẩm lưu động. Địa điểm tọa lạc tại 101 South Sixth Street. (Quận 2)

Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

☑ For / A Favor / Đúng

☐ Against / En Contra / Không

Please complete the following information and email the form to Planning@garlandtx.gov; deliver to the Planning Department at 800 Main Street Garland, TX; or mail to City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002./ Por favor Complete la siguiente información y envíe el formulario por correo electrónico a Planning@garlandtx.gov; entregar al Departamento de Planificación en 800 Main Street Garland, TX; o envíelo por correo a City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002./ Vui lòng điền đầy đủ thông tin sau và gửi biểu mẫu qua email tới Planning@garlandtx.gov; giao cho Phòng Kế hoạch tại 800 Main Street Garland, TX; hoặc gửi thư đến Thành phố Garland, Sở Kế hoạch, P.O. Hộp 469002 Garland, TX 75406-9002.

Owner Momentum Tattoo Caitrin Walters

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

532B Main st, Garland Tx

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland Tx

City, State / Estado de la Ciudad / Thành bang

75040

Zip Code / Código postal / Mã B u Chính

Caitrin Walters 8/18/23

Signature / Firma / Ch ữ ký — Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

Comment Form Continued – Case Z 23-26

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

Las declaraciones a continuación reflejan mi (nuestra) opinión con respecto a las solicitudes propuestas.

Các tuyên bố dưới đây phản ánh quan điểm của tôi (chúng tôi) về (các) yêu cầu được đề xuất

We here at Momentum are excited and in total favor. it would be an additional great attraction to downtown.
And we cant wait!

Comment Form
Case Z 23-26

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[X] For / A Favor / Đúng

[ ] Against / En Contra / Không

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Robert K. Smith

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

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107 N. 6th Stuart, 506 Main, 510 Main

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland, Texas

City, State / Estado de la Ciudad / Thành bang

75040

Zip Code / Código postal / Mã B u Chính

Signature / Firma / Ch ữ ký

8/17/23

Date / Fecha / Ngày

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Comment Form Continued –
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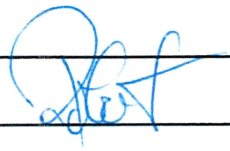
Các tuyên bố dưới đây phản ánh quan điểm của tôi (chúng tôi) về (các) yêu cầu được đề xuất

Food truck park would be perfect for a downtown.
Excellent idea and excellent draw for the area.



~~South Sixth Street. (District 2)~~ CASE Z 23-26

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☑ For / A Favor / Đúng

☐ Against / En Contra / Không

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Jakelyne Alberto / Co-Owner

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

113 N. Sixth St

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland, TX

City, State / Estado de la Ciudad / Thành bang

75040

Zip Code / Código postal / Mã B u Chính

Signature / Firma / Ch ữ ký

8/9/23

Date / Fecha / Ngày

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Donna Williams Manager DKB Global Enterprises

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

606 Main St & 608 Main St.

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland TX

City, State / Estado de la Ciudad / Thành bang

75406

Zip Code / Código postal / Mã B u Chính

Donna Williams 8/22/22

Signature / Firma / Ch ữ ký Date / Fecha / Ngày

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DKB GLOBAL ENTERPRISES LLC.
DONNA WILLIAMS
PO BOX 703
FRISCO, TX 75034

AUG. 22, 2023

RE: APPLICATION - Z 23-26 LARRY HISHMEH

PROPERTY ADDRESS: 606 Main Street and 608 Main Street

CITY OF GARLAND
PLANNING DEPARTMENT
ATTEN: NABIHA AHMED
PO BOX 469002
GARLAND, TX 75406-9006

TO: THE CITY PLANNING DEPARTMENT

I hope this message finds you well. I wanted to address some concerns regarding the potential impact of allowing food trucks in our community. Over the past two years, our current restaurants and businesses have endured significant challenges due to the city's massive construction projects. During this time, many of our local establishments have struggled to maintain their operations and sustain their customer base. It's essential to recognize their perseverance and the resilience they've shown in the face of these difficulties.

As we look towards the future, it's crucial that we prioritize supporting our existing businesses and restaurant owners. Rather than introducing additional competition through food trucks, now is the time to help these establishments get back on their feet and regain their footing. The construction period has already imposed hardships on them, and introducing a new dynamic of competition could further hinder their recovery.

Economic Challenges and Investment Impact: Introducing food trucks can result in direct competition with our local restaurants. Their ability to offer lower prices due to reduced overhead costs can lead to a decrease in revenue for our established eateries. This might even force some businesses to shut down. Moreover, the disparity in regulations and overhead costs creates an uneven playing field, where food trucks can undercut restaurant prices without facing the same financial burdens. This could discourage potential investors from opening new restaurants, seeing the market as challenging and saturated.

Customer Base Dilution and Negative Brand Image: The arrival of food trucks can fragment our customer base. Patrons who would usually dine at local restaurants might opt for the novelty and convenience of food trucks. This shift could reduce foot traffic and overall patronage at our traditional eateries. The innovative and trendy image associated with food trucks might also make our restaurants appear outdated in comparison, leading to a negative brand perception and a decline in overall appeal.

Operational Efficiency and Regulatory Disparities: Food trucks' streamlined menus allow for quick service, which can challenge our restaurants with diverse offerings. Maintaining the same level of efficiency can be

challenging. Additionally, differing regulations for food trucks and restaurants might lead to frustration among restaurant owners advocating for equal scrutiny and standards.

Strain on Relationships and Loyalty Shift: The mobility and flexibility of food trucks could strain relationships between restaurant owners and our local community. The perception of unfair advantages due to their mobility might lead to conflict and tension. Moreover, the variety and novelty offered by food trucks could shift customer loyalty away from traditional restaurants, jeopardizing their long-term viability.

Lack of Stability and Consistency: It's worth considering that the rotating nature of food trucks might lead to an inconsistent dining experience for our community. The absence of fixed operating hours and locations can create uncertainty for patrons seeking reliable dining options. This lack of stability might hinder the development of a consistent and loyal customer base, which is vital for the sustainability of our local businesses.

Environmental Concerns and Sustainability Challenges: Beyond their effects on the restaurant industry, food trucks can have severe environmental impacts that need our consideration. Their limited space can hinder the implementation of eco-friendly practices like recycling and composting, resulting in a larger ecological footprint. Improper wastewater disposal and waste management can lead to water and environmental contamination. Increased traffic from food trucks and their generators can contribute to air and noise pollution, adversely affecting our community's health and wellbeing. Food trucks also have the potential to increase their carbon footprint by using too much energy or producing too much waste. Additionally, because they are operating trucks, they can produce large amounts of gases into the atmosphere.

Urban Disruption and Social Impact: The introduction of food trucks might alter the visual aesthetics of our community, potentially clashing with architectural styles and compromising our unique appeal. Their lack of proper seating arrangements can contribute to congestion, making our urban environment uncomfortable for pedestrians. Furthermore, food trucks' transient nature might hinder the development of a sense of community that traditional restaurants often foster.

Community Disruption and Gentrification: The influx of food trucks, particularly those offering upscale or trendy cuisine, could trigger gentrification in our neighborhoods. Rising property values and changing demographics might lead to the displacement of long-standing residents, altering the social fabric of our community.

Considering all these negative aspects, it is crucial that we thoroughly evaluate the potential impacts of allowing food trucks in our area. Balancing their convenience with the potential harm to our local economy, environment, and community dynamics is essential. I encourage the department to thoroughly assess all aspects and VOTE AGAINST THIS Application Z23-26 LARRY HISHMEH.

Thank you for your time and consideration.

Sincerely,

Donna Williams
Dkb Global Enterprises LLC.
(214) 315-7355

From: Larry Hishmeh
To: Planning Group
Subject: Case Z 23-26
Date: Tuesday, August 22, 2023 12:20:40 PM

Attached please find the complete Comment Form for Case Z 23-26.

I also commented online, I think I may have double dipped but just wanted to make sure I got the comment in!

Karen Wiseman and Trayc Claybrook own two businesses in one address location so we both signed.

CAUTION: This email is from an external source. DO NOT click links or open attachments without verifying the sender. Never enter USERNAME, PASSWORD or SENSITIVE INFORMATION on linked pages from this email. If you are unsure about the message, please contact the Help Desk at x7240 for assistance.

Comment Form
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☒ For / A Favor / Đúng

☐ Against / En Contra / Không

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TheFrocksy / Karin Wiseman Trayc Claybrook owners

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

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510 Main Street

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland, TX 75040

City, State / Estado de la Ciudad / Thành bang

75040

Zip Code / Código postal / Mã B u Chính

8.18.23

Signature / Firma / Ch ữ ký — Date / Fecha / Ngày

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Sent from my iPad

Morales, Elisa

From: Guerin, Will
Sent: Tuesday, August 22, 2023 2:51 PM
To: Morales, Elisa
Subject: FW: 101 S. Sixth Street - Food Truck Park Proposal

Elisa, you can include this in the Z 23-26 responses.

From: Thomas De Nolf <tomdenolf@me.com>
Sent: Tuesday, August 22, 2023 2:49 PM
To: Guerin, Will <WGuerin@garlandtx.gov>
Cc: McNatt, Letecia <LMcnatt@garlandtx.gov>
Subject: Re: 101 S. Sixth Street - Food Truck Park Proposal

Hi Will,

I don't open my mail (I know its weird) so I wanted to connect with you concerning the food truck park for 101 S. Sixth St.

I own 4 buildings in the entertainment district and I am in favor of the food trucks park. I spoke with my tenant at 604 W State St, both tenants at 500 Main st and my tenant at 708 Main St. and all are in favor of the food truck park.

I appreciate all you do for the city. If you need anything else please email, don't snail mail. :)

Tom de Nolf

> On Aug 22, 2023, at 1:39 PM, McNatt, Letecia <LMcnatt@garlandtx.gov> wrote:
>
> Hi Will,
>
> Tom de Nolf is owns several properties in Downtown (500 Main St, 708 Main St, and 716 Main St). He asked that I connect you both via email so that he can share his position on the project proposed at 101 S. Sixth Street.
> I'll let you two take it from here.
>
> Let me know if you need anything else,
> Letecia
>
> **Letecia McNatt**
> Downtown Development Manager
> Convention and Visitors Bureau | City of Garland
> 211 N. Fifth Street
> Garland, TX 75040
> P: 972-205-2370 | C: 469-628-0680
>
> <image001.jpg>

Comment Form
Case Z 23-26

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☐ Against / En Contra / Không

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CATHY CLOPTON

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

610 MAIN ST.

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

GARLAND, TX ~~75040~~

City, State / Estado de la Ciudad / Thành bang

75040

Zip Code / Código postal / Mã B u Chính

Cathy R. Clop

Signature / Firma / Ch ữ ký

8/24/23

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

Comment Form Continued – Case Z 23-26

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Las declaraciones a continuación reflejan mi (nuestra) opinión con respecto a las solicitudes propuestas.

Các tuyên bố dưới đây phản ánh quan điểm của tôi (chúng tôi) về (các) yêu cầu được đề xuất

I LIKE THE CONCEPT VERY MUCH. MY 2 CONCERNS ARE TRASH + PARKING. (WE HAVE A PAVED LOT NEXT TO THIS PROPERTY WITH 5 SPACES — JUST ENOUGH FOR LEE'S.) WEEKEND PARKING IS NORMALLY NOT A PROBLEM (MAYBE DURING JAN-APR — TAX SEASON).

Bestcowhides.com

August 24th, 2023

Attn. Mrs. Nabiha Ahmed

City Planner

City of Garland Planning Department

PO BOX 4690002

Garland Tx 75406-9006

RE: Z 23-26 Larry Hishmeh

Collective Concerns and suggestions regarding the proposal Food Truck Park location.

As the owner of a local business in Downtown Garland for the last three years, I want to express my voice **Opposing the proposed zoning change** for a **Food truck Park at 101 S 6th St. Garland 75040.**

These are my concerns:

-Creation of waist will **increase the homeless to sneak around** the food park zone.

- Benches and shades will invite Homeless to sleep in the food truck park **creating insecurity risk.**

-The Ile between food truck park and my back door will be again, the **storage and WC for homeless.**

-The **infestation of insects, rats and roaches** will be increase with the food truck park.

- The **loosing of parking spaces** for our walk-in customers will impact our sales, with the food truck customers.

-The **trash cans are too small** in downtown square will not be enough for all the trash generated.

There have been several years of struggle for our local economy: The Covid pandemic, Downtown Construction and the inflation had an impact on our sales, making more difficult to our business to pay our bills, lease, taxes, salaries etc. I ask for to **help small business**, so we can continue serving our community.

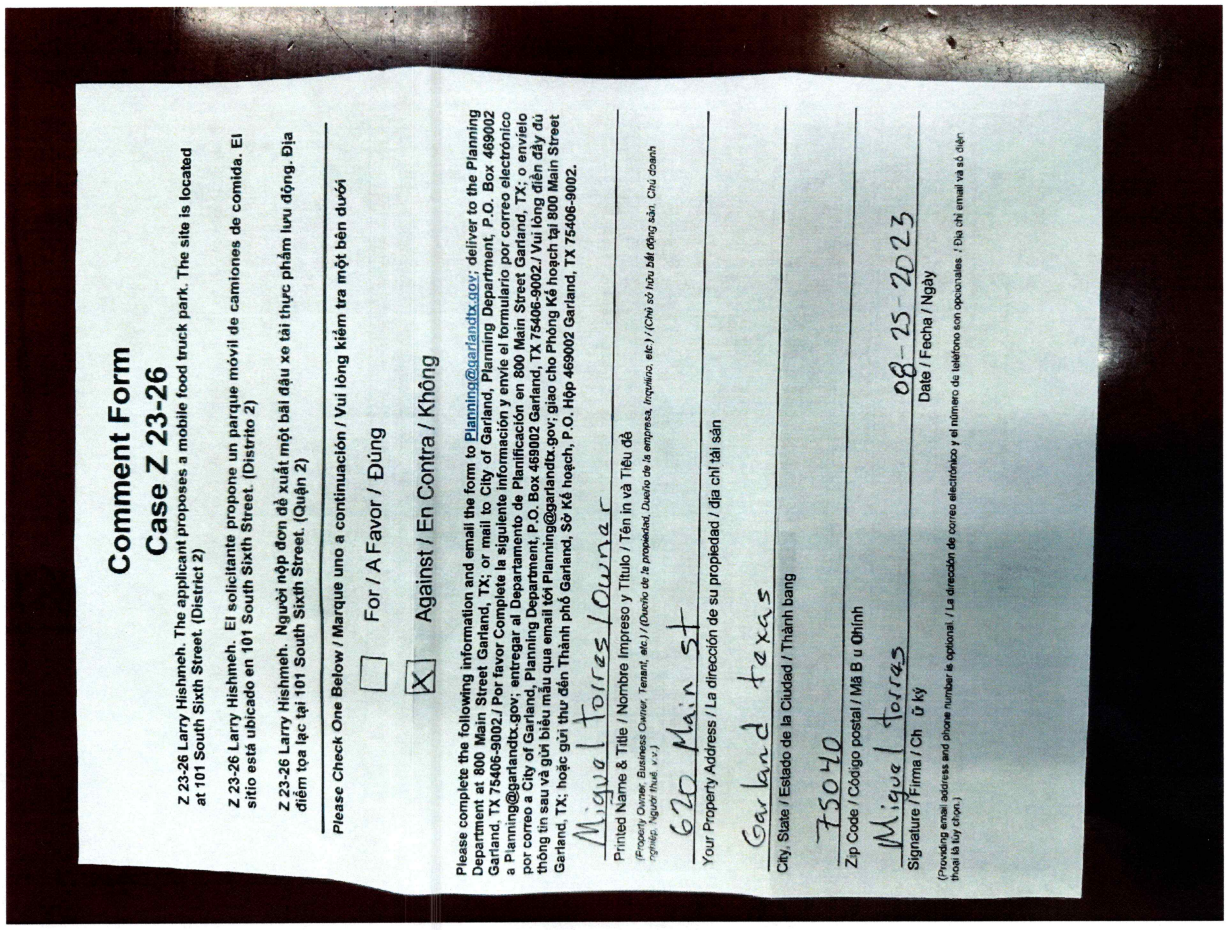
Sincerely

Mr. Javier Giribet

E Cactus goods, LLC
602 Main St.
Garland, TX 75040

dba: Bestcowhides
214-500-8012
bestcowhides@gmail.com

From: Roberto Torres
To: Planning Group
Subject: No food trucks
Date: Friday, August 25, 2023 10:12:57 AM



Comment Form
Case Z 23-26

Z 23-26 Larry Hishmeh. The applicant proposes a mobile food truck park. The site is located at 101 South Sixth Street. (District 2)

Z 23-26 Larry Hishmeh. El solicitante propone un parque móvil de camiones de comida. El sitio está ubicado en 101 South Sixth Street. (Distrito 2)

Z 23-26 Larry Hishmeh. Người nộp đơn đề xuất một bãi đậu xe tải thực phẩm lưu động. Địa điểm tọa lạc tại 101 South Sixth Street. (Quận 2)

Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

☐ For / A Favor / Đúng

☒ Against / En Contra / Không

Please complete the following information and email the form to Planning@garlandtx.gov; deliver to the Planning Department at 800 Main Street Garland, TX; or mail to City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002./ Por favor Complete la siguiente información y envíe el formulario por correo electrónico a Planning@garlandtx.gov; entregar al Departamento de Planificación en 800 Main Street Garland, TX; o envíelo por correo a City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002./ Vui lòng điền đầy đủ thông tin sau và gửi biểu mẫu qua email tới Planning@garlandtx.gov; giao cho Phòng Kế hoạch tại 800 Main Street Garland, TX; hoặc gửi thư đến Thành phố Garland, Sở kế hoạch, P.O. Hộp 469002 Garland, TX 75406-9002.

Miguel Torres / Owner

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề
(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

620 Main st

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland Texas

City, State / Estado de la Ciudad / Thành bang

75040

Zip Code / Código postal / Mã B u Chính

Miguel Torres

Signature / Firma / Ch ữ ký

08-25-2023

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

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Morales, Elisa

From: Garland Downtown Business Owners <businessownersgarlanddowntown@gmail.com>
Sent: Friday, August 25, 2023 12:34 PM
To: Ahmed, Nabiha; Mayor; Council2; Morales, Elisa; Guerin, Will
Cc: info@devidevi.org; InfinityArcade@yahoo.com; bestcowhides@gmail.com; scoopnboba@gmail.com; jaytawat@hotmail.com; Justin Estes; David Nordyke; Torresbeto@icloud.com; norvellkiddos3@yahoo.com; alice@ayscatering.com
Subject: Z 23-26 Larry Hishmeh. Unified AGAINST votes from Downtown Business Owners
Attachments: Z 23-26 for 101 Sout St.pdf

Dear Committee Members, Planning Commision and City Representatives for District 2
Please also forward to Mr. Julius Jenkins as his e-mail is not listed in the city's website

---

We hope this email finds you well. The attached PDF letter conveys the **unified vote AGAINST** the referred zone change proposition in downtown Garland, and which is being considered for a public hearing next Monday August 28, 2023.

The attached letter serves as the cohesive voice of the following businesses and business owners in downtown Garland:

- **Mr. Roberto Torres,** G.A.M. Torress II LLC dba Fish n Tails Restaurant. 620 Main St.
- **Mrs Tammy Hanck-Norwell**, Main Street Cafe LLC dba Main Street Cafe. 627 Main St.
- **Mr. Javier Giribet**, E. Cactus Goods LLC dba Best Cowhides. 602 Main St.
- **Mrs. Patricia Alonso**, Shakti Love LLC dba Shakti Yoga Center. 604 Main St
- **Mrs Zoya Elsisura**, Scoop N' Boba. 606 Main St
- **Mr. Mongkol Tuatison**, The Blue Rat Thai Kitchen. 608 Main St
- **Mr. Justin Estes**, 3Q Fitness CrossFit Garland. 109 South 6th St
- **Mrs. Trinidad Mills**, Infinite Arcade Restaurant & Bar. 532 Main St, Suite A
- **Mrs. Alice Oldenburg**, At Your Service Catering. 601 W State St. OUTSIDE OF NOTIFICATION AREA
- **Mrs. Alice Oldenburg**, Tavern on the Square. 601 W State St
- **Mrs. Annie Barrientes and Aldo Sandoval**, Rosalind Coffee Shop. 107 N. 6th St.

A significant concern for us is the inadequate communication to existing businesses and property owners regarding the proposed food truck application. It's particularly disconcerting that City Council Member Deborah Morris chose to publicly announce this initiative on social media before official notifications were sent. Her public assertions that downtown Garland restaurants enthusiastically were supporting this plan contrasts sharply with our positions and the feedback we've received from our patrons, prompting questions about her genuine motivations. This lack of

transparency has left many stakeholders feeling caught off guard, with limited time to organize a meaningful response for the upcoming public hearing.

Before such a significant change in the zoning for the empty lot at 101 S 6th is considered, we humbly request that concerns of businesses and landlords - the backbone of this community - be taken into account. We would greatly appreciate a more timely dialogue and propose an alternative solution that would be more amenable to all stakeholders involved.

Thank you for taking time to consider our perspective. We look forward to the opportunity for a collaborative discussion on this matter.

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Friday, August 25th 2023

ATT'N: Mrs. Nabiha Ahmed
City Planner for the City of Garland Planning Department
PO BOX 469002
Garland, TX 75406-9006

c.c. Scott LeMay, Mayor
c.c. Deborah Morris, City Council District 2
c.c. Julius Jenkins, Plan commission District 2

RE: Z 23-26 Larry Hishmeh.
Collective Concerns and Suggestions Regarding the Proposed Food Truck Park Location

Dear Mrs. Ahmed et al:

We, a collective of local business owners operating within downtown Garland, extend our unified concerns about the proposed food truck park. Our establishments, deeply rooted in the community, have weathered challenges from the pandemic to the city's downtown infrastructure projects for the past 3 years. These challenges have tested our resilience and affected patron loyalty, owing to disruptions, excessive noise and limited parking access.

Our shops and restaurants have dedicated years to serving our community, considering both employment opportunities and quality services. We cherish and remain steadfast in supporting our city's growth, diversity, and evolving culinary scene, but the proposed permanent location of a food truck park presents several concerns for our businesses, including:

- **Unfair Competition**: Food trucks generally have lower overhead costs compared to our restaurants. This could introduce a skewed competitive landscape. They do not have to pay rent for a large space, maintain extensive facilities or utilities, or employ as many staff members as we do. This can allow them to offer competitive pricing, potentially drawing customers away from our establishments.
- **Parking & Traffic Issues:** An influx of vehicles and visitors will exacerbate the already limited parking resources in Downtown and accentuate traffic challenges. We just lost 4 parking spaces on Main St., which are being converted to flower beds. The constant flow of customers parking in those limited spaces, will discourage our regulars from visiting due to inconvenience or lack of accessibility. If potential diners struggle to find parking because of food trucks, they might opt to dine elsewhere.
- **Novelty factor**: The singularity of food trucks, coupled with their often diverse and rotating menus, can attract customers seeking new and unique dining experiences. This can be especially challenging for our restaurants if we are unable to frequently update our offerings or provide a similarly novel dining experience.
- **Transient Nature**: Our brick-and-mortar establishments contribute to the local community's long-term growth by creating stable jobs and paying consistent local taxes. In contrast, the transient nature of food trucks means they might not have the same level of long-term commitment to our local community in Garland.

- **Perceived Value:** Because of their mobility and typically lower prices, food trucks can sometimes be perceived as offering better value for money. This perception, whether accurate or not, can draw price-sensitive customers away from our traditional establishments.

Environmental and safety issues also arise:

- **Environmental hazards:** one pressing issue about food truck parks is the pollution arising from generators used by these mobile vendors. Carbon monoxide fumes emitted from these generators are not just environmentally detrimental, but they also pose serious health risks. Both residents and workers in our nearby buildings could be exposed to these harmful emissions, further exacerbating health concerns.
- **Emissions:** Food trucks run on gasoline or diesel fuel. The combustion of these fuels releases greenhouse gases into the atmosphere, contributing to global climate change.
- **Excess waste and littering:** The increase in foot traffic and consumption of food on-the-go will create excess trash from use of single use disposable plates, cups, cutlery, and containers. While some may argue that proper waste management will be implemented at this proposed park, studies have shown that such establishments often lead to an increase in littering around their vicinity, increasing health risks associated with attracting pests such as rodents or insects and tarnishing the aesthetic appeal of the city. At the end of the day, the reality is that only those of us at the front stores from 600-608 Main will be left with the responsibility to clean and constantly fumigate for pest control.
- **Potential for Oil and Grease Spillage:** Cooking and operating kitchen equipment can lead to accidental spills of oils and greases. If not managed properly, these can seep into the ground, contaminating soil and potentially reaching our water sources.
- **Utilities strains:** By converging several food trucks in a single location, they will connect to local utilities for power or water, adding a strain to these systems in Downtown.
- **Potential for a propane explosion:** While these mobile eateries offer a diverse culinary experience, the safety implications of having propane-fueled kitchens near bustling pedestrian areas cannot be ignored. Propane, being a highly flammable gas, has inherent risks, especially when contained within the confined space of a truck. The tragic incidents in Philadelphia (2014), Forestdale (2021), Portland (2018), South end Charlotte (2019), San Marcos (2020) and many other, serve as a stark reminder of the potential consequences. Although such incidents might be statistically rare, the repercussions are profound, endangering lives and causing significant property damage. We must carefully weigh the culinary benefits against the heightened risks to public safety and judiciously decide if the risk of potentially blow our historic downtown overweights the benefits.
- **Homeless:** Lastly, establishing a food truck park may exacerbate existing homeless issues within our community in downtown. While it is important to support those experiencing homelessness through appropriate channels such as shelters or social services programs, concentrating multiple food vendors at one location may inadvertently attract individuals who are unable or unwilling to access these resources properly.

We **collectively propose that the empty lot at 101 South 6th St. be considered for a public parking facility.** This would address existing accessibility concerns, while boosting the commercial vibrancy of our downtown.

It is essential to clarify that we are not universally opposed to food trucks. Our concerns are permanency and location specific. Indeed, during special events, concerts, festivals, and other occasions drawing significant crowds, we fully endorse the presence of food trucks parked around the main square. These events naturally attract a larger number of visitors, creating a fitting environment for diverse food offerings that cater to a broad spectrum of tastes.

In conclusion, while some may see this project as an exciting addition to downtown, those of us who operate nearby businesses understand the potential negative impact it can have on our daily operations and the community. Our collective goal is to find harmonious options that cater to the broader community's benefit.

We appeal to the City of Garland's Planning Department to consider the long-term impacts on established businesses that have tirelessly served the community. We aim for solutions fostering mutual growth, maintaining Garland's downtown essence, and ensuring its prosperity.

We trust in your understanding and earnestly hope for a resolution that upholds the city's vibrant character.

Warm regards,

- **Mr. Roberto Torres,** G.A.M. Torress II LLC dba Fish n Tails Restaurant. 620 Main St.
- **Mrs Tammy Hanck-Norwell**, Main Street Cafe LLC dba Main Street Cafe. 627 Main St.
- **Mr. Javier Giribet**, E. Cactus Goods LLC dba Best Cowhides. 602 Main St.
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- **Mrs. Alice Oldenburg**, Tavern on the Square. 601 W State St
- **Mrs. Annie Barrientes and Aldo Sandoval**, Rosalind Coffee Shop. 107 N. 6th St.

Morales, Elisa

From: Shakti Yoga Center <shaktigarland@gmail.com>
Sent: Friday, August 25, 2023 1:36 PM
To: Mayor; Council2; Morales, Elisa; Guerin, Will; Ahmed, Nabiha
Subject: RE Z23-26 Larry Hishmeh. - AGAINST

Dear Mrs Ahmed and Zoning Planning Commission for District 2:

My name is Patricia Alonso. I'm a licensed massage therapist, certified yoga therapist and Licensed Massage Educator, and I own the yoga studio/holistic center at 604 Main St.

First and foremost, let me share my personal story. I've been a Garland resident for 23 years. I have poured all my savings, passion and countless hours of work into establishing and maintaining my business here in Garland for the past 7 years. It has been a labor of love that has allowed me to contribute to the local economy, and support residents in need of alternative healing methods, while providing for myself and my employees.

I'm a minority small business owner, and have worked hard to stay open, struggling due to closures during covid, and later waiting 2 years for the downtown construction to be finished. I also had a massage studio at 613 Main which operated successfully for 5 years, but the construction negatively impacted my patrons, since they didn't want to deal with the detours, lack of parking and extra noise. So, I had to permanently close it three months ago.

I've always held a deep appreciation for the tight-knit community we've fostered in Garland. While restaurants undeniably play a crucial role in drawing visitors, a vibrant downtown also benefits from a diverse mix of establishments such as galleries, shops, antiques, yoga centers, gyms, etc. My shop has been a sanctuary for 7 years, hosting individuals to escape, recharge, and find respite from the hectic pace of daily life, and despite facing financial challenges over the past three years, I've remained committed to our community, hopeful for the opportunities on the horizon.

A food truck park right in the backyard of my remaining business will directly affect my livelihood as a business owner, plus the well-being of my patrons. In addition to the impact on public health, since most food trucks often offer limited healthy options while predominantly serving fast food or fried dishes high in calories, the increased noise levels, unwanted food smells and hazardous fumes from generators, will disrupt my operations and potentially harm my clients. Older buildings like mine at 604 Main, are more susceptible to infiltration of smells, fumes and carbon monoxide vapors which can compromise indoor air quality.

Furthermore, the increase in foot traffic and consumption of food on-the-go will create excess trash and exacerbate existing homeless issues. While some may argue that proper waste management will be implemented at this proposed park, the reality is that only those of us at the front stores from 600-608 Main will be left with the responsibility to clean.

Moreover, introducing a dedicated space for food trucks will inevitably result in reduced parking availability for local businesses' patrons. We lost 4 parking spaces on Main St., which are being converted to flower beds. The constant flow of customers parking in those limited spaces, will discourage my regulars from visiting due to inconvenience or lack of accessibility.

To clarify, I fully support economic growth in downtown. Over the years, we've successfully coordinated with numerous concerts, events, and bustling crowds, even encouraging our clients to join in. I understand that downtown won't always be quiet. However, the proposed food truck will attract significant crowds on a daily basis to a compact area directly behind my studio, posing a detrimental quality of our services.

We can keep welcoming food trucks during special events, concerts, festivals, etc., and have them parked around the square, just like they did before the construction started.

I implore you to stand behind the resilience of local brick-and-mortar vendors who have weathered the challenges of the pandemic and two years of construction. Transforming that vacant lot into additional parking—something visitors have already grown accustomed to—would be a more beneficial and supportive gesture for all.

--
Kind regards

Patricia Alonso
Founder and Managing Director, LMT, E-RYT 500HR
Shakti Yoga Center
Call or Text: 469.223.6673

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Morales, Elisa

From: Justin Estes <justin@3qfitness.com>
Sent: Monday, August 28, 2023 12:01 PM
To: Morales, Elisa
Subject: Re: Z 23-26 Larry Hishmeh. Unified AGAINST votes from Downtown Business Owners

I'd like to advise that the letter sent doesn't accurately capture how I, or my business, feel about the food truck proposal.

My only concerns are

1. Plan for possible overflow of foot traffic with popular food trucks, is there a plan for that? Ex: "Food Truck A" is very popular and bring a 50 people an hour, and people are wanting to hangout. Where will they spill over to? Is there going to be a site manager to make sure patrons don't hangout in the alley or sit on the window ledge of our businesses at 6th and Ave A.

2. Is Larry going to be providing oversight for the property or a property manager to make sure the lot is kept clean, that the impact on neighboring businesses isn't a burden, etc.

As far as the desire for it to be parking or other things listed I am not in direct support of those items. I wanted to clarify that.

Best,

Justin Estes

Owner of 3Q Fitness CrossFit Garland

Sent from my iPhone

> On Aug 25, 2023, at 1:42 PM, Morales, Elisa <EMorales@garlandtx.gov> wrote:
>
> Good afternoon,
>
> Please be advised that your response has been received and recorded.
>
> Regards,
> Elisa Morales
>
> **From:** Garland Downtown Business Owners <businessownersgarlanddowntown@gmail.com>
> **Sent:** Friday, August 25, 2023 12:34 PM
> **To:** Ahmed, Nabiha <NAhmed@garlandtx.gov>; Mayor <mayor@garlandtx.gov>; Council2 <council2@garlandtx.gov>; Morales, Elisa <EMorales@garlandtx.gov>; Guerin, Will <WGuerin@garlandtx.gov>

Cc: info@devidevi.org; InfinityArcade@yahoo.com; bestcowhides@gmail.com; scoopnboba@gmail.com; jaytawat@hotmail.com; Justin Estes <justin@3qfitness.com>; David Nordyke <Buzz@rosalindcoffeetx.com>; Torresbeto@icloud.com; norvellkiddos3@yahoo.com; alice@ayscatering.com
Subject: Z 23-26 Larry Hishmeh. Unified AGAINST votes from Downtown Business Owners

Dear Committee Members, Planning Commision and City Representatives for District 2
Please also forward to Mr. Julius Jenkins as his e-mail is not listed in the city's website

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2. **Mrs Tammy Hanck-Norwell**, Main Street Cafe LLC dba Main Street Cafe. 627 Main St.
3. **Mr. Javier Giribet**, E. Cactus Goods LLC dba Best Cowhides. 602 Main St.
4. **Mrs. Patricia Alonso**, Shakti Love LLC dba Shakti Yoga Center. 604 Main St
5. **Mrs Zoya Elsisura**, Scoop N' Boba. 606 Main St
6. **Mr. Mongkol Tuatison**, The Blue Rat Thai Kitchen. 608 Main St
7. **Mr. Justin Estes**, 3Q Fitness CrossFit Garland. 109 South 6th St
8. **Mrs. Trinidad Mills**, Infinite Arcade Restaurant & Bar. 532 Main St, Suite A
9. **Mrs. Alice Oldenburg**, At Your Service Catering. 601 W State St.
10. **Mrs. Alice Oldenburg**, Tavern on the Square. 601 W State St
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Thank you for taking time to consider our perspective. We look forward to the opportunity for a collaborative discussion on this matter.

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Comment Form

Outside the Notification Area

Case Z 23-26

Z 23-26 Larry Hishmeh. The applicant proposes a mobile food truck park. The site is located at 101 South Sixth Street. (District 2)

Z 23-26 Larry Hishmeh. El solicitante propone un parque móvil de camiones de comida. El sitio está ubicado en 101 South Sixth Street. (Distrito 2)

Z 23-26 Larry Hishmeh. Người nộp đơn đề xuất một bãi đậu xe tải thực phẩm lưu động. Địa điểm tọa lạc tại 101 South Sixth Street. (Quận 2)

Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

☑ For / A Favor / Đúng

☐ Against / En Contra / Không

Please complete the following information and email the form to Planning@garlandtx.gov; deliver to the Planning Department at 800 Main Street Garland, TX; or mail to City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002./ Por favor Complete la siguiente información y envíe el formulario por correo electrónico a Planning@garlandtx.gov; entregar al Departamento de Planificación en 800 Main Street Garland, TX; o envíelo por correo a City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002./ Vui lòng điền đầy đủ thông tin sau và gửi biểu mẫu qua email tới Planning@garlandtx.gov; giao cho Phòng Kế hoạch tại 800 Main Street Garland, TX; hoặc gửi thư đến Thành phố Garland, Sở Kế hoạch, P.O. Hộp 469002 Garland, TX 75406-9002.

Leslee Madrid Office Administrator

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

115 S. Glenbrook Dr.

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland, TX 75040

City, State / Estado de la Ciudad / Thành bang

75040

Zip Code / Código postal / Mã B u Chính

Leslee Madrid

Signature / Firma / Ch ữ ký

5/22/2023

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

Comment Form Continued –
Case Z 23-26

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

Las declaraciones a continuación reflejan mi (nuestra) opinión con respecto a las solicitudes propuestas.

Các tuyên bố dưới đây phản ánh quan điểm của tôi (chúng tôi) về (các) yêu cầu được đề xuất

We'd enjoy being able to get lunch from a food truck every so often.

Comment Form
Case Z 23-26

Z 23-26 Larry Hishmeh. The applicant proposes a mobile food truck park. The site is located at 101 South Sixth Street. (District 2)

Z 23-26 Larry Hishmeh. El solicitante propone un parque móvil de camiones de comida. El sitio está ubicado en 101 South Sixth Street. (Distrito 2)

Z 23-26 Larry Hishmeh. Người nộp đơn đề xuất một bãi đậu xe tải thực phẩm lưu động. Địa điểm tọa lạc tại 101 South Sixth Street. (Quận 2)

Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

☑ For / A Favor / Đúng

☐ Against / En Contra / Không

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Corinne Forbes + Branch Manager + Tenant

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

603 Main Street #101 Garland, Tx 75040

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland, Tx

City, State / Estado de la Ciudad / Thành bang

75040

Zip Code / Código postal / Mã B u Chính

Signature / Firma / Ch ữ ký

8/21/23

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

AUG 28 '23 AM 11:41

Comment Form Continued –
Case Z 23-26

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

Las declaraciones a continuación reflejan mi (nuestra) opinión con respecto a las solicitudes propuestas.

Các tuyên bố dưới đây phản ánh quan điểm của tôi (chúng tôi) về (các) yêu cầu được đề xuất

As a small business in the Square we support this proposal that we believe will elevate downtown Garland!

Zoning Response Case Comments

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 23-26	August 28, 2023	September 19, 2023	Nabiha Ahmed

Z 23-26 Larry Hishmeh. The applicant proposes a mobile food truck park. The site is located at 101 South Sixth Street. (District 2)

Lyla Chustz — **Against**

8/27/2023
3:40:59 PM

330 Faircrest Dr.
Garland
Texas
United States
75040

Ljchustz@yahoo.com
214-7293215

Outside the Notification Area

I have been attending the Yoga studio for 22 months , 3-5 times a week. During this time, there have been numerous issues with the building. It'is old and not well insulated with poor overall upkeep. I believe there will be problems with the noise level coming from customers and the trucks. The fumes from the trucks and generators is also a great concern. Who is responsible for keeping the area picked up., before and after use. Customers can't be relied upon to pick up after themselves. Who will clean up after people have spent the night there? Are you aware that after a tree was cut down behind the Shakti yoga studio the bees swarmed inside the studio. Don't you think that the various food odors, truck exhaust and generator exhaust will be a major factor.? The building is poorly kept and is not a great fit to have food trucks behind it generating environmental issues.

Theresa — **Against**

8/27/2023
3:18:02 PM

514 Monticello Ct
Garland
TX
United States
75043

tesslee9@gmail.com
2145335889

Outside the Notification Area

Pls no exhaust, toxic fumes, even more heat. Why do this to restaurants still standing after Covid and street work?

Patricia Alonso — **AGAINST**

8/25/2023
5:36:56 PM

604 Main St
Garland

shaktigarland@gmail.com
4692236673

TX
United States
75040

Patricia Alonso **AGAINST**

8/25/2023
5:36:54 PM

604 Main St
Garland
TX
United States
75040

shaktigarland@gmail.com

4692236673

Karin Wiseman **For**

8/22/2023
5:17:35 PM

510 Main Street
Garland
Texas
United States
75040

karin@karinwisem.com

4803816933

Highly agree with approving this a zoning case.

Sheetal Patel **For**

8/21/2023
8:48:58 PM

600 Main Street
Garland
Texas
United States
75040

Sdpatel@allstate.com

9122201293

Sheetal Patel **For**

8/21/2023
8:48:58 PM

600 Main Street

Sdpatel@allstate.com

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 23-26	August 28, 2023	September 19, 2023	Nabiha Ahmed

Garland
Texas
United States
75040

9122201293

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The applicant requests approval of a Mobile Food Truck Park.

City Council Meeting

September 19, 2023

Z 23-26

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CASE INFORMATION

Location: 101 South Sixth Street

Applicant: Larry Hishmeh

Owner: Larry Hishmeh

Acreage: 0.078 acres

Zoning: Downtown District

Z 23-26

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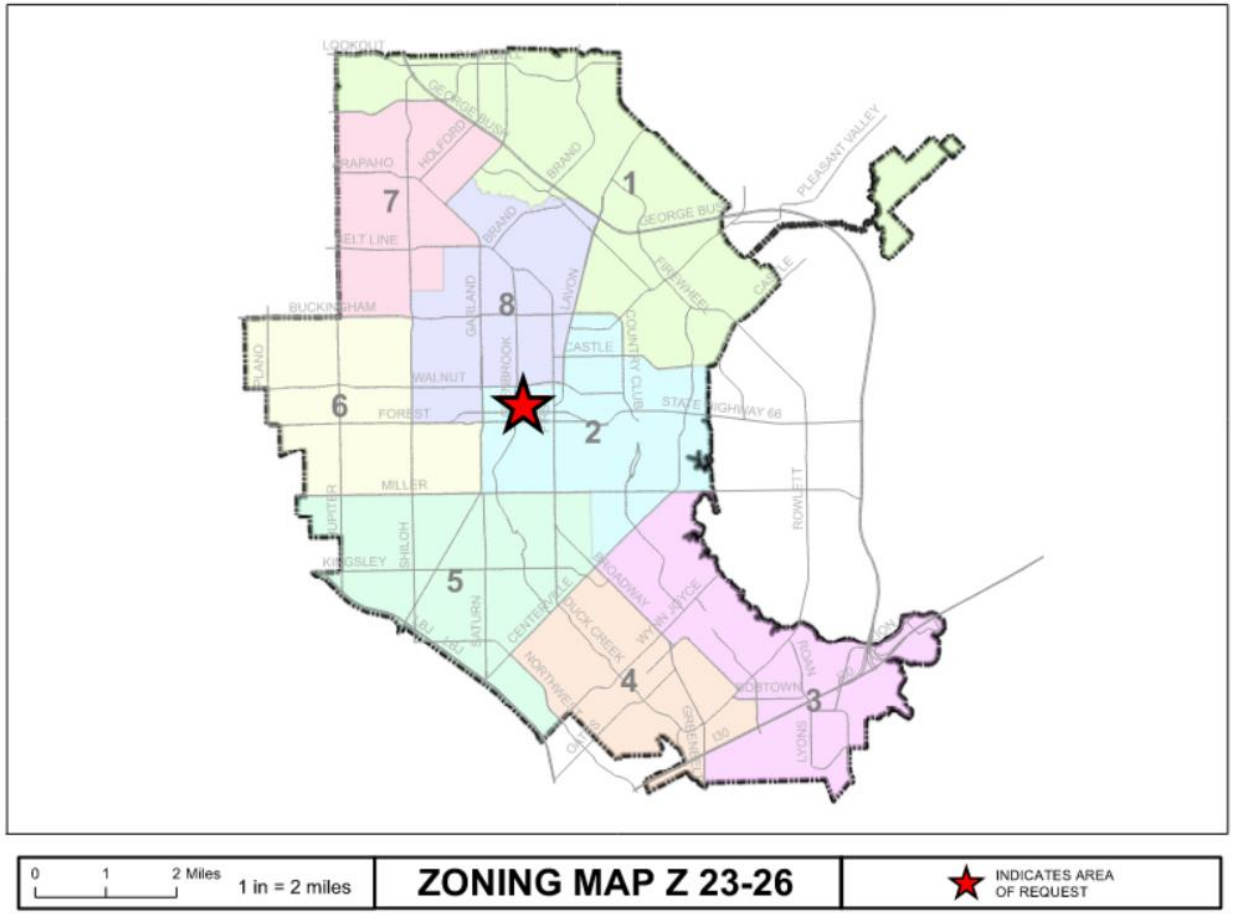
CITYWIDE LOCATION MAP



Z 23-26

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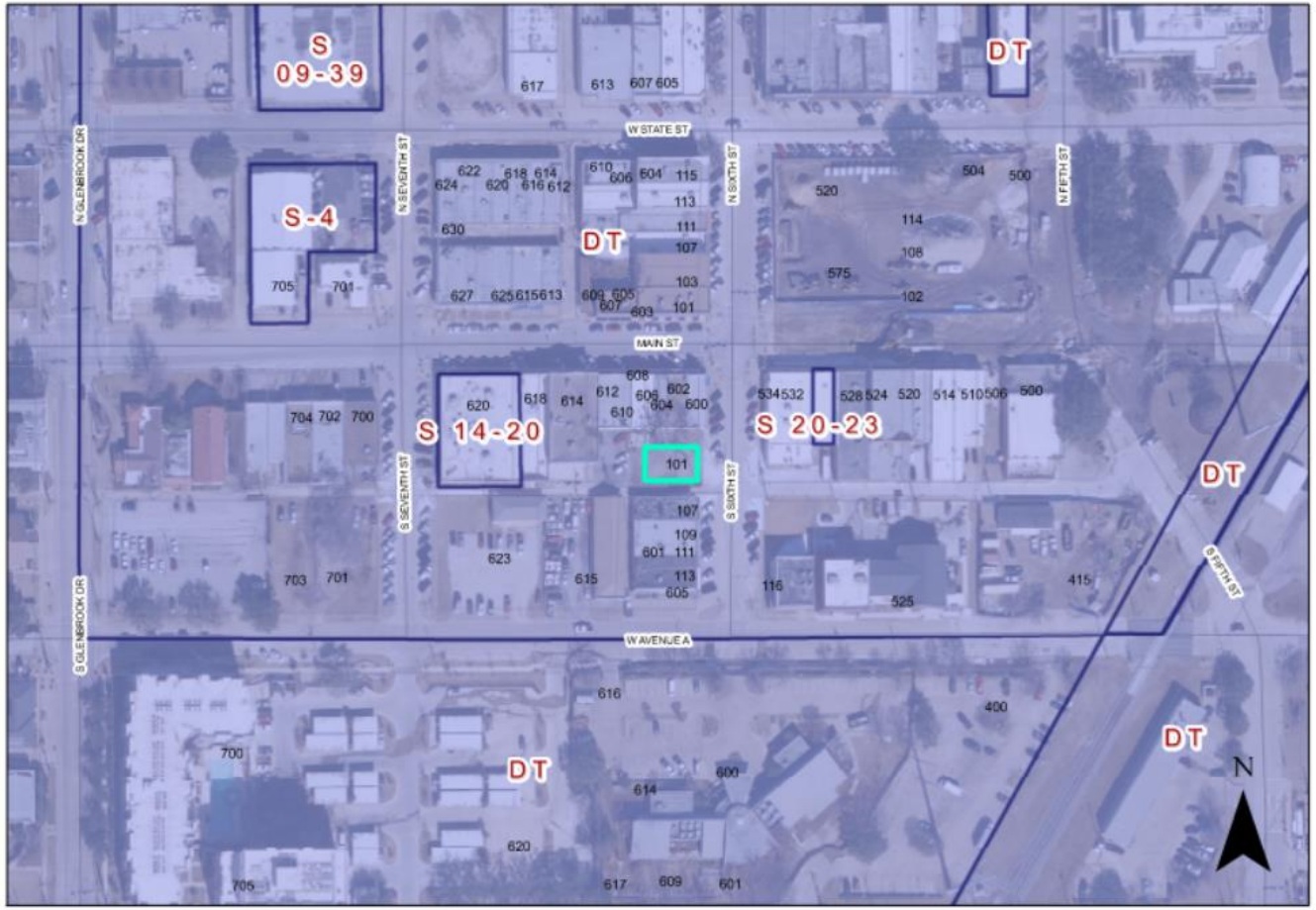
LOCATION MAP



101 South Sixth Street

Z 23-26

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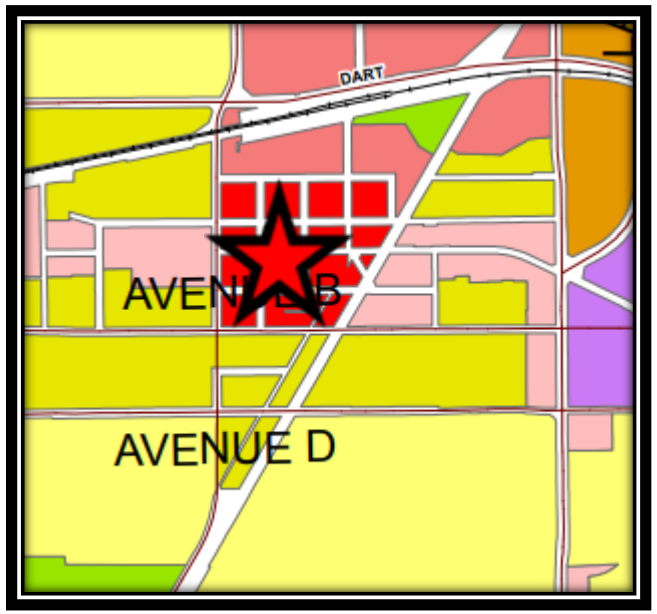
COMPREHENSIVE PLAN



Z 23-26

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COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommend Community Center for the subject site. Community centers are areas with compact development, primarily non-residential, serving a collection of neighborhoods. This type of development consists of a mix of uses, including retail, services, office use, multi-family residential, and entertainment.

The proposal is consistent with the Community Centers designation and may add to the vibrancy of the core Downtown area.

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PHOTOS

View of the subject property from South Sixth Street

South of South Sixth Street

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PHOTOS

East of the subject property

North of the subject property

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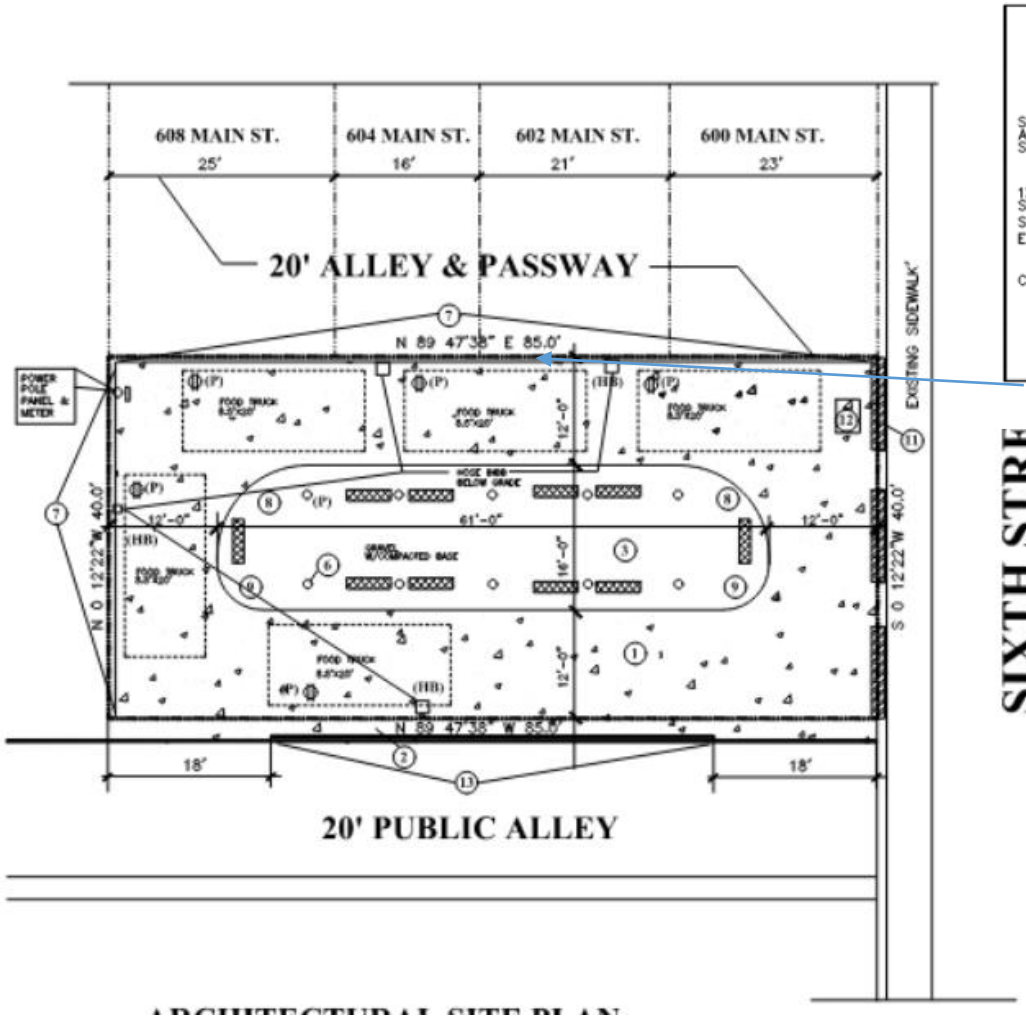
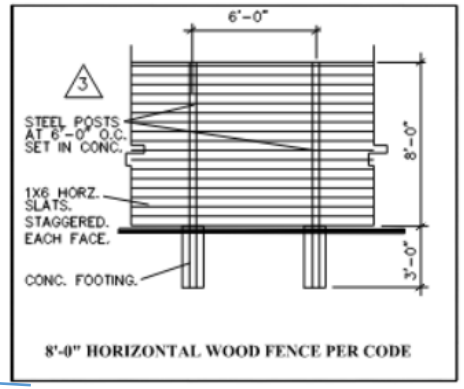
SITE PLAN





SIXTH STRE
PLATTED AS FOURTH STREET 70'

Z 23-26

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CONSIDERATION

The applicant initially requested for a ten (10) year Specific Use Provision. However, the applicant is requesting a five (5) year SUP time period per the Plan Commission's recommendation. The SUP Time Period Guide does not have recommended time period for a mobile food truck park.

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STAFF RECOMMENDATION

Approval of a Downtown Development Plan, Major Waiver on a property zoned Downtown District and in the Downtown Historic (DH) Sub-District.

Approval of a Specific Use Provision for a Mobile Food Truck Park.

Approval of a Plan on a property zoned Downtown District and in the Downtown Historic Sub-District.

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PLAN COMMISSION RECOMMENDATION

On August 28, 2023 the Plan Commission, by a vote of seven (7) to zero (0), recommended approval of a Downtown Development Plan, Major Waiver for a Mobile Food Truck Park on a property zoned Downtown District and in the Downtown Historic (DH) Sub-District.

The Plan Commission, by a vote of seven (7) to zero (0), recommended approval of a Specific Use Provision for a Mobile Food Truck Park.

In addition, the Plan Commission recommended a five (5) year SUP time period.

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CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda **16. b.**

Meeting Date: 09/19/2023
Item Title: Charter Review Committee Appointments
Submitted By: Tracy Allmendinger, Deputy City Secretary

Summary of Request/Problem

Charter Review Committee Appointments

Recommendation/Action Requested and Justification

Attachments

Gayle Owens
Scott Roberts
William Oaks
Martin Glenn
Dorothy White

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JUL 27 2023
CITY SECRETARY

Application for City of Garland Boards/Commissions/Committees

Return completed application to City Secretary's Office, 200 N. Fifth St., Garland, Texas 75040 | Email: RDowl@GarlandTX.gov

Please Type or Print Clearly: Date: July 26, 2023

Name: Gayle Owens Phone [redacted] (Home)

Address: 4018 Keele Drive Phone [redacted] (Other)

City, State, Zip: Garland, TX 75041 Email [redacted]

Resident of Garland for 39 years Resident of Texas for 39 years

✓ Dallas County Voter Registration Number [redacted] Garland City Council District Number 5

Have you ever been convicted of a felony? ☐ Yes ☑ No

Have you ever been convicted of a Class A misdemeanor? ☐ Yes ☑ No

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

I was an educator for 45 years, as a teacher, campus administrator and mentor. I have also served as a curriculum developer and leader in several educational organizations and initiatives regarding educational policy. I would like to serve on the City Charter Review Committee to update and revise the city's governing document.

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

Member of Property Standards Board 2022-present

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

Currently volunteer at Hamm Elementary (Rockwall ISD)

What is your educational background?

Ed.D of Education Texas A&M-Commerce 2003
MS of Reading Texas A&M-Commerce 1999
BS of Education University of Oklahoma 1977

What is your occupational experience?

Written educational project evaluations
Written procedural implementation plans for state initiatives

I hereby affirm that all statements herein are true and correct. Gayle S. Owens Ed.D. Applicant

Board or Commission of first, second and third choice: Charter Review Committee

___ Board of Adjustment	___ Garland Cultural Arts Commission	___ Parks and Recreation Board
___ Citizens Environmental and Neighborhood Advisory Committee	___ Garland Youth Council **	___ Plan Commission *
___ Civil Service Commission	___ Library Board	___ Senior Citizens Advisory Committee
___ Community Multicultural Commission	___ Property Standards Board	___ Unified Building Standards Commission

** *Garland Youth Council has a separate application* Charter Review

FOR OFFICE USE ONLY

Ad Valorem Tax Status Current ✓ Past Due ___ Date Appointed ___
Utility Account Status Current ✓ Past Due ___ Appointed By ___
CSO Suit/Claim Filed Yes ___ No ✓ Date Notified ___
Clerk Signature & Date Courtney Vanover 7.27.23 Disclosure Form Filed ___

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Application for City of Garland Boards/Commissions/Committees

Return completed application to City Secretary's Office, 200 N. Fifth St., Garland, Texas 75040 | Email: RDowl@GarlandTX.gov

Please Type or Print Clearly: Date: July 23, 2023

Name: Scott Roberts Phone [redacted] (Home)

Address: 1026 Creekwood Phone (Other)

City, State, Zip: Garland, Texas Email:

Resident of Garland for 43 years Resident of Texas for 56 years

Dallas County Voter Registration Number [redacted] Garland City Council District Number 1

Have you ever been convicted of a felony? ☐ Yes ☑ No

Have you ever been convicted of a Class A misdemeanor? ☐ Yes ☑ No

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

I was Vice-Chairman of the previous Charter Review Committee.
I have served the City almost continuously since 1987 have served on many committes, commissions and board including Chairing the Plan Commission for the last 16 years

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

North Garland Area Plan Implementation Committee Chairman (1987-2002)
Central Area Plan Implementation Committee (2003-2005 approx) Chairman one year.
City of Garland Plan Commission (2006-present - Chair 2007-present)

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

Founding Member Garland Green and Clean
Founding Member Garland Habitat for Humanity

What is your educational background?

Bachelor of Architecture, Texas Tech 1976

What is your occupational experience?

Architect: I have worked in small and large firm working on everything from houses to high rise hotels. I started Creative Architects in-house with a development company and went fully independent in 1986.

I hereby affirm that all statements herein are true and correct. _____ Signature of Applicant

Board or Commission of first, second and third choice:

___ Board of Adjustment	___ Garland Cultural Arts Commission	___ Parks and Recreation Board
___ Citizens Environmental and Neighborhood Advisory Committee	___ Garland Youth Council **	___ Plan Commission *
___ Civil Service Commission	___ Library Board	___ Senior Citizens Advisory Committee
___ Community Multicultural Commission	___ Property Standards Board	___ Unified Building Standards Commission

Charter Review Committee

rland Youth Council has a separate application

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Utility Account Status Current ✓ Past Due ___ Appointed By _____
CSO Suit/Claim Filed Yes ___ No ✓ Date Notified _____
Clerk Signature & Date Courtney Vanover 7/25/23 Disclosure Form Filed _____

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CITY SECRETARY

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Application for City of Garland Boards/Commissions/Committees

Return completed application to City Secretary's Office, 200 N. Fifth St., Garland, Texas 75040 | Email: RDowl@GarlandTX.gov

Please Type or Print Clearly: Date: 7/26/2023

Name: William (Bill) Oaks Phone: [redacted] (Home)

Address: 1818 Quail Hill Circle Phone: (Other)

City, State, Zip: Garland, TX 75040 Email:

Resident of Garland for 34 years Resident of Texas for 34 years

✓ Dallas County Voter Registration Number [redacted] Garland City Council District Number 2

Have you ever been convicted of a felony? ☐ Yes ☑ No

Have you ever been convicted of a Class A misdemeanor? ☐ Yes ☑ No

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

US Navy Curriculum Developer/Instructor. Senior Technical Writer/Trainer for last 34 years. I've written organizational by-laws and ISO-9000 procedures, in addition to writing highly technical curriculum

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

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

Veterans of Foriegn Wars Commander at the Post and District levels, Committe Chairmanships at the state staff level,

What is your educational background?

Wheeling (IL) High School, 1967. Graduate of a myriad of technical, professomal, and military courses.

What is your occupational experience?

Guided Missile System Chief, Navy technical instructor. Senior Technical Writer; TXU, WebLink Wireless, Rockwell Collins, Scientific Communications, Digital Matrix Corp., Commercial Metals Corp., Verizon, Alcatel.

I hereby affirm that all statements herein are true and correct. WSOaks

Board or Commission of first, second and third choice: ✓ CITY CHARTER REVIEW COMMITTEE

___ Board of Adjustment	___ Garland Cultural Arts Commission	___ Parks and Recreation Board
___ Citizens Environmental and Neighborhood Advisory Committee	___ Garland Youth Council **	___ Plan Commission *
___ Civil Service Commission	___ Library Board	___ Senior Citizens Advisory Committee
___ Community Multicultural Commission	___ Property Standards Board	___ Unified Building Standards Commission

** *Garland Youth Council has a separate application*

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Utility Account Status Current ✓ Past Due ___ Appointed By ___

CSO Suit/Claim Filed Yes ___ No ✓ Date Notified ___

Clerk Signature & Date Courtney Vonover 7.27.23 Disclosure Form Filed ___

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Application for City of Garland Boards/Commissions/Committees

Return completed application to City Secretary's Office, 200 N. Fifth St., Garland, Texas 75040 | Email: RDowl@GarlandTX.gov

Please Type or Print Clearly: Date: 08/03/2023

Name: Martin Glenn Phone: [redacted] (Home)

Address: 2401 Chadwick Lane Phone: [redacted] (Other

City, State, Zip: Garland, TX 75044 Email: [redacted]

Resident of Garland for 17 years Resident of Texas for 70 years

✓ Dallas County Voter Registration Number [redacted] Garland City Council District Number 1

Have you ever been convicted of a felony? ☐ Yes ☑ No

Have you ever been convicted of a Class A misdemeanor? ☐ Yes ☑ No

Please list any experience that qualifies you to serve in the areas you have indicated.
37 years of municipal management experience. Last position held - Deputy City Manager for the City of Garland

If you have previously served on a City Board or Commission, please specify and list dates of service.
City of Garland Bond Study Committee - 2018

List civic or community endeavors with which you have been involved.
Wheels of Hope Committee

What is your educational background?
Bachelor of Science in Architecture - University of Texas in Arlington
Masters of Science in City and Regional Planning - University of Texas in Arlington

What is your occupational experience?
37 years of municipal management experience in the City of Garland

I hereby affirm that all statements herein are true and correct. Martin Glenn

Board or Commission of first, second and third choice:

___ Board of Adjustment	___ Garland Cultural Arts Commission	___ Parks and Recreation Board
___ Citizens Environmental and Neighborhood Advisory Committee	___ Garland Youth Council **	___ Plan Commission *
___ Civil Service Commission	___ Library Board	___ Senior Citizens Advisory Committee
___ Community Multicultural Commission	___ Property Standards Board	___ Unified Building Standards Commission

** *Garland Youth Council has a separate application* Charter Review ✓

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Utility Account Status Current ✓ Past Due ___ Appointed By ___
CSO Suit/Claim Filed Yes ___ No ✓ Date Notified ___
Clerk Signature & Date Courtney Vanover 8.7.23 Disclosure Form Filed ___

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Application for City of Garland Boards/Commissions/Committees

Return completed application to City Secretary's Office, 200 N. Fifth St., Garland, Texas 75040 | Email: RDowl@GarlandTX.gov

Please Type or Print Clearly: Date: July 26, 2023

Name: Dorothy White Phone: [redacted]

Address: 728 Hawthorne Dr. Phone:

City, State, Zip: Garland, TX 75041 Email:

Resident of Garland for 40 years Resident of Texas for 40 years

✓ Dallas County Voter Registration Numbe[redacted] Garland City Council District Number 5

Have you ever been convicted of a felony? ☐ Yes ☑ No

Have you ever been convicted of a Class A misdemeanor? ☐ Yes ☑ No

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

I worked for the city for 20+ years, have been a voter in Garland for the past 25 years and have a MPA.

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.

serve on the boards of the Society for the Preservation of Spring Creek Preserve and Garland Summer Musicals. Active alumni of the Leadership Garland program, graduate of Class 22.

What is your educational background?

Graduate of Garland HS, bachelors in Journalism from Texas Tech, masters in Public Affairs from UT Dallas, Certified Public Communicator program from TCU.

What is your occupational experience?

public and media relations professional. Served as the City's communications director for 20 years. Currently in private practice.

I hereby affirm that all statements herein are true and correct. Dorothy White Applicant

Board or Commission of first, second and third choice:

___ Board of Adjustment	___ Garland Cultural Arts Commission	___ Parks and Recreation Board
___ Citizens Environmental and Neighborhood Advisory Committee	___ Garland Youth Council **	___ Plan Commission *
___ Civil Service Commission	___ Library Board	___ Senior Citizens Advisory Committee
___ Community Multicultural Commission	___ Property Standards Board	___ Unified Building Standards Commission

Charter Review

** *Garland Youth Council has a separate application*

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Utility Account Status Current ✓ Past Due ___ Appointed By ___

CSO Suit/Claim Filed Yes ___ No ✓ Date Notified ___

Clerk Signature & Date Courtney Vanover 7.26.23 Disclosure Form Filed ___

Revised 05/2021

GARLAND

CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda **16. a.**

Meeting Date: 09/19/2023

Item Title: Board and Commission Appointment

Submitted By: Tracy Allmendinger, Deputy City Secretary

Summary of Request/Problem

Board and Commission Appointment

Recommendation/Action Requested and Justification

Attachments

Michele Orahood

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Application for City of Garland Boards/Commissions/Committees

Return completed application to City Secretary's Office, 200 N. Fifth St., Garland, Texas 75040 | Email: RDowl@GarlandTX.gov

Please Type or Print Clearly: Date: 5/25/23

Name: Michele Orahood Phone: [redacted] (Home)

Address: 2305 Providence Way Phone: _____ (Other)

City, State, Zip: Nevada, Tx 75173 Email: [redacted]

Resident of Garland for _____ years Resident of Texas for 15 years

Dallas County Voter Registration Number [redacted] arland City Council District Number ____ (Formerly 2)

Have you ever been convicted of a felony? _____ Yes __X__ No

Have you ever been convicted of a Class A misdemeanor? _____ Yes __X__ No

Please list any experience that qualifies you to serve in the areas you have indicated.
I have been a part of Friends of Rowlett Rescue Animals for 6 years and working with Animal Services for 5 years. It has been our privledge to build this relationship.

If you have previously served on a City Board or Commission, please specify and list dates of service.
I have served on the City of Rowlett Animal Services board for 4 years.

List civic or community endeavors with which you have been involved.
I am currently the President of Friends of Rescue Animals working directly with the Animal Shelter on programs such as volunteers at the shelter, emergency care for Pets, etc.

What is your educational background?
I have two years of college experience.

What is your occupational experience?
I am currently retired and the caregiver to my spouse. Previously, I owned a bookkeeping service.

I hereby affirm that all statements herein are true and correct. Michele Orahood

Board or Commission of first, second and third choice:

- __X__ Animal Services
- ____ Board of Adjustment
- ____ Citizens Environmental and Neighborhood Advisory Committee
- ____ Civil Service Commission
- ____ Community Multicultural Commission
- ____ Garland Cultural Arts Commission
- ____ Garland Youth Council **
- ____ Library Board
- ____ Property Standards Board
- ____ Parks and Recreation Board
- ____ Plan Commission *
- ____ Senior Citizens Advisory Committee
- ____ Unified Building Standards Commission

** *Garland Youth Council has a separate application*

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Utility Account Status Current ____ Past Due ____
CSO Suit/Claim Filed Yes ____ No ____
Clerk Signature & Date _____

Date Appointed _____
Appointed By _____
Date Notified _____
Disclosure Form Filed _____

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