

Work Session Room at City Hall
Monday, February 5, 2024
6 p.m.



William E. Dollar Municipal Building
200 N. Fifth St.
Garland, Texas

GARLAND

CITY OF GARLAND WORK SESSION OF THE CITY COUNCIL

The Garland City Council extends to all visitors a sincere welcome. We value your interest in our community and your participation in the meetings of this governing body. Visit GarlandTX.gov/Council for a full list of meeting dates.

The Work Session Room at Garland City Hall is wheelchair accessible, and ADA parking is available on the street as well as in the public parking garage. Persons with disabilities 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: 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.

PUBLIC COMMENTS ON WORK SESSION ITEMS

Members of the audience may address the City Council on any Work Session item at the beginning of the meeting. Speakers are allowed three minutes each, grouped by agenda item and called in the order of the agenda. Anyone wishing to speak must fill out a speaker card (located at the entrance to the Council Chambers and on the visitor's side of the Work Session Room) and give it to the City Secretary before the Mayor calls the meeting to order. Speakers are limited to addressing items on the Work Session agenda only. Items on a Regular Meeting agenda should be addressed at the respective Regular Meeting. Items not currently on an agenda may be addressed during the citizen comments portion of any Regular Meeting.

CONSIDER THE CONSENT AGENDA

Council may ask for discussion or further information on any item posted in the consent agenda of the next Regular Meeting. Council may also ask that an item on the consent agenda be pulled and considered for a vote separate from the consent agenda at the next Regular Meeting. All discussions or deliberations are limited to posted agenda items and may not include new or unposted subject matter.

WRITTEN BRIEFINGS

Council may ask for discussion, further information, or give direction to staff on an item posted as a written briefing.

1. May 4, 2024 General Election Ordinance

Council is requested to approve an ordinance ordering a general election for the City of Garland to be held on May 4, 2024, for the purpose of electing one Council Member to respectively represent Districts 1, 2, 4 and 5, providing for a run-off election if needed and providing for other matters relating to the conduct of the election. This item will be scheduled for formal consideration at the February 6, 2024, Regular Meeting.

VERBAL BRIEFINGS

Council may ask for discussion, further information, or give direction to staff on an item posted as a verbal briefing.

2. Introduction of Community Engagement Officer for Animal Services

Art Munoz, Director of Animal Services, will present Officer Rudy Mancilla, who has been appointed to provide the community with information and resources related to Animal Control Enforcement.

3. Discussion of the 2024 Proposed Capital Improvement Program

City Council will continue the discussion and provide final direction to Staff on the 2024 Proposed Capital Improvement Program (CIP).

4. Charter Review Council Discussion

City Staff will assist Council with a discussion on the Charter Review Committee's recommendations and seek input on next steps.

5. Impacts of Legislative Changes on Health Revenue

Staff will give an update on revenue loss associated with state legislative changes.

ANNOUNCE FUTURE AGENDA ITEMS

A Council member, with a second by another member or the Mayor alone, may ask that an item be placed on a future agenda of the City Council or of a committee of the City Council. No substantive discussion of that item will take place at this time.

ADJOURN

All Work Sessions of the Garland City Council are broadcast live on CGTV, Time Warner Cable Channel 16 and Frontier FIOS TV 44. Meetings are rebroadcast at 9 a.m. and 7 p.m. Tuesdays - Sundays. Live streaming and on-demand videos of the meetings are also available online at GarlandTX.tv. Copies of the meetings can be purchased through the City Secretary's Office (audio CDs are \$1 each and DVDs are \$3 each).

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]*



Each year, the City Council reviews and updates its goals for the Garland community and City operations. City management uses these goals to guide operational priorities, decision-making and resource allocation.



GARLAND
CITY COUNCIL STAFF REPORT

City Council Work Session

1.

Meeting Date: 02/05/2024

May 4, 2024 General Election Ordinance

Submitted By: Tracy Allmendinger, Deputy City Secretary

Issue/Summary

Consider an ordinance ordering a general election for the City of Garland to be held on May 4, 2024, for the purpose of electing one Council Member to respectively represent Districts 1, 2, 4 and 5, providing for a run-off election if needed and providing for other matters relating to the conduct of the election.

Background

Consideration / Recommendation

Approve an ordinance ordering and providing notice of a General Election for the City of Garland to be held on the 4th day of May 2024. This item is scheduled for formal consideration at the February 6, 2024, Regular Meeting.

Attachments

2024 General Election Ordinance Attachment

ORDINANCE NO. _____

AN ORDINANCE ORDERING OF A GENERAL ELECTION FOR THE CITY OF GARLAND, TEXAS TO BE HELD ON THE 4TH DAY OF MAY, 2024, FOR THE PURPOSE OF ELECTING COUNCILMEMBERS TO DISTRICTS 1, 2, 4, and 5; PROVIDING A DATE FOR A RUN-OFF ELECTION; PROVIDING FOR A PROCESS TO DETERMINE POSITION OF NAMES ON BALLOTS; PROVIDING FOR LOCATIONS OF POLLING PLACES; PROVIDING FOR AUTHORIZATION FOR THE CITY MANAGER AND CITY SECRETARY TO ENTER INTO ELECTION AGREEMENTS WITH DALLAS AND COLLIN COUNTY ELECTION DEPARTMENTS; PROVIDING FOR NOTICE, PUBLICATION, AND POSTING OF THIS ORDER; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1

ELECTION ORDER FOR JOINT ELECTION AND NOTICE OF ELECTION

There is hereby ordered a general election to be participated in by the qualified voters of the City of Garland, Texas, to be held on Saturday, May 4, 2024, between the hours of 7:00 a.m. and 7:00 p.m., for the purpose of electing one Councilmember each to respectively represent Districts 1, 2, 4, and 5.

Candidates for Districts 1, 2, 4, and 5 must reside in the respective District which that candidate intends to represent. Every qualified voter within Districts 1, 2, 4, and 5 may cast one vote for a candidate for the respective District within which such voter resides.

The candidate for each respective office who shall receive a majority of all votes cast for the office for which that person is a candidate shall be declared elected.

Section 2

JOINT ELECTION AND ELECTION SERVICES AGREEMENT

The election shall be held as a joint election pursuant to the joint election agreements by and between the City of Garland, Dallas County, Collin County, and such other political subdivisions as may be participating in the joint election. Pursuant to the joint election agreements, the Dallas County and Collin County Election Administrators shall serve as election administrators for the election for their respective counties, and shall appoint such election officials as may be required by law, according to the terms of the law and the joint election agreement.

For purposes of processing ballots cast in early voting, the election officers for the early voting ballot board for this election shall be appointed and designated in accordance with the provisions of the joint election agreements.

The Central Counting Stations for the tabulation and counting of ballots for this election shall be located at the following locations:

For Garland residents residing in Dallas County:
Dallas County Elections Administration
1520 Round Table Drive
Dallas, Texas 75247

For Garland residents residing in Collin County:
Collin County Elections Department
2010 Redbud Blvd.
Suite 102
McKinney, TX 75069

The Manager, Tabulation Supervisor, Presiding Judge, and Alternate Presiding Judge at such Central Counting Stations shall be determined, appointed, and designated in accordance with the joint election agreements. The Manager and Presiding Judge of such Central Counting Stations may appoint clerks to serve at such Central Counting Station, as provided by Texas Election Code, Section 127.006, as amended.

The voting system or systems meeting the standards and requirements of the Texas Election Code, as amended, is hereby adopted and approved for early voting by a personal appearance, by mail, and for election day voting.

Section 3 RUN-OFF ELECTION

In the event any candidate fails to receive a majority of all votes cast for the office for which that person is a candidate, a run-off election shall be held on June 15, 2024, between the hours of 7:00 a.m. and 7:00 p.m. for the purpose of resolving the run-off for each office for which a candidate did not receive a majority of all votes cast at the general election.

Section 4
POSITIONS OF NAMES OF CANDIDATES ON BALLOTS

The positions of the names of the candidates for the general election and, if necessary, for the run-off election, shall be determined by lot in an open meeting to be held at the offices of the City Secretary located at Garland City Hall. The City Secretary shall notify each candidate of the time of the meeting to draw lots and shall preside at the drawing.

Section 5
ELECTION PRECINCTS AND POLLING PLACES

The election precincts and the polling places for the election shall be those established by the Dallas County Elections Administrator for Dallas County residents, and by the Collin County Elections Administrator for Collin County residents, by virtue of the joint election agreements.

Residents may use the below websites to locate the polling places and obtain other election information.

All Garland residents
<https://www.garlandtx.gov/256/Elections>

For Garland residents residing within Dallas County
<https://www.dallascountyvotes.org/elections-office/>

For Garland residents residing within Collin County
<https://www.collincountytx.gov/elections/Pages/default.aspx>

Section 6
EARLY VOTING

For Garland residents residing within Dallas County, the main early voting place is the **George L. Allen, Sr. Courts Building, 600 Commerce Street, Dallas, Texas 75202**, or such other location as may be authorized and established by the Dallas County Elections Administrator.

For Garland residents residing within Collin County, the main early voting place is **2010 Redbud Blvd., Suite 102, Mckinney, Texas 75069**, or such other location as may be authorized and established by the Collin County Elections Administrator.

For all Garland residents, early voting by personal appearance within the City of Garland may be conducted locally at **Richland College - Garland Campus, 675 W. Walnut Street, Garland, Texas 75040** or the **South Garland Library, 4845 Broadway Blvd., Garland, Texas 75043**.

An application for ballot by mail or for information on obtaining an application for ballot may be obtained by contacting the voting clerk of the resident's county. The official mailing address and other contact information for each county's clerk is listed here.

For Garland Residents residing within Dallas County:

By writing:

Heider Garcia - Early Voting Clerk
Dallas County Elections
1520 Round Table Dr.
Dallas, TX 75247

By email: earlyvotingmail@dallascounty.org

By telephone: 214-819-6359

By fax: 214-819-6303

For Garland Residents residing within Collin County:

By writing:

Elections Office
Collin County Early Voting Clerk
2010 Redbud Blvd.
Suite 102
McKinney, TX 75069

By email: absenteemailballoting@collincountytexas.gov;

By telephone: 972-547-1990

By fax: 972-547-1914

Applications for ballots by mail for the election must be received no later than the close of business on the 11th day before election day.

Section 7
AUTHORIZATION FOR THE CITY MANAGER AND CITY SECRETARY TO ENTER
INTO ELECTION AGREEMENTS

This City Manager and the City Secretary are authorized to execute an agreement for an Election with the Dallas County and Collin County Election Departments and other entities that will provide for all election appointments, early voting by mail, the voting locations within the City of Garland, payments for election officials, necessary election arrangements, and a runoff election (if applicable).

Section 8
NOTICE OF ELECTION; PUBLICATION AND POSTING

This election order shall constitute a notice of election and this notice shall be:

(1) published at least once, not earlier than the 30th day or later than the 10th day before the general election day, which publication shall include a complete listing of all polling places; and

(2) posted on the bulletin board used for posting notices of the meetings of the City Council, which copy shall also include a complete listing of all polling places, not later than the 21st day before the general election.

Section 9
EFFECTIVE DATE

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

PASSED AND APPROVED this the ___th day of February 2024.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

Deputy City Secretary

Posted:



GARLAND
CITY COUNCIL STAFF REPORT

City Council Work Session

2.

Meeting Date: 02/05/2024

Introduction of Community Engagement Officer for Animal Services

Submitted By: Phillip Urrutia, Assistant City Manager

Strategic Focus Area: Customer-Focused City Services

Issue/Summary

Animal Services would like to present Officer Rudy Mancilla as our new Community Engagement Officer. Officer Mancilla's role involves active community engagement, providing vital information and resources regarding our programs and services. He will focus on understanding and addressing core community issues to determine the most effective solutions.

We are confident that Officer Mancilla's participation in public awareness will be beneficial. As the Community Engagement Officer, he is well-equipped to handle any inquiries or concerns that might emerge during community interaction. Officer Mancilla's expertise and knowledge are key to promoting open, transparent, and constructive communication between the City Council and the residents.

Additionally, Officer Mancilla's involvement will play a crucial role in strengthening the bond between our organization and the community. His presence ensures that residents are thoroughly informed about the various services and programs we offer. We believe that enhancing engagement and accessibility through Officer Mancilla's role will significantly fortify community relationships, fostering a spirit of unity and collaboration.

Background

Animal Services is shifting from the conventional 'pound' system to a broader Animal Services strategy. An important development in this transition is the introduction of a community engagement officer role. This position is similar to the neighborhood officers in the Garland Police Department, emphasizing proactive involvement within the community to identify and address issues.

Consideration / Recommendation

Animal Services recommends inviting Officer Mancilla to Town Halls and other community events. This will offer Officer Mancilla a chance to engage with the City Council and form a collaborative relationship that will be advantageous for both our organization and the City Council in our shared mission to serve the community.



GARLAND
CITY COUNCIL STAFF REPORT

City Council Work Session

3.

Meeting Date: 02/05/2024

Discussion of 2024 Proposed Capital Improvement Program

Submitted By: Allyson Bell Steadman, Budget Director

Strategic Focus Area: Sound Governance and Finances

Issue/Summary

City Council will continue the discussion and provide final direction to Staff on the 2024 Proposed Capital Improvement Program (CIP).

Background

The 2024 Proposed CIP has been available for public inspection in the City's libraries and the City Secretary's Office and has been on the City's website since January 9, 2024. The City Council reviewed and discussed the 2024 Proposed CIP on Saturday, January 20, 2024, Monday, January 22, 2024, and Monday, February 5, 2024. The first Public Hearing on the 2024 Proposed CIP was held on Tuesday, January 23, 2024. A second Public Hearing on the 2024 Proposed CIP will be held on Tuesday, February 6, 2024. The 2024 CIP is scheduled for adoption on Tuesday, February 6, 2024.

Consideration / Recommendation

Information only. A Public Hearing on the CIP will be held on Tuesday, February 6, 2024, at 7:00 P.M., followed by the adoption of the 2024 CIP on Tuesday, February 6, 2024.

Attachments

Overview of Change Proposed to 2024 CIP



GARLAND
TEXAS MADE HERE

2024 CAPITAL IMPROVEMENT PROGRAM

Proposed Changes - Council Work Session

February 5, 2024



2024 Capital Improvement Program

Overview of Proposed Change

- Staff is requesting the removal of the Jupiter Road Flow Reversal Unapproved Project (\$1,100,000) under the Wastewater section of the CIP due to upcoming discussions with the City of Richardson regarding the scope of the project.
 - Staff will bring forward this project again in the future.
- **No Impact** to 2024 CIP Project Costs or 2024 Debt Issuance as the project was projected to start in 2025.



GARLAND

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Questions?



GARLAND
CITY COUNCIL STAFF REPORT

City Council Work Session

4.

Meeting Date: 02/05/2024

Charter Review Council Discussion

Submitted By: Phillip Urrutia, Assistant City Manager

Strategic Focus Area: Future-Focused City Organization

Issue/Summary

The City Council's appointed Charter Review Committee thoroughly examined and deliberated on the items designated for review by the Council. Additionally, the committee introduced other topics for the Council's consideration. Over the course of seven meetings held since September, the Charter Review Committee dedicated considerable effort to formulate and present its recommendations to the Council.

Background

On September 19th, 2023, the City Council officially appointed a Charter Review Committee. This committee, established by the Council through the City Charter, thoroughly examined the Council's Committee Charge and internally put forth additional items for consideration. The City Council reviewed recommendations for the Charter Review Committee at the 1/8/24 Work session meeting.

Consideration / Recommendation

City staff is seeking final direction on charter ballot language.

Attachments

Ordinance to Call Election Draft

Exhibit A

2024-02-05 Council Work Session Charter Amendment Proposals Presentation

ORDINANCE NO. _____

AN ORDINANCE ORDERING A SPECIAL ELECTION ON PROPOSED AMENDMENTS TO THE HOME RULE CITY CHARTER OF THE CITY OF GARLAND, TEXAS TO BE HELD ON THE 4TH DAY OF MAY, 2024, PROVIDING FOR THE PUBLICATION AND POSTING OF NOTICE PROPOSING AMENDMENTS TO THE HOME RULE CITY CHARTER OF THE CITY OF GARLAND; PROVIDING FOR AUTHORIZATION FOR THE CITY MANAGER AND CITY SECRETARY TO ENTER INTO ELECTION AGREEMENTS WITH DALLAS AND COLLIN COUNTY ELECTION DEPARTMENTS; PROVIDING FOR EARLY VOTING BY PERSONAL APPEARANCE; PROVIDING FOR DEADLINE FOR APPLICATION FOR ABSENTEE BALLOT; PROVIDING FOR SEVERIBILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Article XVII, Section 15 of the Home Rule Charter for the City of Garland, Texas ("Charter") and Section 9.004 of the Texas Local Government Code, the City Council has received a report from the 2023-2024 City of Garland Charter Review Committee ("CRC") recommending to the City Council proposed amendments to the Charter;

WHEREAS, the City Council has reviewed the report from the CRC and the Charter and has determined that certain amendments are in the best interest of the citizens and to comply with state law; and

WHEREAS, the City Council, after due consideration, desires to conduct a special election on proposed amendments to the Charter on the uniform election date of May 4, 2024;

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

Section 1
ELECTION ORDER FOR SPECIAL ELECTION AND NOTICE OF ELECTION

There is hereby ordered a special election to be participated in by the qualified voters of the City of Garland, Texas ("City"), to be held on Saturday, May 4, 2024, between the hours of 7:00 a.m. and 7:00 p.m., for the purpose of submitting to the qualified voters of the City the hereinafter proposed amendments to the Charter contained in Exhibit "A," attached hereto and made a part of this Ordinance for all purposes, for their approval or disapproval.

Section 2
JOINT ELECTION AND ELECTION SERVICES AGREEMENT

The election shall be held as a joint election pursuant to the joint election agreements by and between the City of Garland, Dallas County, Collin County, and such other political subdivisions as may be participating in the joint election. Pursuant to the joint election agreements, the Dallas County and Collin County Election Administrators shall serve as election administrators for the election for their respective counties, and shall appoint such election officials as may be required by law, according to the terms of the law and the joint election agreement. For purposes of processing ballots cast in early voting, the election officers for the early voting ballot board for this election shall be appointed and designated in accordance with the provisions of the joint election agreements.

The Central Counting Stations for the tabulation and counting of ballots for this election shall be located at the following locations:

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The Manager, Tabulation Supervisor, Presiding Judge, and Alternate Presiding Judge at such Central Counting Stations shall be determined, appointed, and designated in accordance with the joint election agreements. The Manager and Presiding Judge of such Central Counting Stations may appoint clerks to serve at such Central Counting Station, as provided by Texas Election Code, Section 127.006, as amended.

The voting system or systems meeting the standards and requirements of the Texas Election Code, as amended, is hereby adopted and approved for early voting by a personal appearance, by mail, and for election day voting.

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Section 6

NOTICE OF ELECTION; PUBLICATION AND POSTING

This election order shall constitute a notice of election and this

notice shall be:

(1) published on the same day in each of two successive weeks, with the first publication occurring no earlier than the thirtieth (30th) day, but before the fourteenth (14th) day before the date of the election, in a newspaper of general circulation in the City and include a substantial copy of the proposed amendments and an estimate of the anticipated fiscal impact to the City if the proposed amendment is approved at the election; and

(2) posted on the bulletin board used for posting notices of the meetings of the City Council, which copy shall also include a substantial copy of the proposed amendments and an estimate of the anticipated fiscal impact to the City if the proposed amendment is approved at the election, not later than the 21st day before the general election.

A copy of the published notice that contains the name of the newspaper and the date of publication shall be retained as a record of such notice, and such person posting the notice shall make a record of the time of posting, starting date, and place of posting.

Section 7 CANVASS

The City Secretary shall present the election returns to the City Council at a City Council meeting for the canvassing of said election in accordance with the Texas Election Code.

Section 8 STATUTORY REQUIREMENTS

For this special election on proposed charter amendments, each amendment must contain only one subject, and the ballot shall be prepared in a manner that the voters may vote "for" or "against" any amendment or amendments without voting "for" or "against" all of said amendments. Each such proposed amendment, if approved by the majority of the qualified voters voting at said election, shall become a part of the Charter of the City of Garland, Texas.

Section 9 PROPOSITIONS

The ballot propositions for the proposed amendments to the Charter are as follows:

Proposition 1

Shall Article III, Section 1(D) of the Home Rule Charter be amended to redefine "term" to mean in excess of annual consecutive statutory election dates?

Proposition 2

Shall Article III, Section 1(F) of the Home Rule Charter be amended to mirror state redistricting law of ten (10) year intervals?

Proposition 3

Shall Article III, Section 1(F) of the Home Rule Charter be amended to add gerrymandering language?

Proposition 4

Shall Article III, Section 2 of the Home Rule Charter be amended the qualifications of councilmembers?

Proposition 5

Shall Article III, Section 3 of the Home Rule Charter be amended to increase the compensation for Mayor and Councilmembers?

Proposition 6

Shall Article III, Section 4 of the Home Rule Charter be amended to add gender neutral language consistent with the rest of the charter?

Proposition 7

Shall Article III, Section 4 of the Home Rule Charter be amended to add a reference to the Deputy Mayor Pro Tempore position on council?

Proposition 8

Shall Article III, Section 5(A) of the Home Rule Charter be amended to add a thirty (30) day deadline for the Governor to respond to an election petition from the City before the City Council can fulfill the vacancy by

appointment?

Proposition 9

Shall Article IV, Section 2 of the Home Rule Charter be amended to clarify the council appointed positions to which the removal procedure applies?

Proposition 10

Shall Article IV, Section 3 of the Home Rule Charter be amended to change the enforcement procedure of improper communication with appointments to be pursuant to the City's Code of Ethics?

Proposition 11

Shall Article IV, Section 8(A) of the Home Rule Charter be amended to change the allowed contract of the City Auditor to not exceed five (5) years?

Proposition 12

Shall Article V, Section 2 of the Home Rule Charter be amended to change the allowed contract of the City Manager to not exceed five (5) years?

Proposition 13

Shall Article VI, Section 1 of the Home Rule Charter be amended to change the allowed contract of the City Attorney to not exceed five (5) years?

Proposition 14

Shall Article XI, Section 1(E) of the Home Rule Charter be amended to clarify the circumstances of the Mayor's appointment to a vacancy on the Plan Commission?

Proposition 15

Shall Article XI, Section 4 of the Home Rule Charter be amended to simplify and clarify the Zoning powers of the City to be consistent with City Ordinances and state law?

Proposition 16

Shall Article XI, Section 7 of the Home Rule Charter be amended to add the allowance of delegation of certain plat approval pursuant to recent changes in state law?

Proposition 17

Shall Article XII, Section 1 of the Home Rule Charter be amended to remove the specific reference to May and be consistent with any statutorily designated uniform election date?

**Section 10
SEVERIBILITY**

Should any word, sentence, paragraph, subdivision, clause, phrase, or section of this Ordinance be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said Ordinance, which shall remain in full force and effect.

**Section 11
EFFECTIVE DATE**

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

PASSED AND APPROVED this the ___th day of February 2024.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

Posted: _____

EXHIBIT “A”

Proposition 1:

Article III, Section 1(D):

§ 1 Number, terms, Council districts, etc.

(D) A person may serve as a member of the Council other than Mayor for three (3) consecutive terms but thereafter shall not again be eligible to serve in any district on the Council except Mayor until at least one complete term has elapsed. A person may serve three (3) consecutive terms as Mayor but thereafter shall not again be eligible to serve as Mayor until at least one complete term has elapsed. A person who has served as Mayor may not serve as a member of the City Council until at least one year has elapsed from the end of the term for which that person was elected. A “term” as used in this paragraph, shall include any period of service during a term of office when that period is in excess of ~~one (1) year~~ the time between the annual statutory uniform election dates as set by the State of Texas of the same calendar month in the applicable consecutive years, and a period of service shall be considered “consecutive” so long as the person affected has served any amount of time within the preceding term.

Proposition 2:

Article III, Section 1(F)

§ 1 Number, terms, Council districts, etc.

(F) Within one year after a decennial federal census as mandated by Article I § 2 of the United States Constitution has been performed and finalized, ~~and each five years thereafter~~, prior to the calling of the regular City election, the Council shall redivide and readjust by ordinance the boundaries of the eight Council districts of the City for the purpose of keeping such districts as nearly equal in population as is practical.

Proposition 3:

Article III, Section 1(F)

§ 1 Number, terms, Council districts, etc.

(F) Within one year after a decennial federal census as mandated by Article I § 2 of the United States Constitution has been performed and finalized, and each five years thereafter, prior to the calling of the regular City election, the Council shall redivide and readjust by ordinance the boundaries of the eight Council districts of the City for the purpose of keeping such districts as nearly equal in population as is practical. Any redivision or readjustment to the district boundaries performed under this section must be in conformance with the following requirements:

- i. **Equal Population:** All districts shall be reasonably equal in population, allowing for minor deviations as needed to achieve other redistricting goals outlined in this Article.

- ii. Contiguity: Each district shall be contiguous, meaning all parts of a district are connected to each other without crossing over another district.
- iii. Compactness: Districts shall be drawn to encourage compactness. To the extent practicable, districts shall not have irregularly shaped boundaries or elongated configurations which are indicative of gerrymandering.
- iv. Respect for Political Subdivisions and Communities: Redistricting shall, to the extent possible, preserve existing neighborhoods, and communities of interest.
- iv. Non-partisanship: District boundaries shall not be drawn to favor or discriminate against an incumbent, candidate, or political party.

Proposition 4:

Article III, Section 2

§ 2 Qualifications.

Each member of the Council shall, in addition to the other qualifications prescribed by law, be, at the date of his or her election, a qualified voter of the City and shall not have been previously convicted of a felony or Class A misdemeanor~~be in arrears in the payment of municipal taxes, municipal utility charges or any other lawful monetary obligation to the City.~~ A member of the Council ceasing to reside in the City or if convicted of a felony or Class A misdemeanor shall immediately forfeit his or her office.

Proposition 5:

Article III, Section 3

§ 3 Compensation.

From and after October 1, 2018~~24~~, the Mayor shall receive compensation in the base amount of five~~six~~ hundred and~~seventy~~five dollars (\$5~~6~~75.00) per month, and each Councilmember shall receive compensation in the base amount of two~~three~~ hundred and~~eighty~~eighty dollars (\$2~~88~~340.00) per month, and In addition, all members of the Council shall receive compensation in the base~~amount~~ of seventy~~two~~eightyfive dollars (\$7~~2~~85.00) for each Council work session attended by the member preceding a regular Council meeting, and for each regular Council meeting of the Council~~attended~~, by the memberand for up to four (4) special called meetings or workshops of the Council attended. Compensation shall be limited to a maximum of fifty-two (52) meetings during any calendar year. The amount of compensation shall be adjusted each years in accordance with the most recent twelve (12) month Consumer Price Index (CPI) rate increase beginning October 1, 20 . Each Councilmember shall be entitled to reimbursement of reasonable expenses incurred in the performance of their official duties when approved by the Council.

Proposition 6:

Article III, Section 4

§ 4 Mayor and Mayor Pro Tempore.

The Mayor shall preside at meetings of the Council and shall be recognized as the head of the City government for all ceremonial purposes but shall have no regular administrative duties. He [or she](#) shall sign all municipal bonds, deeds of conveyances, vouchers, checks and orders as herein prescribed, and all instruments where the executive head of the City shall be required to act and shall perform all other duties as may be imposed on him [or her](#) by law and the ordinances of the City.

The Council shall elect from its members a Mayor Pro Tempore who shall perform the duties of Mayor in case of the absence or disability of the Mayor. In case of the absence or disability of both the Mayor and the Mayor Pro Tempore, the remaining members of the Council shall elect one of the members to act as Mayor.

Proposition 7:

Article III, Section 4

§ 4 Mayor and Mayor Pro Tempore.

The Mayor shall preside at meetings of the Council and shall be recognized as the head of the City government for all ceremonial purposes but shall have no regular administrative duties. He shall sign all municipal bonds, deeds of conveyances, vouchers, checks and orders as herein prescribed, and all instruments where the executive head of the City shall be required to act and shall perform all other duties as may be imposed on him by law and the ordinances of the City.

The Council shall elect from its members a Mayor Pro Tempore who shall perform the duties of Mayor in case of the absence or disability of the Mayor. [The Council shall also elect from its members a Deputy Mayor Pro Tempore who shall perform the duties of the Mayor](#) in case of the absence or disability of both the Mayor and the Mayor Pro Tempore. [In the event of the absence of the Mayor, Mayor Pro Tempore, and Deputy Mayor Pro Tempore,](#) the remaining members of the Council shall elect one of the members to act as Mayor.

Proposition 8:

Article III, Section 5(A)

§ 5 Vacancies.

(A) In the event a vacancy in the office of Mayor or City Council occurs, the City Council shall call a special election in accordance with state law and the Texas Constitution. However, where (i) the member vacating his or her office is unable or unwilling to hold-over until such time as the vacancy may be filled pursuant to a lawful election, (ii) the Governor of the State of Texas does

not call an election to fill the vacancy within thirty (30) days of~~after~~ being petitioned by the City to do so, and (iii) a special election cannot be called within 120 days, then the remaining members of the Council may by a three-fourths super-majority vote appoint a qualified person to fill the vacancy.

Proposition 9:

Article IV, Section 2

§ 2 Removal of appointive officials.

Except as otherwise provided by law, the Council may, upon the affirmative vote of five (5) members at a posted, public meeting, remove ~~its any non-contracted~~ appointed ~~officers~~member of any internal or external board, commission, committee, or other body without cause or notice.

Proposition 10:

Article IV, Section 3

§ 3 Council not to interfere with appointments.

Neither the City Council nor any of its members shall direct or request the hiring or removal of any person from an office directed by the City Manager, the City Attorney, the City Auditor, or a Municipal Judge, or by any subordinate of one of the aforementioned Council appointees. However, the Council may consult and advise with a Council appointee, make inquiry regarding the appointments or removals, and may express their opinion in regard thereto. In regard to administrative and executive duties under a Council appointee, the Council and its members shall deal solely through the Council appointee and neither the Council nor any member thereof shall give orders to any subordinates of a Council appointee, either publicly or privately. Willful violation of the foregoing provisions of this Charter by any member of the Council shall constitute a violation of the City's codified Code of Ethics, Article V of the Code of Ordinances, as may be amended, with enforcement provisions detailed therein~~official misconduct and shall authorize the Council, by a vote of a majority of its membership, to sanction such offending member by ordering a forfeiture of pay for a period of not to exceed six months if found responsible after a public hearing.~~

Proposition 11:

Article IV, Section 8(A)

§ 8 Selection of City Auditor.

The City Auditor shall be chosen by Council.

(A) Qualifications and Term.

The City Auditor shall be a person knowledgeable in generally accepted government auditing standards, principles of municipal accounting, and local government policies, operations, and processes.

The City Council may enter into an employment agreement with the City Auditor for a definite term ~~not to exceed~~ ~~twofive~~ (25) years. The City Council may terminate the employment agreement at its will and pleasure by a vote of not less than five (5) members of the City Council. The action of the City Council in removing the City Auditor shall be final, it being the intention of this Charter to vest all authority and fix all responsibility for such removal in the City Council.

Proposition 12:

Article V, Section 2

§ 2 Term and salary.

The Council shall appoint a City Manager who shall be the chief administrative officer of the City. The Council may appoint the City Manager for day-to-day without a definite fixed term or may enter into an employment agreement with the City Manager for a term not to exceed ~~of threefive~~ (35) years. In any event, the Council may remove the City Manager at its will and pleasure by a vote of five (5) members of the Council. The action of the Council in removing the City Manager shall be final, it being the intention of this Charter to vest all authority and fix all responsibility for such removal in the Council. Nothing in the employment agreement entered into with the City Manager shall conflict with or supercede this Charter and, in the event of a conflict, the provisions of the Charter shall control.

Proposition 13:

Article VI, Section 1

§ 1 Qualification.

The City Attorney shall be chosen by the City Council on the basis of his or her qualifications as a competent practicing attorney of recognized ability. The City Council may enter into an employment agreement with the City Attorney for a term not to exceed ~~of threefive~~ (35) years. The Council may terminate the employment agreement at its will by a vote of five (5) members of the Council. The action of the City Council in removing the City Attorney shall be final, it being the intention of this Charter to vest all authority and fix all responsibility for such removal in the Council.

Proposition 14:

Article XI, Section 1(E)

§ 1 Plan Commission.

(E) If a vacancy occurs upon the Plan Commission, the Councilmember from the affected district, or the Mayor, ~~as in~~ the case ~~of the at-large member~~ ~~may be~~, shall nominate a commissioner, subject to confirmation by a majority vote of the Council, to fill the unexpired term.

Proposition 15:

Article XI, Section 4

§ 4 Zoning.

~~For the purpose of promoting health, safety, morals or the general welfare of the community, the Council is hereby empowered to regulate and restrict the height, number of stories and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, and the location and use of buildings, structures and land for trade, industry, residence or other purposes.~~

~~Such regulations shall be made in accordance with the Comprehensive Plan and be designed to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to promote health or the general welfare.~~

The City shall have all authority and power in matters of zoning the City of Garland and to pass any necessary ordinance, rule, or regulation to enforce those powers, including which are all matters conferred by the statutes of the State of Texas and various legislative acts supplementary to or amendatory thereof. Any regulations of the City passed under this authority, including but not limited to the Garland Development Code, as amended, shall be made in accordance with the authority and powers referenced herein.

Proposition 16:

Article XI, Section 7

§ 7 Platting or subdivision control.

The City Plan Commission shall have control of the platting or subdivision of land within the City and in relation thereto shall have all of the power and authority conferred by the Acts of 1927, 40th Legislature, Chapter 231, as amended by the Acts of 1949, 51st Legislature, Chapter 154 and Article 6626 Revised Statutes of Texas 1925, as amended. The City Council may delegate approval of certain plats to the Planning Director, as allowed within Chapter 212 of the Texas Local Government Code. Any plat conditionally approved or disapproved by the Planning Director would be appealable to the Plan Commission for reconsideration.

Proposition 17:

Article XII, Section 1

§ 1 City election.

Except as otherwise provided by law, there shall be a regular City election each year on ~~the first~~ [Saturday in Maya state declared uniform election day](#) to elect candidates for expired terms of office or to fill vacancies due to resignations or removal from office, as needed, provided that the Council shall, if authorized by State law, declare unopposed candidates elected.



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City Charter Amendment Proposals

City Council Work Session

February 5, 2024



Background

- ▶ Ordinance calling Special Election has been drafted based on Council direction given at the January 22nd Work Session.
 - ▶ Currently set for consideration at the February 6th Regular Meeting.
- ▶ This presentation includes:
 - ▶ Added revision regarding a deadline for the governor to call an election to fill a vacancy; and
 - ▶ Proposed revision to the mayor/councilmember compensation section.



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Charge Item 4 (Proposition 5)

Article III, Section 3

Mayor and Councilmember Compensation

Revision as considered at the January 22nd Work Session:

Recommendation:

From and after October 1, 20~~18~~²⁴, the Mayor shall receive compensation in the base amount of ~~five~~^{six} hundred ~~and~~[—]seventy-five dollars (\$~~56~~⁷⁵.00) per month, ~~and~~ each Councilmember shall receive compensation in the base amount of ~~two~~^{three} hundred ~~and~~[—]~~eighty~~[—]~~eight~~^{ty} dollars (\$~~288~~³⁴⁰.00) per month., ~~and~~ ~~In addition~~, all members of the Council shall receive compensation in the ~~base~~[—]amount of ~~seventy-two~~^{eighty}-~~five~~ dollars (\$~~72~~⁸⁵.00) for each ~~Council~~ work session attended by the member preceding a regular Council meeting, ~~and~~ for each regular ~~Council~~ meeting ~~of the Council~~ attended, ~~by the member~~ and for up to four (4) special called meetings or workshops of the Council attended. Compensation shall be limited to a maximum of fifty-two (52) meetings during any calendar year. Each Councilmember shall be entitled to reimbursement of reasonable expenses incurred in the performance of their official duties when approved by the Council.



Charge Item 4 (Proposition 5) - Continued

Article III, Section 3

Mayor and Councilmember Compensation

Possible revision to add future automatic adjustments:

Recommendation:

From and after October 1, 20~~18~~²⁴, the Mayor shall receive compensation in the base amount of ~~five~~^{six} hundred ~~and~~^{and} seventy-five dollars (\$~~56~~⁵⁶75.00) per month, and each Councilmember shall receive compensation in the base amount of ~~two~~^{two} hundred ~~and~~^{and} eighty~~four~~^{eighty} dollars (\$~~288~~²⁸⁸340.00) per month., ~~and~~ In addition, all members of the Council shall receive compensation in the ~~base~~ amount of ~~seventy-two~~^{seventy-two} eighty-five dollars (\$~~72~~⁷²85.00) for each Council work session attended by the member preceding a regular Council meeting, ~~and~~ for each regular Council meeting ~~of the Council~~ attended, ~~by the member~~ and for up to four (4) special called meetings or workshops of the Council attended. Compensation shall be limited to a maximum of fifty-two (52) meetings during any calendar year. The amount of compensation shall be adjusted each _____ years in accordance with the most recent twelve (12) month Consumer Price Index (CPI) rate increase beginning on October 1, 20__. Each Councilmember shall be entitled to reimbursement of reasonable expenses incurred in the performance of their official duties when approved by the Council.



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New Item (Proposition 8)

Article III, Section 5(A)

Adding Deadline for Governor to Call Election for Vacancy

Proposed Language:

(A) In the event a vacancy in the office of Mayor or City Council occurs, the City Council shall call a special election in accordance with state law and the Texas Constitution. However, where (i) the member vacating his or her office is unable or unwilling to hold-over until such time as the vacancy may be filled pursuant to a lawful election, (ii) the Governor of the State of Texas does not call an election to fill the vacancy **within thirty (30) days of-after** being petitioned by the City **to do so**, and (iii) a special election cannot be called within 120 days, then the remaining members of the Council may by a three-fourths super majority vote appoint a qualified person to fill the vacancy.



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Thank you.



GARLAND
CITY COUNCIL STAFF REPORT

City Council Work Session

5.

Meeting Date: 02/05/2024

Impacts of Legislative Changes on Health Revenue

Submitted By: Mistie Gardner, Managing Director of Strategic Initiatives

Strategic Focus Area: Safe Community

Issue/Summary

Mistie Gardner will provide an update to the Council on Health Department revenue loss associated with state legislative changes.

Background

Council requested an update on the status of lost revenue associated with legislative changes for Environmental Health at the Council Work Session meeting on December 4, 2023. The following report is intended to respond to that request.

Consideration / Recommendation

For Council discussion.

Attachments

Health Revenue Impacts



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Health Revenue

City Council Work Session - February 5, 2024



Revenue Loss Explanation

Source	Revenue Breakdown	Revenue Lost	Reason
Mobile Food Permit Fees	78 MFU x \$450	\$35,100	HB 2878
Registered Manager Certificate	446 RMs x \$30	\$13,380	SB 577
Food Preparation Carts	3 carts x \$150	\$450	HB 2878
Catering Trucks	2 trucks x \$300	\$600	HB 2878
Food Handler Cards	4621 FHC X \$10	\$46,210	SB 1089
Food Excellence Awards 2023	63 Establishments Permit fees based on Class	\$28,400	Ordinance – Incentive Program
Total		\$124,140.00	



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Next Steps

- Food Excellence Awards Program will continue as directed by Council
- Revision underway for CO Chapter 22, Article II – realignment with Texas Food Establishment Rules (TFER)
- Changes to CO will be presented for future consideration