



City of Rowlett

Meeting Minutes

City Council

4000 Main Street
P.O. Box 99
Rowlett, TX 75030-0099
www.rowlett.com

City of Rowlett City Council meetings are available to all persons regardless of disability. If you require special assistance, please contact the City Secretary at 972-412-6115 or write 4000 Main Street, Rowlett, Texas, 75088, at least 48 hours in advance of the meeting.

Tuesday, March 6, 2012

5:30 P.M.

Municipal Building – 4000 Main Street

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item herein.

The City of Rowlett reserves the right to reconvene, recess or realign the Regular Session or called Executive Session or order of business at any time prior to adjournment.

Present: Mayor Pro Tem Phillips, Deputy Mayor Pro Tem Kilgore, Councilmember Davis, Councilmember Pankratz, Councilmember Miller and Councilmember Gallops

Absent: Mayor Gottel

1. CALL TO ORDER

Mayor Pro Tem Phillips called the meeting to order at 5:31 p.m.

CONVENE INTO EXECUTIVE SESSION

Convened into Executive Session at 5:31p.m.

2. EXECUTIVE SESSION (5:30 P.M.)

- 2A. The City Council shall convene into Executive Session pursuant to the TEXAS GOVERNMENT CODE, §551.074 (Personnel) to deliberate the appointment and employment of a City Secretary, and to update the Council, on the City Secretary search process. (20 minutes)
- 2B. The City Council shall convene into Executive Session pursuant to the TEXAS GOVERNMENT CODE, §551.071 (Consultation with Attorney) to consult with the City Attorney regarding pending litigation between the City and the Garland Public Shooting Range. (10 minutes)

RECONVENE INTO OPEN SESSION

Reconvened into open session at 6:11 p.m.

3. WORK SESSION ITEMS (6:00 P.M.)

3A. Discussion of proposed change to the Personnel Manual to increase the allowable compensatory time for sworn police and fire personnel. (15 minutes)

Staff gave a brief history of compensatory time for sworn police and fire personnel. Stated Police and Fire are currently able to accumulate up to 40 hours compensatory time in lieu of overtime to work special projects, attend training and special events. Staff proposed changing the amount of allowable compensatory time to 80 hours for Police and 96 hours for Fire personnel. Stated the compensatory time can be managed by having a chief officer to approve the time for training and special projects and events. Compensatory time off will be scheduled when slots are open in the work schedule.

A member of Council asked if employees had the choice to choose whether their time was compensatory time or overtime.

Staff answered in the affirmative.

Staff stated the proposed change would be for those police and fire personnel, who participate in specialty units, so there would be flexibility for the employees to do the multiple tasks that are necessary for their specialized units.

A member of Council spoke regarding the Fair Labor and Employment Act and compensatory time.

The City Attorney stated compensatory time is an agreement between the employer and the employee; the employer can impose reasonable restrictions on the use of the time.

A member of Council spoke about different compensatory time issues within other cities.

Staff stated the proposed change is only one additional week of time off; stated there is a cap for the compensatory time.

A member of Council asked if there was a policy requiring the use of compensatory time.

Staff stated the employees would rather have the time off as opposed to accumulating compensatory time.

A member of Council stated by allowing more compensatory time, this will allow more 'face time' in the public.

Another member of Council questioned the difference with the take home pay with regular pay versus compensatory pay.

Staff stated vacation time and compensatory time do not negate overtime.

A member of Council suggested looking at a policy change for the entire organization.

A consensus was reached by the Council to move forward with this time and to bring it before the Council on March 20, 2012.

3B. Hear and discuss the process for selecting engineering and surveying consultants to provide engineering and surveying services for the City of Rowlett. (20 minutes)

Staff presented a PowerPoint presentation. Stated the Engineer Department's goal is to 'Serve the Customers of Rowlett'. Stated the purpose of the RFQ was to selecting qualified engineering firms to provide design services for Capital Improvement Plan (CIP) projects for a four year term. Stated the selection process included choosing firms to provide services from one or more of the following disciplines: Street Projects; Drainage Projects; Water Projects/Sanitary Sewer Projects; Combined Projects (may include one or more of Street, Drainage, Water, and Sanitary Sewer projects); Traffic; Surveying and Subsurface; and Geotechnical. Stated the respondents indicated which discipline or disciplines their firm wanted to be considered for.

The Selection Process Evaluation Panel consisted of members of the Planning and Engineering Departments. Each submittal was ranked based on experience and expertise. Spoke concerning the evaluation criteria. Stated there were 68 responses to the RFQ.

After much discussion, staff selected the following firms:

Street/Drainage/Water/Sanitary Sewer Services

- Freese and Nichols
- Grantham and Associates
- Camp Dresser and McKee (CDM)
- Parsons Brinckerhoff
- Teague Nall and Perkins
- Pacheco Koch
- RJN Group
- Cheatham and Associates
- CP&Y
- Huitt Zollars
- TransSystems

Traffic Engineering

- Lee Engineering

- Deshazo
- Kimley-Horn and Associates

Surveying and Subsurface Services

- Wallace Group
- Sam Testing
- Gorrodona & Associates
- Dal-Tech

Geo-Technical Services

- Alpha Testing
- GME Consulting
- PSI
- Rone Engineering
- STL engineers
- Terracon
- Alliance Geotechnical Group
- Fugro Consultants
- TSIT

On Call Services (Not CIP)

- BW-2 Engineers
- Binkley and Barfield
- Birkhoff Hendricks and Carter
- Saenz and Bury

A member of Council stated he wanted to be sure measures were established to allow the City to exclude firms that we have had issues with, in the past.

Staff stated the State bid law does say for professional services a bid is not necessary; the City is attempting to establish relationships with the firms. Stated a resolution will be brought to the Council on March 20, 2012.

3C. Update on Drought. (15 minutes)

Staff briefly spoke regarding the history of the drought. Stated the North Texas Municipal Water District (NTMWD) met on February 23rd but did not modify the watering restrictions. Stated the District Board stated the member and customer cities will stay in Stage 3 Enhanced water restrictions regardless if Lake Lavon fills to capacity. Stated the reasons for this are NTMWD has not signed a contract with the City of Dallas for water service; the inability to pump water from Lake Texoma due to zebra mussels; pumping issues in the wetlands area; and uncertainties in the weather.

Stated as a result, beginning April 1st, the City will enforce the restrictions to limit outdoor landscape watering to once every two weeks. As a result, staff will continue communicating with our customers to let them know of the water restrictions in place.

Staff stated they anticipate NTMWD will stay in Stage 3 water restrictions until the pipeline is built as the problem is a water supply issue. Stated the Lake Texoma and wetlands issues represent 38% of the water supply that is not accessible. Stated on the federal level, there will have to be changes so that once the pipeline is built, it can become operational.

A member of Council stated the citizens must be educated that the water issue is not a lake level issue but a water supply issue.

A member of Council asked about the City's enforcement of the watering restrictions.

Staff stated they will monitor water usage; will compare bills from the previous year. Stated the City will count of people to understand the magnitude of the issue and for them to do the right thing. Stated if the City begins having problems with meeting the goal of the NTMWD and notice consistent abuse, the City will follow the enforcement policy.

3D. Discuss a potential Planned Development for a medical office to be located at 7905 and 7909 Liberty Grove Road. (15 minutes)

Staff gave a brief history of the specific locations. Stated the property is currently zoned Mixed-Use North Shore (MU-TR) Zoning district with a minimum 4 acre requirement. Stated staff was approached by a potential applicant requesting a Planned Development in order to develop a medical office complex on the subject properties.

A member of Council asked if staff was requesting for the entire area to be rezoned or only the two parcels.

Staff stated only the two parcels.

Staff stated the property is a non-conforming use; medical offices would make a nice transition and would begin to set a tone for other development.

Consensus was reached by the Council to move forward with this item.

3E. Staff from the Planning Division will provide an update regarding the Realize Rowlett 2020 Phase II process. (10 minutes)

Staff stated since February 28th meeting the following has occurred:

- Property owner meetings with the three opportunity areas.
- Downtown Task Force kick-off meeting.

- Started videotaping for the Public Input Meeting on March 31st.
- Ordered signs to be placed around the opportunity areas.
- Drafted letters to go out to property owners with 1,000 ft. of the three opportunity areas.

Stated the meetings with the property owners were positive and staff was able to bridge gaps in communication. Spoke regarding the concerns of the property owners and developers.

4. DISCUSS CONSENT AGENDA ITEMS

A member of Council requested Item 7C be removed from the Consent Agenda to be considered individually but after further discussion and clarification, no items were removed.

No items were removed from the Consent Agenda to be considered individually.

CONVENE INTO THE COUNCIL CHAMBERS (7:30 P.M.)

Convened into the Council Chambers at 7:36 p.m.

INVOCATION

The invocation was led by Councilmember Gallops.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Deputy Mayor Pro Tem Kilgore.

TEXAS PLEDGE OF ALLEGIANCE

The Texas Pledge of Allegiance was led by Deputy Mayor Pro Tem Kilgore.

5. PRESENTATIONS AND PROCLAMATIONS

- 5A.** Update from the City Council and Management: Financial Position, Major Projects, Operational Issues, Upcoming Dates of Interest and Items of Community Interests.

Members of Council and Management gave a brief update to the Council on the various activities in the City including the mandatory Stage 3 Water Restrictions; the March Clean-Up Campaign has begun for Rowlett residents; the Animal Shelter will host a low-cost vaccination clinic on March 10th and 24th beginning at 12:30 p.m.; the Animal Shelter has new operating

hours: Monday – Friday from 10:00 a.m. to 5:00 p.m. and Saturday from 12:00 p.m. to 5:00 p.m.; the Rowlett Library will offer a Spring Break Program beginning March 12th; the City Manager’s Book Club will meet at the Library on March 15th; the 2nd Annual Spring Fest will be held at the Library on March 31st; the Realize Rowlett 2020 Phase II Town Hall Meetings will be held at the Community Centre on March 31st and June 23rd; the Town Hall Meetings that will focus on the Downtown area will be held on April 5th and June 25th; the Rowlett Community Centre offers extended hours on Saturdays and Sundays; and the 100th anniversary of Oreos was mentioned.

6. CITIZENS’ INPUT

No one spoke during Citizens’ Input.

7. CONSENT AGENDA

No items were removed from the Consent Agenda to be considered individually.

The Interim City Secretary read the items into the record.

7A. Consider approving minutes from the February 21, 2012 City Council Regular Meeting.

This item was approved on the Consent Agenda.

7B. Consider action to approve a resolution suspending the March 6, 2012, effective date of Atmos Energy Corp., Mid-Tex division (“Atmos Mid-Tex”) requested rate change to permit the city time to study the request and to establish reasonable rates; approving cooperation with Atmos Cities Steering Committee (“ACSC”) and other cities in the Atmos Mid-Tex service area to hire legal and consulting services and to negotiate with the company and direct any necessary litigation and appeals; requiring reimbursement of cities’ rate case expenses; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and ACSC’s legal counsel.

This item was approved as RES-029-12 on the Consent Agenda.

7C. Consider action to approve a resolution exercising the first of two one-year options to extend the annual bid for concrete repair/replacement of alleys to Ken-Do Contracting, LP in the unit amounts bid and an estimated annual amount of four hundred fifty-three thousand eight hundred two dollars and fifty cents (\$453,802.50) as well as authorizing a 9% increase in the unit price of three bid items as shown herein; and authorizing the Mayor to execute the Standard Public Works Construction Contract for said service.

This item was approved as RES-030-12 on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Councilmember Davis, seconded by Councilmember Gallops, including all the preceding items marked as having been approved on the Consent Agenda. The motion carried by the following vote:

Ayes: 6 Mayor Pro Tem Phillips, Deputy Mayor Pro Tem Kilgore, Councilmember Davis, Councilmember Pankratz, Councilmember Miller and Councilmember Gallops

Absent: 1 Mayor Gottel

8. ITEMS FOR INDIVIDUAL CONSIDERATION

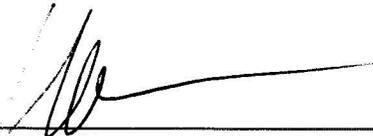
There were no items for Individual Consideration.

TAKE ANY NECESSARY OR APPROPRIATE ACTION ON CLOSED/EXECUTIVE SESSION MATTERS

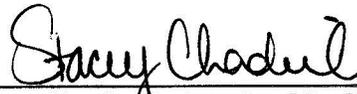
No actions were taken following the Executive Session items.

9. ADJOURNMENT

Mayor Pro Tem Phillips adjourned the meeting at 7:44 p.m.



Doug Phillips, Mayor Pro Tem



Stacey Chadwick, Interim City Secretary

Date Approved: March 20, 2012