



City of Rowlett

Meeting Agenda

City Council

4000 Main Street
Rowlett, TX 75088
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, September 2, 2014

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.

1. CALL TO ORDER

2. EXECUTIVE SESSION

2A. The City Council shall convene into Executive Session pursuant to the Texas Government Code, §551.087 (Economic Development) and §551.071 (Consultation with Attorney) to receive legal advice from the City Attorney and to discuss and deliberate the offer of financial or other incentives to business prospects that the City may seek to have locate in or near Elgin B. Robertson Park. (15 minutes) (THE EXECUTIVE SESSION WILL BE HELD AFTER THE REGULAR COUNCIL MEETING.)

2B. The City Council shall convene into Executive Session pursuant to the Texas Government Code, §551.087 (Economic Development) and §551.071 (Consultation with Attorney) to receive legal advice from the City Attorney and to discuss and deliberate the offer of financial or other incentives to business prospects regarding the Rowlett Public Library transition plan. (30 minutes) (THE EXECUTIVE SESSION WILL BE HELD AFTER THE REGULAR COUNCIL MEETING.)

2C. The City Council shall convene into Executive Session pursuant to the Texas Government Code, §551.071 (Consultation with Attorney) to receive legal advice from the City Attorney and to discuss and deliberate legal issues relating to the Northeast Gateway tollway and Public Werks, Inc. (10 minutes) (THE EXECUTIVE SESSION WILL BE HELD AFTER THE REGULAR COUNCIL MEETING.)

3. WORK SESSION (5:30 P.M.)* Times listed are approximate

3A. Discuss Tee & Bunker Study. (30 minutes)

- 3B. Discussion on a transition plan for the Rowlett Public Library and the Rowlett Chamber of Commerce located at 3900 & 3910 Main Street as it relates to the Village of Rowlett project. (45 minutes)
- 3C. Discuss migration from Verizon Southwest as the City's 9-1-1 provider to a hosted solution provided by the North Central Texas Council of Governments (NCTCOG), utilizing Emergency Call Works for the customer premise equipment (CPE). (30 minutes)
- 3D. Discuss the process for appointments to the various City of Rowlett Boards and Commissions and proposed amendments to the Rowlett Boards and Commissions Handbook related to appointments. (45 minutes)

4. DISCUSS CONSENT AGENDA ITEMS

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

INVOCATION

PLEDGE OF ALLEGIANCE

TEXAS PLEDGE OF ALLEGIANCE

Honor the Texas Flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.

5. PRESENTATIONS AND PROCLAMATIONS

- 5A. Presentation of proclamation recognizing September as Library Card Sign-Up Month.
- 5B. Proclamation recognizing the month of September as Blood Cancer Awareness Month.
- 5C. Presentation of a Proclamation to the Texas Amateur Athletic Federation Rowlett Rays Swim Team, United Sports Track Team and Rowlett Extreme Speed Track Team in recognition of the Texas Amateur Athletic Federation (TAAF) "Games of Texas" qualifiers.
- 5D. Hear presentation of the Monthly Financial report for the period ending July 31, 2014.
- 5E. Update from the City Council and Management: Financial Position, Major Projects, Operational Issues, Upcoming Dates of Interest and Items of Community Interest.

6. CITIZENS' INPUT

At this time, three-minute comments will be taken from the audience on any topic. To address the Council, please submit a fully-completed request card to the City Secretary prior to the beginning of the Citizens' Input portion of the Council meeting. No action can be taken by the Council during Citizens' Input.

7. CONSENT AGENDA

The following may be acted upon in one motion. A City Councilmember or a citizen may request items be removed from the Consent Agenda for individual consideration.

- 7A.** Consider action to approve minutes from the August 14-15, 2014, City Council Special Work Session, and the August 19, 2014, City Council Meeting.
- 7B.** Consider action to approve a resolution authorizing the City Manager to execute an amendment to a Subrecipient Grant Agreement with Life Message, Inc. as part of the Public Services portion of the City of Rowlett Community Development Block Grant (CDBG) for program year 2013-2014.
- 7C.** Consider action to approve a resolution amending the City's Financial and Fiscal Policies.
- 7D.** Consider action to approve a resolution awarding a bid for the purchase of Self-Contained Breathing Apparatus (SCBA) and accessories equipment to Hoyt Breathing Air Products in the amount of \$397,658.06 for Rowlett Fire Rescue through the Interlocal Cooperative Purchasing Agreement with the City of Frisco.
- 7E.** Consider an ordinance amending the Fiscal Year 2013-14 Adopted Operating and Capital Improvements Program Budget.
- 7F.** Consider action to approve a resolution authorizing Change Order #1 in the amount of \$116,000 to the existing Bureau Veritas North America, Inc. Agreement for planning review and building inspections services and authorizing the City Manager to execute the necessary documents for said change.
- 7G.** Consider action approving a resolution to accept the Texas Department of Transportation (TxDOT) Traffic Safety eGrant, Program Comprehensive Grant for FY2015.

8. ITEMS FOR INDIVIDUAL CONSIDERATION

If a Public Hearing is listed, the City Council will conduct such public hearing to receive comments concerning the specific items listed in the agenda. Any interested persons may appear and offer comments, either orally or in writing; however, questioning of those making presentations will be reserved exclusively to the presiding officer as may be necessary to ensure a complete record. While any person with pertinent comments will be granted an opportunity to present them during the course of the hearing, the presiding officer reserves the right to restrict testimony in terms of time and repetitive content. Organizations, associations, or groups are encouraged to present their commonly held views and identical or similar comments through a representative member when possible. Presentations must remain pertinent to the issues being discussed. A person may not assign a portion of his or her time to another speaker.

- 8A.** Conduct a public hearing on the ad valorem tax rate for Fiscal Year 2014-2015.
- 8B.** Conduct a public hearing (2nd) on the proposed budget for Fiscal Year 2014-2015.

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

9. ADJOURNMENT

Laura Hallmark

Laura Hallmark, City Secretary

I certify that the above notice of meeting was posted on the bulletin boards located inside and outside the doors of the Municipal Center, 4000 Main Street, Rowlett, Texas, as well as on the City's website (www.rowlett.com) on the 28th day of August 2014, by 5:00 p.m.



City of Rowlett
Staff Report

4000 Main Street
P.O. Box 99
Rowlett, TX 75080-0099
www.rowlett.com

AGENDA DATE: 09/02/14

AGENDA ITEM: 2A

TITLE

The City Council shall convene into Executive Session pursuant to the Texas Government Code, §551.087 (Economic Development) and §551.071 (Consultation with Attorney) to receive legal advice from the City Attorney and to discuss and deliberate the offer of financial or other incentives to business prospects that the City may seek to have locate in or near Elgin B. Robertson Park. (15 minutes) (THE EXECUTIVE SESSION WILL BE HELD AFTER THE REGULAR COUNCIL MEETING.)



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4000 Main Street
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AGENDA DATE: 09/02/14

AGENDA ITEM: 2B

TITLE

The City Council shall convene into Executive Session pursuant to the Texas Government Code, §551.087 (Economic Development) and §551.071 (Consultation with Attorney) to receive legal advice from the City Attorney and to discuss and deliberate the offer of financial or other incentives to business prospects regarding the Rowlett Public Library transition plan. (30 minutes) (THE EXECUTIVE SESSION WILL BE HELD AFTER THE REGULAR COUNCIL MEETING.)



City of Rowlett
Staff Report

4000 Main Street
P.O. Box 99
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AGENDA DATE: 09/02/14

AGENDA ITEM: 2C

TITLE

The City Council shall convene into Executive Session pursuant to the Texas Government Code, §551.071 (Consultation with Attorney) to receive legal advice from the City Attorney and to discuss and deliberate legal issues relating to the Northeast Gateway tollway and Public Werks, Inc. (10 minutes) (THE EXECUTIVE SESSION WILL BE HELD AFTER THE REGUALR COUNCIL MEETING.)



City of Rowlett
Staff Report

4000 Main Street
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AGENDA DATE: 09/02/14

AGENDA ITEM: 3A

TITLE

Discuss Tee and Bunker Study. (30 minutes)

STAFF REPRESENTATIVE

Jermel Stevenson, Director of Parks and Recreation

SUMMARY

The Golf Advisory Board (GAB) has recommended a slate of projects for consideration by the City Council for the Waterview Golf Course. The purpose of this item is to discuss the tee and bunker study that are a part of the projects under consideration.

BACKGROUND INFORMATION

On December 18, 2012, the GAB provided recommendations to the City Council regarding additional improvements to the golf course, including funds to enclose the clubhouse, add a lake on Hole #2, modify the tee boxes on Hole #18, add additional trees and repair settled sprinkler trenches throughout the course. The Council took issue with repairing the trenches, agreeing with staff that it should be a contractual obligation of American Golf Corporation (AGC), and provided consensus to move forward with the remaining four projects. The additional trees recommended and the work on the tee box on Hole #18 was completed in 2013. However, the pavilion project and the lake at Hole #2 is now being considered as part of a slate of projects discussed with Council on March 18, 2014.

On March 18, 2014, the GAB provided recommendations to the City Council regarding five separate projects totaling \$820,672. Subsequent to that event, on April 1, 2014, the GAB recommended one additional project to add two additional tee boxes on Hole #6 and #16 for a total estimated cost of \$9,000 bringing the total estimated project costs to \$829,672.

Since March 18th, City staff has met with AGC staff on several occasions. AGC has expressed concern with the additional bunkers that they may affect the pace of play, a key priority with AGC. From the GAB's perspective, the bunkers offer a play dynamic forcing golfers to have to make decisions about the shot they wish to play, a key priority for the GAB. In order to properly evaluate and resolve the potential conflict, City staff and AGC has engaged the services of Professional Golf Services for a tee and bunker study. A key component of this study is to evaluate the golf course for a "balance" between pace of play and play dynamic. The study will result in a report that includes factors such as bunker locations, yardage reports, shot strategy and playability. It is possible that the study could recommend replacing tee boxes rather than bunkers to achieve the same goal. Generally speaking, tee boxes are less expensive to build and maintain than bunkers. City staff continues to work with AGC to develop a time schedule for the proposed projects. While

some of the projects have already been awarded (i.e. drainage on Hole #10, retaining wall on Hole #18, etc.), other projects will need to be built around AGC's tournament schedule. In addition, AGC has requested that the lake project on Hole #2 be fully designed.

During the May 20th City Council meeting, the Council voted to approve the development agreement with American Golf Corporation to do the six projects recommended by the Golf Advisory Board. This included the original five projects recommended on March 4, 2014, and the additional tee boxes recommended on April 1, 2014.

Projects	Description	Projected Cost 3-18-14	Projected Cost 5-20-14
1	Waterview Clubhouse Improvements	\$518,304	\$518,304
2	Add lake(s) on Hole #2	71,288	71,288
3	Drainage on Hole #10	45,399	46,175
4	New Bunkers	34,880	34,880
5	Replace retaining wall on Hole #18 tee box	150,801	150,801
6	Add two tee boxes on Hole #6 and Hole #16	0	9,000
	Total recommended expenditures	\$820,672	\$830,448
	Contribution from Waterview HOA	(31,000)	(31,000)
	Net cost to City of Rowlett	\$789,672	\$799,448
	Available balance in Fund 180 for FY2014	<u>(340,092)</u>	<u>(340,092)</u>
	Net shortfall (funds will be needed from financing or phasing)	<u>\$449,580</u>	<u>\$459,356</u>
	Net change from 3-18-14		<u>\$9,776</u>

The Council provided a primary point relative to the approval. Before moving forward with any changes to tee boxes or bunkers, Council requested that the Golf Advisory Board review the tee and bunker study conducted by Josh Peters. After review, the Council requested that the study be presented to Council along with the Golf Advisory Board's recommendations.

On July 1, 2014, the City Council voted to restructure the lease agreement with AGC. As part of that restructuring, AGC provided \$2.19 million to defease and restructure bonded indebtedness and extend the lease agreement until December 31, 2039. In addition, the capital projects approved on May 20, 2014, were amended. As revised, alternate #1 from the clubhouse totaling \$147,056 was removed, the City's portion in up-front cash from the Golf Fund was increased by \$172,682 and AGC covered the remaining balance of \$139,618 with no financing necessary. In addition, the City will retain a reserve totaling \$255,000, equivalent to one-year debt service. The table below outlines the major changes to the projects.

Projects	Description	Projected Cost as of 5-20-14	Projected Cost as of 7-1-14	\$ Change
1	Waterview Clubhouse Improvements	\$518,304	\$518,304	\$ -
-	Remove alternate #1 – Dining Expansion	-	<u>(147,056)</u>	<u>(147,056)</u>
1	Revised Waterview Clubhouse Project	\$518,304	\$371,248	\$(147,056)
2	Add lake(s) on Hole #2	71,288	71,288	-
3	Drainage on Hole #10	46,175	46,175	-
4	New Bunkers	34,880	34,880	-
5	Replace retaining wall on Hole #18 tee box	150,801	150,801	-
6	Add two tee boxes on Hole #6 and Hole #16	<u>9,000</u>	<u>9,000</u>	<u>-</u>
	Total recommended expenditures	\$830,448	\$683,392	\$(147,056)
	Contribution from Waterview HOA	<u>(31,000)</u>	<u>(31,000)</u>	<u>-</u>
	Net cost	\$799,448	\$652,392	\$(147,056)
	Funded from Golf Fund	<u>(340,092)</u>	<u>(512,774)</u>	<u>(172,682)</u>
	Net shortfall – Original (City would finance over 3 years)	<u>\$459,356</u>	<u>\$139,618</u>	<u>\$(319,738)</u>
	Net shortfall – Revised (American Golf covers the difference)	Balance covered by City	Balance covered by AGC	n/a
City retains a reserve of \$255,000, equivalent to one-year debt service based on the debt restructuring.				

On September 2, 2014, the Golf Advisory Board will meet to finalize their recommendations with regard to the Tee and Bunker study. Those recommendations will be provided to Council during the work session.

DISCUSSION

As indicated, the City has approved six capital improvement projects for Waterview Golf Course as recommended by the Golf Advisory Board. Those projects include the following:

Projects	Description	Projected Cost as of 7-1-14
4	New Bunkers	\$ 34,880
6	Add two tee boxes on Hole #6 and Hole #16	<u>9,000</u>
	Total	<u>\$ 43,880</u>

Project #4: New Bunkers

Features and hazards are an intriguing part of what makes this sport so interesting to golfers. Water hazards and sand traps help stimulate and challenge players of all ages. One of the proposals the GAB considered was to add additional bunkers to the golf course on Hole #4 fairway, Hole #9 fairway or greenside, Hole #10 fairway, and Hole #15 fairway. Based on a proposal from Larson Golf Services, totaling \$34,880, during a previous board meeting, the GAB voted 5-0 to recommend this project.

Project #6: New Tee Boxes

Like bunkers, tee box placement helps to stimulate and challenge players. This project would add two additional tee boxes on Hole #6 and Hole #16 for an estimated cost of \$9,000. This item was discussed by the GAB on April 1, 2014, and resulted in the GAB voting 5-0 to recommend this project.

These projects have been bid and the results will be shared with the Golf Advisory Board on September 2, 2014, with the expectation a formal recommendation will be made to the City Council for the work session that night.

FINANCIAL IMPLICATIONS

As discussed in the background information, the City has set aside \$512,774 from the Golf Fund for all six projects with AGC providing \$139,618 for a total of \$652,392. The amount allocated for the new bunkers and tee boxes is \$43,880.

RECOMMENDED ACTION

Provide direction with regard to the tee and bunker study projects for Waterview Golf Course.



City of Rowlett
Staff Report

4000 Main Street
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AGENDA DATE: 09/02/14

AGENDA ITEM: 3B

TITLE

Discussion on a transition plan for the Rowlett Public Library and the Rowlett Chamber of Commerce located at 3900 and 3910 Main Street as it relates to the Village of Rowlett project. (45 minutes)

STAFF REPRESENTATIVE

Brian Funderburk, City Manager
Marc Kurbansade, Director of Development Services
Jim Grabenhorst, Director of Economic Development

SUMMARY

The Village of Rowlett is a \$30 million project on approximately 12 acres of City-owned property in Downtown Rowlett that will introduce a range of urban densities within modern housing concepts, local retail, commercial destinations and high quality pedestrian amenities. As part of this development and redevelopment, the existing structures that house the Rowlett Public Library (“Library”) and the Rowlett Chamber of Commerce (“Chamber”) will need to be relocated and/or removed. The purpose of this item is to discuss a timeline for the transition plan for the Library and an update on the options outlined by staff at a recent City Council work session as it relates to the existing structure and the Chamber.

BACKGROUND INFORMATION

The City of Rowlett and the Chamber have a longstanding strategic partnership in promoting a favorable business climate and Economic Development initiatives within Rowlett and the surrounding region. The Chamber has been focused on “promoting the business community, economic well-being, and quality of life” in Rowlett since 1974. The City of Rowlett and the Chamber entered into a lease agreement in 1998 for property located at 3910 Main Street in the old First Christian Church building.

In January, 2014, the City and Chamber entered into a Cooperation & Lease Addendum agreement as a result of the City’s efforts to secure a development partner on specific City owned properties within Downtown. This included the building and property currently leased by the Chamber. In this Cooperation agreement, both parties acknowledged the need to provide for a termination clause in which the Chamber could be relocated to other City property should development or redevelopment occur on this site.

As a result of the Village of Rowlett project and redevelopment of this property, the City needs to develop a transition plan for relocating both the Library and Chamber office and discuss options associated with relocating the existing structure versus removing the structure.

DISCUSSION

The purpose of this discussion item is to present City Council with background information and available options in order to make an informed decision regarding the existing Chamber building and a temporary location for the Library as it relates to the pending Village of Rowlett development project.

Regarding the Library, the City is currently in negotiations for temporary space to lease until such time as the Village of Rowlett building is constructed along Main Street. As part of the Village of Rowlett project, the City will lease approximately 11,700 square feet on the ground floor for a period of five to seven years.

Following is the preliminary schedule associated with the Library transition plan:

Identify and secure temporary leased space	August – October 2014
Improvements for temporary leased space	November – March 2015
Vacate existing building & conduct move	March – April 2015
Demolition of existing building	May – July 2015
Village of Rowlett construction of Library space	July 2015 – July 2016
Move to Village of Rowlett leased space	July – August 2016

Regarding the Chamber building, the main decision point for this discussion is whether to preserve the building by relocation or to vacate the building for removal by the Village of Rowlett project. It should be noted that although the existing building has “historic” value to the City of Rowlett, it is not eligible for inclusion on the National Register of Historic Places due to the structural alteration/addition to the rear of the building and the relocation of the building from its original location.

Following is a recap of the prior information presented to City Council during a work session on July 8, 2014:

Relocation

Should City Council wish to preserve the existing building, relocation will be necessary. It should be noted that City Council will need to determine whether to relocate the entire building as it currently exists or to exclude the “alteration/addition” portion of the building. If a portion of the building is excluded from the relocation, there will be costs associated returning the building to a habitable condition. City Staff has identified the best location where the building could be relocated if chosen by Council as follows:

Old Fire Station property located at 4500 Main Street adjacent to Herfurth Park -

This choice is the only location staff has identified should City Council desire the building to continue to be used to house the Chamber of Commerce offices. This choice would require the demolition of the Old Fire Station as well as site preparation costs. The preliminary estimate for this option ranges from \$250,000 - \$350,000 (does not include environmental investigation and remediation costs).

Removal

The choice to remove the existing Chamber of Commerce building and associated cost for demolition are already included in the Village of Rowlett project. The City would need to identify and assist the Chamber in relocating their offices as part of the Cooperation agreement.

It should be noted that due to the age of the existing structure and the materials used throughout the construction of the building during its lifetime, an analysis of hazardous materials (e.g., lead, asbestos) will be part of the costs associated with either the relocation or removal options.

FINANCIAL/BUDGET IMPLICATIONS

This item is for discussion purposes. Upon direction from City Council, staff will formalize the transition plans and the associated fiscal impacts. As presented in the proposed FY2015 budget, the use of the Cash CIP funds are being proposed to fund the Library and Chamber transition plan, with \$600,000 proposed in FY2015 and \$200,000 proposed in FY2016.

RECOMMENDED ACTION

This item is for discussion and to provide consensus and direction to City staff to formalize a transition plan.



City of Rowlett

Staff Report

4000 Main Street
P.O. Box 99
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AGENDA DATE: 09/02/14

AGENDA ITEM: 3C

TITLE

Discuss migration from Verizon Southwest as the City's 9-1-1 provider to a hosted solution provided by the North Central Texas Council of Governments (NCTCOG), utilizing Emergency Call Works for the customer premise equipment (CPE). (30 minutes)

STAFF REPRESENTATIVE

Beth English, Communications Director
Mike Brodnax, Chief of Police

SUMMARY

The purpose of this item is to discuss migration to a hosted solution for the provision of 9-1-1 service, and upgrading the 9-1-1 system to a Next Generation 9-1-1 (NG9-1-1) system, which can receive texts, video, etc.

BACKGROUND INFORMATION

The Police Communications Center is an integral part of the City of Rowlett's emergency response system. The Communications Center is the public safety answering point (PSAP) for emergency and non-emergency calls from landlines, wireless, and VoIP phones for Rowlett. The Emergency Operations Center (EOC), located at Fire Station 1, is the designated location for call processing in the event the police building must be evacuated or extra call takers are needed for a large scale emergency. Currently, both locations are equipped with different outdated 9-1-1 systems.

DISCUSSION

The current Cassidian Patriot 911 system, purchased through Verizon, was purchased in 2010 and financed for seven (7) years. A search of historical data did not indicate that a software upgrade would be required at any point in the future or if a maintenance contract had been purchased. In mid-2012 Director of Communications, Beth English, had to have some maintenance work done on the 911 System. Rowlett received a bill for services rendered. Beth English questioned the cost as to why it was not covered under a maintenance policy. We were advised by Verizon that Rowlett had never purchased a maintenance contract for the 911 system. This prompted Beth to inquire what the cost of a maintenance contract would be going forward. Beth requested the maintenance contract to be drawn up. Due to some internal audit issues with Verizon, which were Verizon issues, the maintenance contract was not completed. Beth English had also discovered that the EOC at Fire Station #1 on Miller Rd had no 911 capabilities. The EOC is equipped with the PlantCML Vesta Pallas call processing system, which is not operational. In the event of a disaster or large scale emergency where calls must be processed off-site, such as in the Emergency Operations Center (EOC) or by utilizing the Mobile Command Post, our

current system will not work. Beth English contacted Verizon and inquired on what the process would be to incorporate the EOC into the Cassidian Patriot 911 system.

Verizon advised that the Cassidian Patriot 911 system would have to be upgraded with both software and hardware replacements. The cost to upgrade the Cassidian Patriot 911 system to incorporate both EOC operations and Police Dispatch would be \$540,657.40 over the next three years (see Attachment 2 - Spreadsheet with detailed cost analysis).

Beth English was aware of a 911 system now being offered by NCTCOG through a third party vendor (Emergency Call Works) that provides more options on a hosted system at a much lower cost. The hosted system is much more appealing in that it eliminates the need for future expensive hardware (server) costs and software upgrades and also includes the ability to dispatch 911 calls from the EOC, mobile command post or any other off-site location. The cost of the NCTCOG hosted system for the next three years would be \$372,713.90. This price includes the \$90,000.00 payout for the remaining lease payments for the current Patriot system, all hardware, software, installation and maintenance costs (see Attachment 3 - Spreadsheet with detailed cost analysis).

The following compares the two systems against each other.

Emergency Call Works (NCTCOG):

The Emergency Call Works is currently being implemented in the NCTCOG region with several PSAPs. It has also been implemented in the East Texas Council of Governments region, with 19 agencies utilizing the ETCOG host, and is being implemented in Port Aransas and Portland, TX utilizing the Bexar County host.

With the NCTCOG providing the host, there will be two redundant data centers, completely monitored and maintained by the technical staff at NCTCOG. The database maintenance would be performed by 911 Datamaster, which would lower database costs significantly compared to what is charged by our current 911 database provider. The 911 system would be in line for true next generation 9-1-1 when the regional network is connected to the state network, and by going with the COG's model now, the City will receive the "early adopter" discount for network charges.

The hosted solution using Emergency Call Works for the call processing equipment came highly recommended by other users of the same model. In addition to the advantages of the hosted solution, Emergency Call Works has numerous other features to be considered:

- Additional call recording
- Reporting that includes all times from the time the call was received, transferred, and terminated
- Supports non-traditional communications, integrated messaging, and wireless calls
- 9-1-1 calls follow the call taker's login
- Enhanced reporting features
- Integrated mapping

Cassidian Vesta:

The upgraded Cassidian Vesta 4 provides all the same functionality as Emergency Call Works but is not a solution chosen by NCTCOG to connect to the host network. Therefore, all charges that are paid for our current 9-1-1 system would still be in effect with additional network charges added to connect the Communications Center and the EOC. These charges do not include the network charges that would be added to join the COG’s regional network.

The current 9-1-1 equipment in the Communications Center could be expected to last at least another budget year; however, it would need to be expanded to include equipment in the EOC, at great cost. The equipment maintenance on the system is also very costly and those funds could be better used purchasing a system that can carry the City of Rowlett forward.

After examining the price breakouts for the Patriot upgrade along with the integration of EOC at \$540,657.40 compared to the \$372,713.90 cost NCTCOG, Emergency Call Works 911 System it has been determined that there would be a cost savings of **\$167,943.50** in the first three (3) years. In year four, the \$30,000 Patriot payment drops off, which will provide additional savings going forward.

FINANCIAL/BUDGET IMPLICATIONS

The City could save \$167,944 in the next three years by switching to Emergency Call Works 911 System hosted by NCTCOG. There is an upfront cost of \$180,766, which will be covered by police seizure funds. Remaining costs will come from the City’s 911 fees.

Description	Emergency Callworks NCTCOG Option	Cassidian Vesta Option*	Savings
FY2015 Costs	\$252,766	\$270,428	\$ 17,662
FY2016 Costs	59,974	135,115	75,141
FY2017 Costs	59,974	135,115	75,141
Total Three Year Costs	\$372,714	\$540,658	\$167,944
*Rounding			

RECOMMENDED ACTION

Staff recommends the City move to the NCTCOG hosted platform and purchase Emergency Call Works call processing solution.

ATTACHMENTS

- Attachment 1 - Future Needs Form NG911 System
- Attachment 2 - Cost breakdown of upgrading current system
- Attachment 3 - Cost breakdown of moving to host with new equipment
- Attachment 4 - Diagram – current 9-1-1 system
- Attachment 5 - Diagram – hosted 9-1-1 system

**CITY OF ROWLETT
FUTURE NEEDS REQUEST FORM
ANALYSIS SHEET AND EVALUATION EXERCISE**

Date: 5/15/2014	Fiscal Year Needed: 2015
Department: Police	Submitter: W.M. Brodnax

What is this request for? (i.e. technology, equipment, building repairs or other)

Next Generation 911 system and maintenance replacement for current 911 system at the Police Department and replacement for end of life 911 system at the EOC. The 911 system is used to process all emergency calls for police, fire and EMS service in the city of Rowlett.

Description:

The current 911 system, the Cassidian Patriot, at the Public Safety Answering Point (PSAP) must have support and software upgrades in order to continue functioning. The Microsoft 2003 servers will reach end of service agreements with Microsoft in July 2015. The Emergency Operations Center (EOC) 911 system, the Plant Vesta Pallas, which is a different platform than that at the PSAP, is at end of life and no longer manufactured nor will it be supported after September 2014. This request is to upgrade our current PSAP platform, the Cassidian Patriot, and replace the EOC Plant Vesta Pallas platform or to switch to a hosted solution for both our PSAP and EOC. The cost to replace the Plant Vesta Pallas platform at the EOC would be a three year total of \$189,474.47. To bring the Cassidian Patriot 911 system at the PSAP to a serviceable system, that would be Next Generation 911 capable, would require equipment, software and maintenance contracts, server, hardware and software upgrades, and annual Verizon 911 charges. We would also be required to continue the payment for the original contract on the Patriot for the next three years. The cost for this system over the next three years would be \$350,782.93. The cost to upgrade our current 911 system for both the PSAP and the EOC would be in excess of \$540,657.40 for three years. See attached spreadsheet for three year price breakout.

If we were to change our current 911 system to a hosted Next Generation ready platform through the North Central Texas Council of Governments (NCTCOG) and third party vendor, Emergency Call Works (ECW), it would cost \$372,713.90 for the next three years. This price includes the \$90,000 payout for the current Patriot system and all hardware, software, installation and maintenance agreements for the PSAP and EOC. See attached spreadsheet for three year price breakout.

After examining the price breakouts for the Patriot update (\$350,782.93) and Vesta Pallas replacement (\$189,474.47) compared to the hosted NCTCOG solution (\$372,713.90) for both PSAP and EOC, it is my recommendation that we move to the NCTCOG hosted platform.

**CITY OF ROWLETT
FUTURE NEEDS REQUEST FORM
ANALYSIS SHEET AND EVALUATION EXERCISE**

One-time cost:		Recurring cost:	
\$192,791		\$59,974	
TOTAL COST:			
FY 2015	FY 2016	FY 2017	TOTAL
\$252,766	\$59,974	\$59,974	\$372,714

Questions:
<p>Is this a replacement purchase? We have the ability to upgrade our current systems but I am recommending a complete replacement</p>
<p>How often will this purchase be used? Continuously 24 hours a day, 7 days a week, 365 days a year</p>
<p>How many employees will be positively impacted? The majority of employees for this organization are somehow affected by or use our PSAP and/or EOC.</p>
<p>How will this purchase affect our customers? It will impact all citizens as it will allow the city to maintain a working 911 system in order to respond to emergency calls from citizens needing police, fire or EMS response.</p>
<p>Describe the nature of the job for which this purchase is used, and describe the benefits that will be gained from this request. Try to answer questions such as how often it is needed, what is its purpose, how many days a year is it used, is use only seasonal or sporadic versus ongoing or constant?</p> <p>The PSAP is the 24-hour call center for all first responders and the after hours customer service contact for the rest of the City services. All citizens who contact the City, whether via 911 or 10-digit phone number, will benefit from the new system. There's also a cost benefit due to less money for maintenance fees and upgrades, and a safety benefit for all citizens as it will allow the PSAP to receive 911 calls for service at any location where 4G service is available. This means that the Mobile Command Post could be staffed at events/incidents with the ability to process 911 calls at the scene. In the case of a major disaster it would also allow us to expand our PSAP by utilizing the EOC in addition to the PSAP, providing two more positions at which 911 could be answered.</p>

Add attachments (i.e. pictures, data, quotes, etc.)

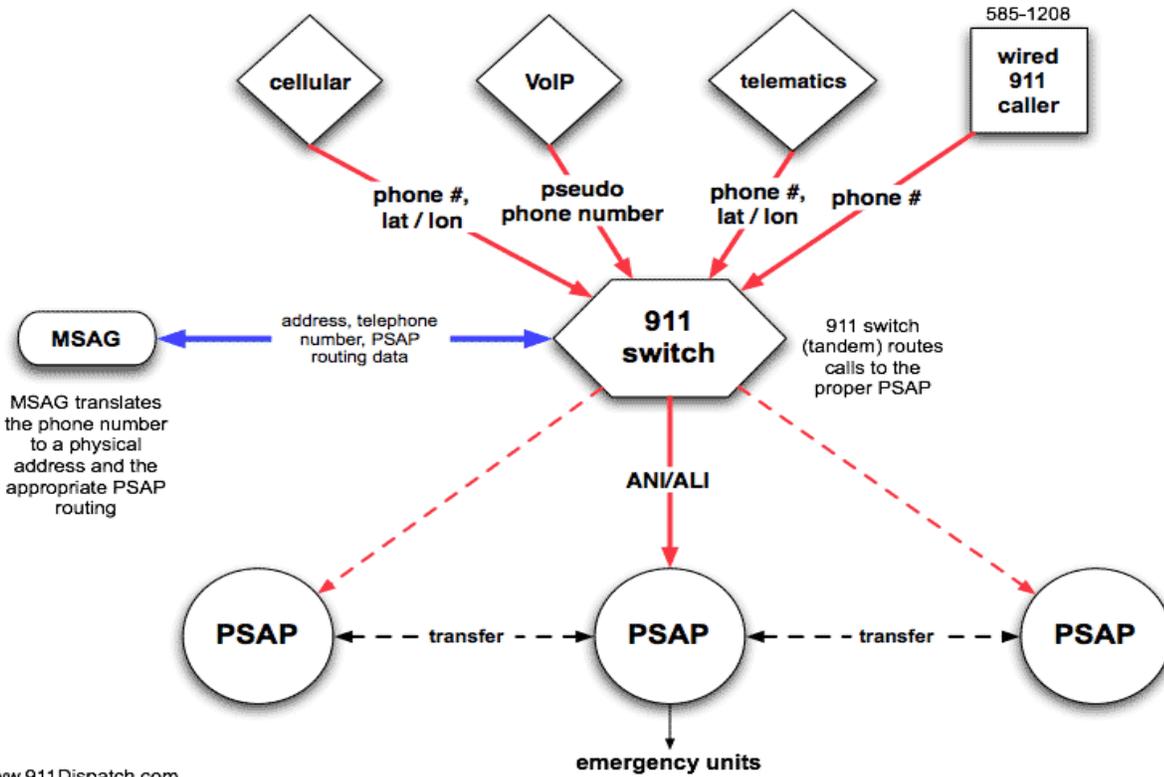
PSAP AND EOC PATRIOT (VERIZON)					
	3 Year Total	Year 1	Year 2	Year 3	Monthly Recurring
Equipment Maintena	\$43,546.36	\$14,515.45	\$14,515.45	\$14,515.45	
Software Maintenanc	\$40,265.18	\$13,421.73	\$13,421.73	\$13,421.73	
SmartNet Maintenanc	\$5,971.39	\$1,990.46	\$1,990.46	\$1,990.46	
Subtotal	\$89,782.93	\$29,927.64	\$29,927.64	\$29,927.64	
Patriot Payment	\$90,000.00	\$30,000.00	\$30,000.00	\$30,000.00	
Subtotal	\$179,782.93	\$59,927.64	\$59,927.64	\$59,927.64	
Server Upgrade	\$45,000.00	\$45,000.00	\$0.00	\$0.00	
Subtotal	\$224,782.93	\$104,927.64	\$59,927.64	\$59,927.64	
Verizon 911 Charges	\$126,000.00	\$42,000.00	\$42,000.00	\$42,000.00	\$3,500.00
Subtotal	\$350,782.93	\$146,927.64	\$101,927.64	\$101,927.64	
EOC Patriot Equipme	\$101,074.47	\$92,298.77	\$4,387.85	\$4,387.85	
Network Costs (conn	\$88,800.00	\$31,200.00	\$28,800.00	\$28,800.00	\$2,400.00
Subtotal	\$189,874.47	\$123,498.77	\$33,187.85	\$33,187.85	
TOTAL	\$540,657.40	\$270,426.41	\$135,115.49	\$135,115.49	

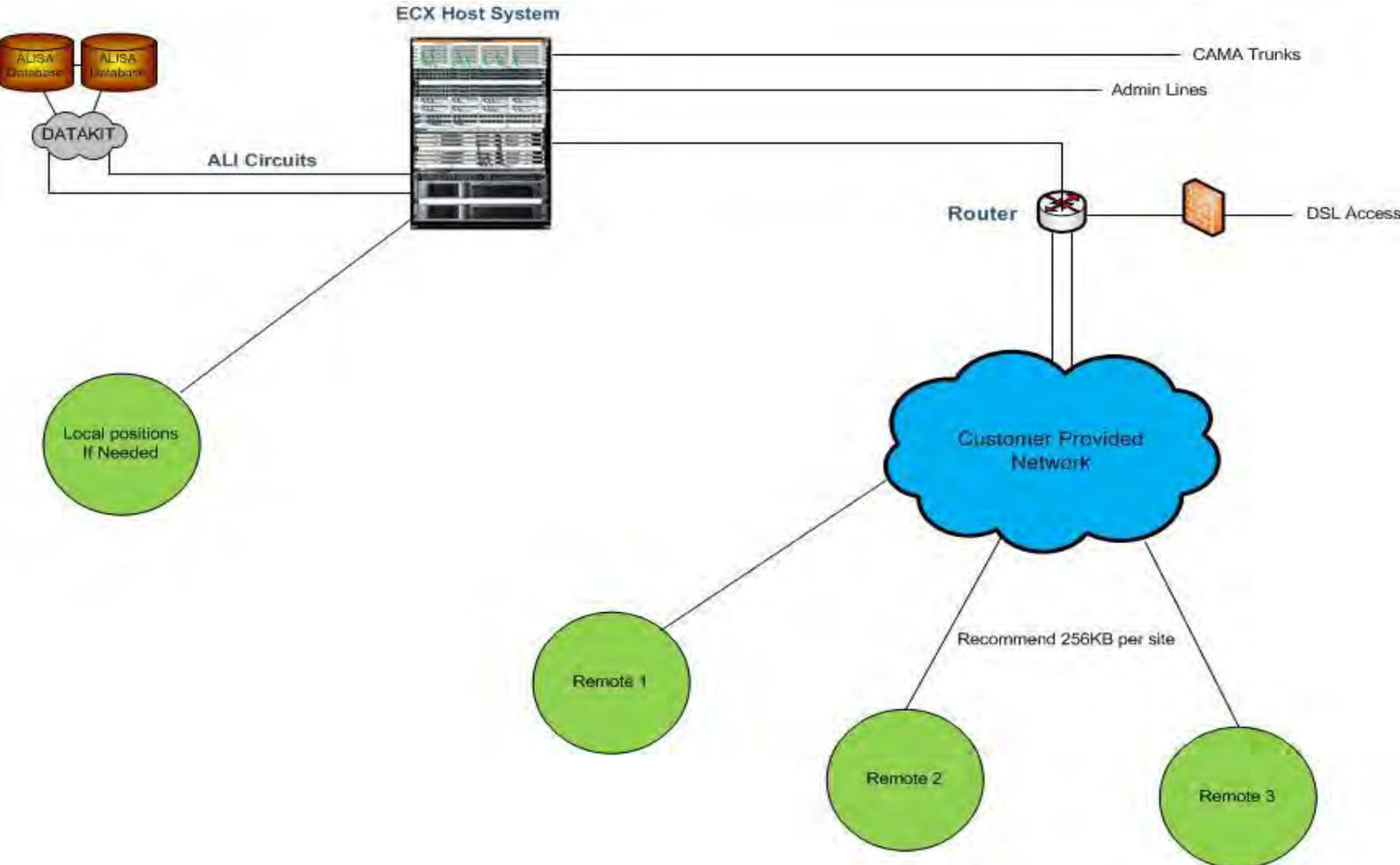
PSAP AND EOC

NCTCOG AND EMERGENCY CALL WORKS (ECW)

	3 Year Total	Year 1	Year 2	Year 3
NCTCOG	\$87,995.48	\$49,047.16	\$19,474.16	\$19,474.16
Datamaster	\$39,500.00	\$18,500.00	\$10,500.00	\$10,500.00
Patriot Payment	\$90,000.00	\$30,000.00	\$30,000.00	\$30,000.00
ECW PSAP	\$121,941.41	\$121,941.41	\$0.00	\$0.00
EOC	\$33,277.01	\$33,277.01	\$0.00	\$0.00
TOTAL	\$372,713.90	\$252,765.58	\$59,974.16	\$59,974.16

Typical 9-1-1 System





NOTE: This drawing is intended to provide general system design and network topology. This drawing may be subject to change and must be considered a draft document until such time as the project SOW is completed.



City of Rowlett
Staff Report

4000 Main Street
P.O. Box 99
Rowlett, TX 75080-0099
www.rowlett.com

AGENDA DATE: 09/02/14

AGENDA ITEM: 3D

TITLE

Discuss the process for appointments to the various City of Rowlett Boards and Commissions and proposed amendments to the Rowlett Boards and Commissions Handbook related to appointments. (45 minutes)

STAFF REPRESENTATIVE

Laura Hallmark, City Secretary

SUMMARY

Each year, at the second meeting in September, City Council makes their appointments to the various City of Rowlett Boards and Commissions. If the need arises due to a high number of vacancies, Council may also make appointments at different times throughout the year. Council has requested that the process – including applications, interviews, and appointments, be reviewed before their upcoming appointments.

BACKGROUND INFORMATION

The process for Board and Commission appointments is outlined in the *Rowlett Boards and Commissions Handbook*, which specifies: applications, eligibility requirements, multiple memberships, timing of appointments/terms of office, term limits, annual appreciation dinner, sunset provisions, and ex-officio and alternate members.

DISCUSSION

To help facilitate this discussion, staff sought input from Councilmembers individually as to what each might want to incorporate in the appointment process. Suggestions provided by staff were to: seek additional information from each Board/Commission's staff liaison and Chairperson regarding currently serving regular and alternate members relating to level of service, attendance, etc.; and provide up-to-date attendance records for each of the Boards/Commissions.

Councilmember Bobbitt consulted with David Berman, City Attorney, regarding updates to the applications process as outlined in Section 2 of the *Rowlett Boards and Commissions Handbook*. The Handbook excerpt and proposed resolution are attached as Attachment 1 and Attachment 2 respectively.

Suggested additions are highlighted below:

“2.1 APPLICATIONS

- a. Persons wishing to serve on any standing citizen board, committee or commission shall submit a complete application to the City Secretary’s office in accordance with the published deadline.
- b. Individuals wishing to apply for appointment should carefully review the requirements of each board and commission and specify those in which they have a special interest and for which they are fully qualified.
- c. Applicants may apply for more than one board by indicating 1st, 2nd, 3rd, etc., preferences. Individuals currently serving on a city board, commission or committee are not prevented from applying for a different board. However, since one person may not preside on more than one board, that person would be required to resign from the previous board if appointed to a new board.
- d. City Councilmembers need not apply for membership to a board or commission, but may instead be appointed directly by the City Council for membership only on separate entity boards and ad-hoc committees.
- e. Applicants for appointment to boards and commissions shall be reviewed by City staff for any outstanding debt owed to the City including, but not limited to, tax delinquency and/or pending litigation with the City.
- f. Applications will be evaluated by the council based on the following criteria:
 - i. Experience and background in relevant fields. The council will consider professional or personal qualifications and backgrounds in relevant areas to provide a greater depth of knowledge and understanding to the board.
 - ii. Knowledge of City Processes – When ranking equally qualified applicants, the council will consider background experience as a city official and knowledge of the municipal process as appropriate to the position in reaching its decisions.
 - iii. Contributive Potential – The council will evaluate the potential contribution that each applicant may make if appointed to a board or commission. Factors the council may use in its evaluation include the ability to effectively communicate, to express ideas, concepts, or philosophies, and a desire to perform public service.
 - iv. Leadership Potential – Since each appointee may be called upon to serve as a chair, and since membership on boards and commissions is the proving ground for future service as a city council member, the council will evaluate and consider leadership abilities, such as past or present leadership experience (current employment, special interests, etc.) and past or present participation in community services.

The foregoing criteria are not exclusive and the council need not assign ratings to or rank applications.”

FINANCIAL/BUDGET IMPLICATIONS

N/A

RECOMMENDED ACTION

This is a discussion item only. Staff is seeking direction from Council as to how they wish to proceed. Pending the discussion by Council, this item will be presented at the next Council meeting for consideration.

ATTACHMENTS

Attachment 1 – Rowlett Boards and Commissions Handbook (excerpt)

Attachment 2 – Resolution amending Rowlett Boards and Commissions Handbook

SECTION 2: BOARD & COMMISSION APPOINTMENT PROCESS

The Rowlett City Council generally makes all of the appointments to the City's boards and commissions. Therefore, it is incumbent on members of the City Council to seek out highly qualified individuals to serve as volunteer members of citizen boards and commissions.

2.1 Applications

- a. Persons wishing to serve on any standing citizen board, committee or commission shall submit a complete application to the City Secretary's office in accordance with the published deadline.
- b. Individuals wishing to apply for appointment should carefully review the requirements of each board and commission and specify those in which they have a special interest and for which they are fully qualified.
- c. City Councilmembers need not apply for membership to a board or commission, but may instead be appointed directly by the City Council for membership only on separate entity boards and ad-hoc committees.
- d. Applicants for appointment to boards and commissions shall be reviewed by City staff for any outstanding debt owed to the City including, but not limited to, tax delinquency and/or pending litigations with the City.

2.2 Eligibility Requirements

- a. No person may serve on any citizen board or commission unless that person is a legal resident of the City of Rowlett, unless otherwise provided by law. Failure to maintain this residency requirement at any time during a member's term of office will cause membership to be forfeited. This requirement shall not apply to the Rowlett Chamber of Commerce appointments to the Economic Development Advisory Board.
- b. No person may serve or remain on any citizen board or commission unless that individual is a registered voter of the City of Rowlett. This provision shall not apply to any Rowlett Chamber of Commerce appointments to the Economic Development Advisory Board that are not Rowlett residents (see above) or to Junior Alternate Members under 18 years old..

Certain boards and commissions have very specific requirements for membership in regard to profession, expertise, etc. All appointments to boards and commissions having such requirements must be made in strict compliance with those requirements and members must continue to comply with all membership qualifications throughout their terms of office to avoid forfeiting membership.

- c. City Councilmembers shall not be eligible for membership on a board or commission unless specifically required by the ordinance or resolution establishing the board or commission or by provision of this handbook.

2.3 Multiple Memberships

A person may not serve on more than one advisory or decision-making board or commission at a time unless specifically authorized by the City Council. However, an individual may serve on the board of a separate entity or an ad-hoc board, committee or commission even though that person maintains membership on an advisory or decision-making board or commission, provided that law does not otherwise prohibit such duplicate membership(s).

2.4 Timing of Appointments/Terms of Office

- a. A Volunteer Fair is to be held in July or August of each year to invite current and prospective volunteers to attend. Application forms can be completed on-site.
- b. The Council will review the applications and will make appointments at the second meeting in September, or as soon thereafter as is practical.
- c. Appointments to advisory and decision-making boards and commissions shall be effective on October 1 of each year. Appointments to ad-hoc committees shall vary in timing depending on the issue(s) and the amount of time anticipated for its resolution.
- d. Upon appointment by the City Council, the City Secretary will determine the eligibility of the appointee, as outlined in Section 2 above. If the appointee meets requirements, the City Secretary shall notify each appointee, in writing, of the appointment. Staff liaisons or board chairs will then contact the new appointees about specific meeting dates and responsibilities.
- e. All appointed and reappointed members of advisory and decision-making boards and commissions shall attend board and commission mandatory training to be conducted by appropriate City staff or appointed officials. This requirement for training applies to regular, alternate members and junior alternate members of standing boards and commissions. Members are appointed to, and continue their service on, boards or committees contingent upon attendance/completion of the required training provided by the City through the City Attorney, City staff and/or through the Internet training found on the Texas Attorney General's website (www.oag.state.tx.us/open/og_training.shtml). Completion of the Attorney General's program requires a certificate to be printed and submitted to the board liaisons or to the City Secretary's office for safekeeping. Any appointed or reappointed member of any standing board or commission who does not participate in the training will forfeit their membership. Each member has 45 days to complete the required training once they have been appointed or reappointed. The requirement does not apply to ex-officio members, although they are encouraged to attend. The City Manager will determine the participation of City staff members, whether they serve as ex-officio, staff liaison, board secretary or other positions.

2.5 Term Limits

No individual shall serve on a single board or commission for a period of more than twelve (12) consecutive years. This provision shall be effective without regard to the date of approval or revision of this handbook.

2.6 Annual Appreciation Dinner

The City Council should host an annual appreciation dinner/banquet to express its appreciation to those citizens who have been appointed by the City Council as members of any boards and commissions (including ad-hoc and ex-officio members) and to distribute awards to out-going members. All members, including those recently appointed, currently serving and out-going shall be invited to attend. Attendance is not mandatory.

2.7 Sunset Provisions

Any board or commission created by the City Council shall cease to exist upon the accomplishment of the special purpose for which it was created or when abolished by a majority vote of the City Council, whichever is earlier. No board or commission so appointed shall have powers other than advisory to the City Council, except as otherwise specified by the City Charter or ordinance.

2.8 Ex-Officio Member

If the City Council deems it appropriate or beneficial, the City Council may, by a majority vote, create and appoint specific ex-officio, non-voting members to a board or commission, provided that such appointment is not inconsistent with applicable laws, rules or procedures. (An example of this provision might be the appointment of a representative of the school district or utility company as an ex-officio member of the Economic Development Advisory Board, due to the school district's and utility company's interest in economic development activities).

2.9 Alternate Members

If the City Council deems it appropriate or beneficial, the City Council may, by a majority vote, create and appoint one or more alternate members to any board or commission that does not currently have alternates, provided that such appointment is not inconsistent with applicable laws, rules or procedures. In addition, the council may, by simple majority vote, appoint additional alternates in excess of the number provided for in this Handbook as the council may deem advisable without formal amendment to these guidelines, and these additional alternates will have the same privileges and obligations as other alternates. Alternate members' term lengths are determined by the City Council but, absent a specified term, alternates shall serve terms of two years. Upon City Council appointment, alternate members are encouraged to attend every meeting. Alternates will be allowed to participate in discussion during the meeting with or without regular members being absent. Alternates will have voting privileges only if there are regular members absent. (One alternate can participate and vote per each regular member absent.) The chair of the board or commission will determine which alternate(s) present at the meeting will serve to fill any vacancy(ies) as needed. Alternate members should be appointed to fill vacancies on a rotating basis whenever possible, except as prohibited by state law. Time served as an alternate member will not be calculated when applying the twelve year maximum term. **In the event of an opening on the Board, the alternate with the most tenure, who also meets attendance requirements, shall be moved to the position of regular member.** The City Secretary is to be notified of the change. In the event of two alternate positions being unfilled, the matter is to be placed on the City Council agenda and an appointment of new alternates are to be made from existing applications on file with the City Secretary. Youth members who wish to apply for advisory Boards and/or Commissions will be appointed as Junior Alternate Members and may participate as non-voting members. Youth applicants must be Rowlett citizens in the ninth, tenth, eleventh or twelfth grade.

SECTION 3: RESPONSIBILITIES OF BOARDS AND COMMISSIONS

3.1 Attendance

- a. In order to be fully aware of issues that may arise at a board, commission or committee meeting, and to ensure that the board, commission or committee can conduct business in an effective manner, it is imperative that appointed members

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS, AMENDING THE CITY OF ROWLETT BOARDS AND COMMISSIONS HANDBOOK TO AMEND SUBSECTION 2.1 (“APPOINTMENTS”) OF SECTION 2 (“BOARD & COMMISSION APPOINTMENT PROCESS”) RELATING TO THE MANNER AND MEANS OF SELECTING AND APPOINTING MEMBERS TO VARIOUS CITY BOARDS AND COMMISSIONS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rowlett has previously adopted by resolution a Boards and Commissions Handbook to establish policy guidelines for the operations of the City’s various boards and commissions, which handbook has been amended from time to time; and,

WHEREAS, the City Council desires to amend and supplement the Boards and Commissions Handbook to revise certain provisions as described hereinafter. Now, Therefore

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

SECTION 1. That subsection 2.1 (“Applications”) of Section 2 (“Board and Commission Appointment Process”) of the City of Rowlett Boards and Commissions Handbook be and is hereby repealed, without amendment, repeal or change to any other part or provision of Section 2, and replaced with a new subsection 2.1, to read in its entirety as follows:

“CITY OF ROWLETT BOARDS AND COMMISSIONS HANDBOOK

...

SECTION 2: BOARD & COMMISSION APPOINTMENT PROCESS

2.1 APPLICATIONS

- a. Persons wishing to serve on any standing citizen board, committee or commission shall submit a complete application to the City Secretary’s office in accordance with the published deadline.
- b. Individuals wishing to apply for appointment should carefully review the requirements of each board and commission and specify those in which they have a special interest and for which they are fully qualified.
- c. Applicants may apply for more than one board by indicating 1st, 2nd, 3rd, etc., preferences. Individuals currently serving on a city board, commission or committee are not prevented from applying for a different board. However, since one person may not preside on more than one board, that person would be required to resign from the previous board if appointed to a new board.
- d. City Councilmembers need not apply for membership to a board or commission, but may instead be appointed directly by the City Council for membership only on separate entity boards and ad-hoc committees.
- e. Applicants for appointment to boards and commissions shall be reviewed by City staff for any outstanding debt owed to the City including, but not limited to, tax delinquency and/or pending litigation with the City.

- f. Applications will be evaluated by the council based on the following criteria:
- i. Experience and background in relevant fields. The council will consider professional or personal qualifications and backgrounds in relevant areas to provide a greater depth of knowledge and understanding to the board.
 - ii. Knowledge of City Processes – When ranking equally qualified applicants, the council will consider background experience as a city official and knowledge of the municipal process as appropriate to the position in reaching its decisions.
 - iii. Contributive Potential – The council will evaluate the potential contribution that each applicant may make if appointed to a board or commission. Factors the council may use in its evaluation include the ability to effectively communicate, to express ideas, concepts, or philosophies, and a desire to perform public service.
 - iv. Leadership Potential – Since each appointee may be called upon to serve as a chair, and since membership on boards and commissions is the proving ground for future service as a city council member, the council will evaluate and consider leadership abilities, such as past or present leadership experience (current employment, special interests, etc.) and past or present participation in community services.

The foregoing criteria are not exclusive and the council need not assign ratings to or rank applications.

- g. If an applicant is not selected, the City Secretary will keep the application on file. A person who has not been appointed to a board, commission or committee should be given preference over new applicants, and persons with prior service as a member should be given preference over first-time applicants.
- h. Appointments by the council are made in open meetings by simple majority vote of those present, and should generally follow Robert's Rules of Order.

...”

SECTION 2. That all provisions of the resolutions of the City of Rowlett in conflict with the provisions of this resolution be and the same are hereby repealed and all other provisions of the ordinances and resolutions of the City of Rowlett not in conflict with the provisions hereof shall remain in full force and effect.

SECTION 3. That if any section, sentence, clause, or phrase of this resolution is for any reason held to be unconstitutional or otherwise invalid or unenforceable by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, sentences, clauses, or phrases of this resolution, it being the legislative intent that the provisions of this resolution are severable and that the resolution shall continue in effect notwithstanding the invalidity of such section, sentence, clause, or phrase.

SECTION 4. This Resolution shall take effect immediately from and after its passage and the publication of the caption as the law and Charter in such cases provide.

DULY ADOPTED AND APPROVED by the City Council of the City of Rowlett, Texas, on this the _____ day of _____, 2014.



City of Rowlett
Staff Report

4000 Main Street
P.O. Box 99
Rowlett, TX 75080-0099
www.rowlett.com

AGENDA DATE: 09/02/14

AGENDA ITEM: 5A

TITLE

Presentation of proclamation recognizing September as Library Card Sign-Up Month.

STAFF REPRESENTATIVE

Kathy Freiheit, Director of Library Services

BACKGROUND INFORMATION

Library Card Sign-Up Month is celebrated each September in association with the American Library Association and public libraries nationwide. "Back-to-school" time is an opportunity to highlight the role libraries play in the education and development of children. It's also a great time to remind parents to make sure their youngsters are equipped with the most important school supply of all... a library card!

DISCUSSION

Every parent wants their child to succeed, and studies show that children who are read to in the home and who use the library perform better in school. Libraries provide a welcoming atmosphere where students can explore, discover and create. It's where they can get homework help, participate in a book club, or make free use of the Library's Wi-Fi. With a library card, kids can check out a graphic novel, download an ebook, use a computer to finish a school project, or get ready for college entrance exams by using study guides or online practice tests. Students can use their library card from home, too. The *World Book Encyclopedia*, a host of TexShare research databases, and other online resources can be accessed from a home computer... but you'll need a library card!

A library card is a key resource in achieving academic success. There are so many reasons why a library card is the "smartest" card in your wallet. For information on library resources and how to sign up for a library card, visit the Rowlett Public Library in person or online at www.rowlett.com/library.

ATTACHMENT

Proclamation

**2014 CITY OF ROWLETT
NATIONAL LIBRARY CARD SIGN-UP MONTH**

WHEREAS, libraries are places of opportunity, helping citizens of all ages and backgrounds to lead better, more satisfying lives; and

WHEREAS, libraries are essential for a free people, protecting our right to know by providing access to a full spectrum of ideas, resources, and services; and

WHEREAS, libraries are to be celebrated for the values of learning and discovery they help build among children, youth, and adults; and

WHEREAS, a library card opens doors to the rich resources needed for a free society, providing access to a world of information for people of all ages and for all types of learners; and

WHEREAS, a library card is the “smartest” card you can own;

NOW, THEREFORE, be it resolved that I, Todd W. Gottel, Mayor of the City of Rowlett, Texas, and on behalf of the City Council, do hereby proclaim September as Library Card Sign-Up Month and encourage everyone to sign up for a library card and enjoy the many resources provided by the Rowlett Public Library.



City of Rowlett
Staff Report

4000 Main Street
P.O. Box 99
Rowlett, TX 75080-0099
www.rowlett.com

AGENDA DATE: 09/02/14

AGENDA ITEM: 5B

TITLE

Proclamation recognizing the month of September as Blood Cancer Awareness Month.

STAFF REPRESENTATIVE

Laura Hallmark, City Secretary

BACKGROUND / HISTORY

Because blood cancers afflict more than one million people in the United States, with an estimated 148,040 new cases diagnosed each year, September has been recognized by many cities across the nation as Blood Cancer Awareness Month.

ATTACHMENT

Proclamation

BLOOD CANCER AWARENESS MONTH

WHEREAS, blood cancers currently afflict more than one million people in the United States, with an estimated 149,990 new cases diagnosed each year; and

WHEREAS, leukemia, lymphoma and myeloma will kill an estimated 54,630 people in the United States this year; and

WHEREAS, The Leukemia & Lymphoma Society (LLS), through voluntary contributions, is dedicated to finding cures for these diseases through research efforts and the support for those that suffer from them; and

WHEREAS, LLS maintains offices in Dallas and Fort Worth to support patients with these diseases and their family members in the State of Texas; and

NOW THEREFORE, I, Todd W. Gottel, Mayor of the City of Rowlett, and on behalf of the City Council, do hereby proclaim the month of September as

BLOOD CANCER AWARENESS MONTH

to enhance the understanding of blood related cancers and to encourage participation in voluntary activities to support education programs and the funding of research programs to find a cure for them.



City of Rowlett
Staff Report

4000 Main Street
P.O. Box 99
Rowlett, TX 75080-0099
www.rowlett.com

AGENDA DATE: 09/02/14

AGENDA ITEM: 5C

TITLE

Presentation of a Proclamation to the Texas Amateur Athletic Federation Rowlett Rays Swim Team, United Sports Track Team and Rowlett Extreme Speed Track Team in recognition of the Texas Amateur Athletic Federation (TAAF) "Games of Texas" qualifiers.

STAFF REPRESENTATIVE

Jermel Stevenson, Director of Parks and Recreation
Angela Smith, Recreation Division Manager

SUMMARY

The purpose of this item is to recognize local Rowlett residents for their hard work and dedication throughout the summer and for qualifying for the Texas Amateur Athletic Federation State Games of Texas.

BACKGROUND INFORMATION

None

DISCUSSION

Since starting the City of Rowlett's first Texas Amateur Athletic Federation (TAAF) Swim Team ten years ago, several of our athletes have enjoyed great success in the TAAF Circuit Meets, the TAAF Region VII Swim Meet and the State "Games of Texas". The "Games of Texas", hosted by the TAAF, are the official State Games of Texas as recognized by the United States Olympic Committee. The City of Rowlett also has two affiliate track teams for participation in the Track and Field Circuit Meets, TAAF Region VII Track & Field Meet and the State "Games of Texas".

Athletes registered through their local Parks and Recreation Department that are members of the TAAF have the opportunity to compete in a full summer season of local meets and attempt to qualify for the TAAF "Games of Texas" by being one of the top qualifiers out of their respective Regional Meets. This is no small accomplishment as the Region VII Meets for Swimming and Track & Field often have 2,000 – 3,000 athletes each from all the cities surrounding the City of Dallas competing for a limited number of berths to the TAAF "Games of Texas". After our athletes have qualified by being the best of TAAF Region VII, they are eligible to compete against the very best athletes from all over the State of Texas that qualified out of their respective regions. Upon qualifying for the TAAF "Games of Texas" our local athletes are again competing along with 3,000 – 4,000 of the best swimmers and track athletes in the State of Texas.

This evening we want to honor our local Rowlett athletes who qualified and competed at the 2014 TAAF "Games of Texas" this past August in College Station, Texas.

RECOMMENDED ACTION

No action. Presentation only.

ATTACHMENTS

Proclamations

TEXAS AMATEUR ATHLETIC FEDERATION

WHEREAS, the Texas Amateur Athletic Federation (T.A.A.F.) was established in 1925 in order to promote, organize, and conduct amateur athletics in the State of Texas; and

WHEREAS, the Federation consists of representatives in over 150 organizations/cities in 17 specific regions throughout the State, with over 220,000 participants in various amateur sports that are offered each year that include local, regional, and state tournaments and championships in all of the recreational and competitive sports leagues and events; and

WHEREAS, the Rowlett Xtreme Speed Track Team (boys and girls ages 7-18) participated in the 2014 TAAF Region 7 Track and Field Meet in July in Mesquite, Texas; and

WHEREAS, twenty two (22) Rowlett Xtreme Speed track team members advanced to the 2014 TAAF Games of Texas State track meet in July in College Station, Texas.

NOW, THEREFORE, I, Todd W. Gottel, Mayor of the City of Rowlett, Texas, and on behalf of the City Council, do hereby honor the local youth of the

ROWLETT XTREME SPEED TRACK TEAM

for their achievements and encourage all citizens of this community to join with us in congratulating the team members.

TEXAS AMATEUR ATHLETIC FEDERATION

WHEREAS, the Texas Amateur Athletic Federation (T.A.A.F.) was established in 1925 in order to promote, organize, and conduct amateur athletics in the State of Texas; and

WHEREAS, the Federation consists of representatives in over 150 organizations/cities in 17 specific regions throughout the State, with over 220,000 participants in various amateur sports that are offered each year that include local, regional, and state tournaments and championships in all of the recreational and competitive sports leagues and events; and

WHEREAS, the United Speed Racers (boys and girls ages 7-18) participated in the 2014 TAAF Region 7 Track and Field Meet in Mesquite, Texas; and

WHEREAS, nine (9) United Speed Racers track team members advanced to the 2014 TAAF Games of Texas State track meet in July in College Station, Texas.

NOW, THEREFORE, I, Todd W. Gottel, Mayor of the City of Rowlett, Texas, and on behalf of the City Council, do hereby honor the local youth of the

UNITED SPEED RACERS TRACK TEAM

for their achievements and encourage all citizens of this community to join with us in congratulating the team members.

TEXAS AMATEUR ATHLETIC FEDERATION

WHEREAS, the Texas Amateur Athletic Federation (T.A.A.F.) was established in 1925 in order to promote, organize, and conduct amateur athletics in the State of Texas; and

WHEREAS, the Federation consists of representatives in over 150 organizations/cities in 17 specific regions throughout the State, with over 220,000 participants in various amateur sports that are offered each year that include local, regional, and state tournaments and championships in all of the recreational and competitive sports leagues and events; and

WHEREAS, the Rowlett Manta Rays (boys and girls ages 7-18) participated in the 2014 TAAF Region 7 Swim Meet in Frisco, Texas; and

WHEREAS, seventeen (17) Rowlett Rays swim team members advanced to the 2014 TAAF Games of Texas State track meet in July in College Station, Texas.

NOW, THEREFORE, I, Todd W. Gottel, Mayor of the City of Rowlett, Texas, and on behalf of the City Council, do hereby honor the local youth of the

ROWLETT RAYS SWIM TEAM

for their achievements and encourage all citizens of this community to join with us in congratulating the team members.



City of Rowlett

Staff Report

4000 Main Street
P.O. Box 99
Rowlett, TX 75080-0099
www.rowlett.com

AGENDA DATE: 09/02/14

AGENDA ITEM: 5D

TITLE

Hear presentation of the Monthly Financial report for the period ending July 31, 2014.

STAFF REPRESENTATIVE

Alan Guard, Chief Financial Officer

SUMMARY

Attached is the Comprehensive Monthly Financial Report for July 2014, in accordance with the City Council's financial strategy to provide timely and accurate reporting. The fiscal year for the City of Rowlett is October 1 through September 30. Ten months of FY2014, or 83.3 percent of the fiscal year is complete.

BACKGROUND INFORMATION

The City of Rowlett Department of Financial Services is dedicated to excellence in local government, comprehensive fiscal management, compliance and reporting. The Comprehensive Monthly Finance Report (CMFR) is a unique document that is prepared each month and is directed at providing our audience (internal and external users), with important information about the City's financial position and operations.

DISCUSSION

Attached is the Comprehensive Monthly Financial report for July 2014. Ten months of FY2014, or 83.3 percent of the fiscal year is complete.

Revenues: Overall, the City has earned or received \$69.3 million for FY2014. This amount is 85.2 percent of the approved operating budget of \$81.4 million and is 0.2 percent less than forecast through the month of July.

- General Fund revenues are \$0.5 million or 1.7 percent higher than expected.
- Utility Fund revenues are \$1.2 million or 5.4 percent lower than expected.

Expenditures: Expenses totaled \$66.5 million year-to-date for FY2014. This amount is 82.1 percent of the approved operating budget of \$81.0 million and is 1.6 percent lower than forecast through the month of July.

- General Fund expenditures are \$1.2 million or 4.3 percent lower than expected.
- Utility Fund expenditures are \$0.2 million or 0.9 percent lower than expected.

Surplus: The net surplus from operations through July is \$2.8 million, which is \$0.9 million better than expected at this point in the year. The adopted operating budget for the fiscal year anticipates a total increase of \$0.4 million.

FINANCIAL/BUDGET IMPLICATIONS

N/A

RECOMMENDED ACTION

Information only. The Comprehensive Monthly Financial Report – July 31, 2014 is attached to this agenda item as Attachment 1.

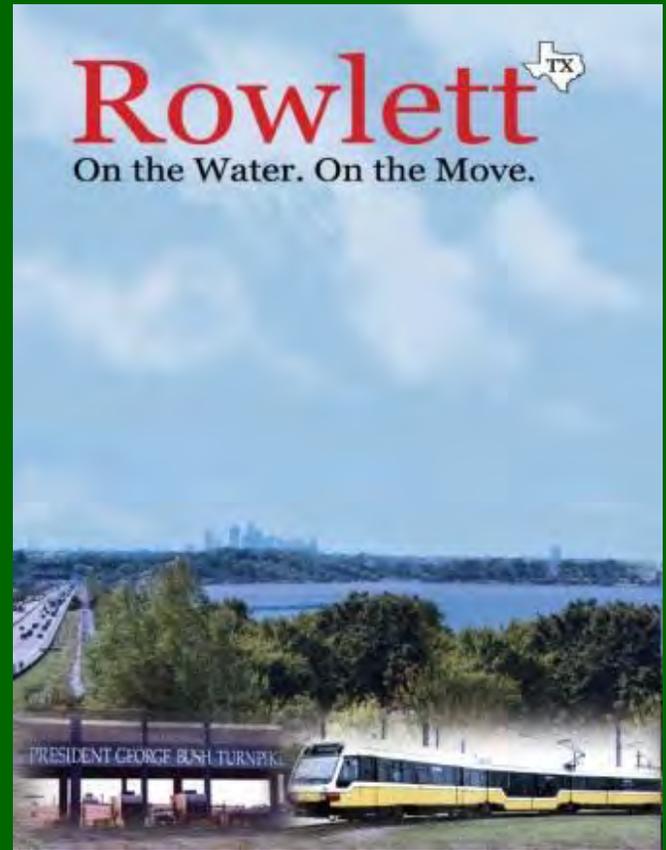
ATTACHMENT

Attachment 1 – Comprehensive Monthly Financial Report – July 31, 2014



Comprehensive Monthly Financial Report

July 2014





MONTHLY FINANCIAL REPORT

PERFORMANCE AT A GLANCE

JULY 2014

	YEAR TO DATE	REFERENCE
ALL FUNDS SUMMARY	POSITIVE	Page 4
GENERAL FUND REV VS EXP	POSITIVE	Page 5
PROPERTY TAXES	POSITIVE	Page 5
SALES TAXES	POSITIVE	Page 6
FRANCHISE FEES	POSITIVE	Page 6
UTILITY FUND REV VS EXP	WARNING	Page 7
SEWER REVENUES	WARNING	Page 7
WATER REVENUES	NEGATIVE	Page 8
WATER USAGE	WARNING	Page 8
REFUSE FUND REV VS EXP	WARNING	Page 9
DRAINAGE FUND REV VS EXP	POSITIVE	Page 9
DEBT SERVICE FUND REV VS EXP	POSITIVE	Page 10
EMPLOYEE BENEFITS REV VS EXP	POSITIVE	Page 10

PERFORMANCE INDICATORS

POSITIVE

= Positive variance or negative variance < 1% compared to seasonal trends.

WARNING

= Negative variance of 1-5% compared to seasonal trends

NEGATIVE

= Negative variance of >5% compared to seasonal trends.



ECONOMIC INDICATORS

JULY 31, 2014 – NEWS FOR YOU

ECONOMY

National GDP:

GDP - the output of goods and services produced by labor and property located in the US – increased at a rate of 4.0% in the 2nd quarter of 2014 after decreasing 2.1% in the 1st quarter of 2014 as reported by the Bureau of Economic Analysis. The increase in real GDP was driven by upturns in exports as well as acceleration in consumer spending.

Texas Retail Sales:

Texas retail sales totaled \$41.1 billion for the month of April, a decrease of \$2.7 billion (6.2%) over April 2013.

Texas Leading Index:

The Texas Leading Index is a single summary statistic that sheds light on the future of the state's economy. The index is a composite of eight leading indicators—those that tend to change direction before the overall economy. The index increased 0.4% between the months of April and May.

UNEMPLOYMENT

National Unemployment:

The national unemployment rate increased from 6.1% to 6.2% from June to July.

State-Wide:

The Texas unemployment rate for June, 2014 was 5.1%, which is 21.5% less than June, 2013 rate of 6.5%.

Rowlett:

The City of Rowlett unemployment rate for June, 2014 was 5.5%, 21.8% less than the June, 2013 of 6.7%. Note – city unemployment rates are not seasonally adjusted.

Attached is the Comprehensive Monthly Financial report for July 2014. 10 months of FY 2014, or 83.3% of the fiscal year is complete.

Revenues: Overall, the City has earned or received \$69.3 million for FY 2014. This amount is 85.2% of the approved operating budget of \$81.4 million and is 0.2% less than forecast through the month of July.

- General Fund revenues are \$0.5 million or 1.7% higher than expected.
- Utility Fund revenues are \$1.2 million or 5.4% lower than expected.

Expenditures: Expenses totaled \$66.5 million year-to-date for FY 2014. This amount is 82.1% of the approved operating budget of \$81.0 million and is 1.6% lower than forecast through the month of July.

- General Fund expenditures are \$1.2 million or 4.3% lower than expected.
- Utility Fund expenditures are \$0.2 million or 0.9% lower than expected.

Surplus: The net surplus from operations through July is \$2.8 million which is \$0.9 million better than expected at this point in the year. The adopted operating budget for the fiscal year anticipates a total increase of \$0.4 million.

NOTEWORTHY

Stage 3 Water Restrictions Extended Through at Least Oct 31- Once Every TWO Weeks Watering in Effect

Due to below average rainfall and extremely low lake levels, the North Texas Municipal Water District (NTMWD) has voted to remain in Stage 3 restrictions. Landscape irrigation is limited to ONCE EVERY TWO WEEKS based on the physical address with no watering between 10am and 6pm. This will continue at least through October 31, 2014.

The **Proposed Budget for FY2015** is now available for review on [Rowlett, TX - Official Website](http://www.rowletttx.com)



CITY OF ROWLETT, TEXAS
FINANCIAL STATUS DASHBOARD
July 31, 2014

BUDGET SUMMARY OF ALL FUNDS FY2014

	2014 <u>Budget</u>	2014 <u>Forecast</u>	2014 <u>Year-to-Date</u>	<u>Variance</u>
Beginning Reserves	\$ 16,862,505	\$ 16,862,505	\$ 16,862,505	0.0%
Revenues:				
General	33,671,772	29,977,243	30,477,870	1.7%
Water & sewer	27,531,543	21,769,311	20,584,155	-5.4%
Debt service	8,246,662	7,985,957	7,956,695	-0.4%
Drainage	1,346,939	1,122,443	1,110,601	-1.1%
Refuse	4,835,889	4,029,874	4,197,476	4.2%
Employee health benefits	4,095,123	3,412,603	3,290,258	-3.6%
Impact fees	44,357	38,126	322,329	745.4%
Police seizure	100,550	83,792	154,287	84.1%
Economic development	316,694	263,912	263,181	-0.3%
Innovations	-	-	914	0.0%
Hotel/motel tax	47,752	38,775	53,422	37.8%
P.E.G.	85,042	63,672	67,016	5.3%
Grants	41,838	33,703	140,512	316.9%
Community Development Block Grant	191,254	159,380	159,963	0.4%
Inspection Fees Fund	169,333	141,111	186,020	31.8%
Juvenile diversion	33,281	27,734	32,102	15.7%
Court technology	26,936	22,447	25,881	15.3%
Court security	20,035	16,696	19,062	14.2%
Golf course	601,728	301,488	301,410	0.0%
Total Revenues	\$ 81,406,728	\$ 69,488,264	\$ 69,343,154	-0.2%
Expenses:				
General	35,101,079	29,041,215	27,800,428	-4.3%
Water & sewer	25,703,823	21,926,571	21,719,506	-0.9%
Debt service	8,246,662	6,791,267	6,826,877	0.5%
Drainage	1,303,580	1,051,782	976,852	-7.1%
Refuse	4,728,613	3,948,465	4,198,174	6.3%
Employee health benefits	4,070,097	3,391,748	3,091,962	-8.8%
Impact fees	30,000	25,000	45,887	83.5%
Police seizure	100,550	83,792	554,797	562.1%
Economic development	355,588	290,679	267,886	-7.8%
Innovations	224,605	187,171	254,063	35.7%
Hotel/motel tax	42,749	42,749	43,784	2.4%
P.E.G.	71,811	58,001	62,075	7.0%
Grants	41,838	33,703	140,512	316.9%
Community Development Block Grant	191,254	159,380	159,963	0.4%
Inspection Fees Fund	146,144	121,787	56,475	-53.6%
Juvenile diversion	33,210	27,675	24,107	-12.9%
Court technology	29,145	24,288	75,762	211.9%
Court security	24,102	20,085	27,242	35.6%
Golf course	601,728	366,714	204,583	-44.2%
Total Expenses	\$ 81,046,578	\$ 67,592,070	\$ 66,530,935	-1.6%
Current Year Surplus/(Shortfall)	\$ 360,150	\$ 1,896,194	\$ 2,812,219	48.3%
Ending Reserves	\$ 17,222,655	\$ 18,758,699	\$ 19,674,724	4.9%

Positive
Warning
Negative

Positive variance or negative variance <1% compared to forecast
 Negative variance between 1%-5% compared to forecast
 Negative variance >5% compared to forecast

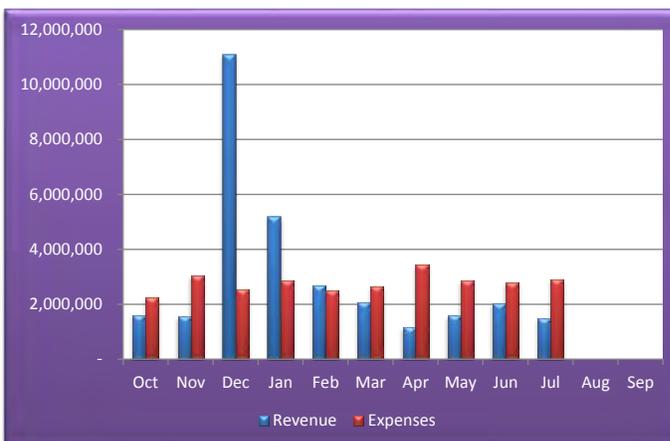


**CITY OF ROWLETT, TEXAS
FINANCIAL STATUS DASHBOARD
July 31, 2014**

OVERALL FUND PERFORMANCE

GENERAL FUND REVENUES VS EXPENSES FY2014

Month	2014 Revenue	2014 Expenses	Monthly Variance
Oct	1,600,503	2,235,034	\$ (634,531)
Nov	1,555,810	3,052,790	(1,496,980)
Dec	11,090,742	2,532,120	8,558,622
Jan	5,184,857	2,858,962	2,325,895
Feb	2,670,847	2,488,264	182,583
Mar	2,084,191	2,653,398	(569,207)
Apr	1,173,782	3,439,351	(2,265,569)
May	1,582,059	2,847,836	(1,265,777)
Jun	2,050,941	2,794,600	(743,659)
Jul	1,484,138	2,898,074	(1,413,935)
Aug	-	-	-
Sep	-	-	-
Total	\$ 30,477,870	\$ 27,800,428	\$ 2,677,442
Cumulative Forecast	\$ 29,977,243	\$ 29,041,215	\$ 936,028
Actual to Forecast \$	\$ 500,627	\$ (1,240,787)	\$ 1,741,414
Actual to Forecast %	1.7%	-4.3%	



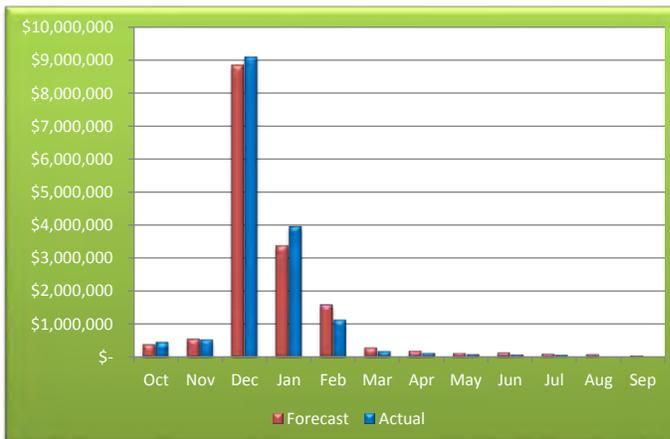
Positive

Cumulatively overall, the General Fund is better than forecasted for this time of the year, with revenues exceeding the forecast by 1.7% and expenses 4.3% lower than forecasted. These differences are primarily due to higher than expected sales tax revenues, vacancy savings and lower than expected supplies expenses.

REVENUE ANALYSIS

PROPERTY TAXES FY2014

Month	2014 Forecast	2014 Actual	Monthly Variance
Oct	\$ 388,488	\$ 460,233	\$ 71,745
Nov	561,872	531,720	(30,152)
Dec	8,847,877	9,078,518	230,641
Jan	3,403,794	3,978,058	574,264
Feb	1,608,725	1,136,084	(472,641)
Mar	290,844	181,028	(109,816)
Apr	184,755	118,224	(66,531)
May	117,901	86,854	(31,047)
Jun	140,464	72,416	(68,048)
Jul	102,440	66,862	(35,578)
Aug	89,645	-	-
Sep	50,372	-	-
Total	\$ 15,787,177	\$ 15,709,996	\$ 62,836
Actual to Forecast			0.4%



Positive

Property taxes represents nearly 50% of the total General Fund revenue budget and serves as the primary funding source for the general government. Property taxes are generally collected in December of each year. Cumulatively overall, property tax revenues are 0.4% higher than forecasted for this time of the year.

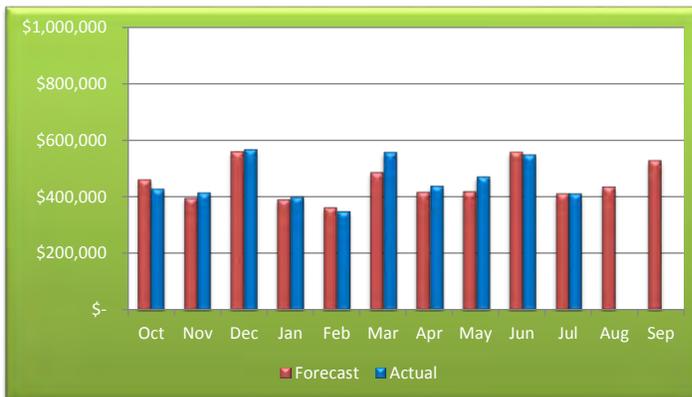


**CITY OF ROWLETT, TEXAS
FINANCIAL STATUS DASHBOARD
July 31, 2014**

REVENUE ANALYSIS

SALES TAXES FY2014

<u>Month</u>	<u>2014 Forecast</u>	<u>2014 Actual</u>	<u>Monthly Variance</u>
Oct	\$ 459,941	\$ 427,851	\$ (32,090)
Nov	394,348	414,283	19,935
Dec	558,732	565,590	6,858
Jan	389,630	399,637	10,007
Feb	361,544	348,585	(12,959)
Mar	485,196	556,530	71,334
Apr	416,016	437,942	21,926
May	417,960	470,499	52,539
Jun	557,046	547,489	(9,557)
Jul	410,975	410,975	-
Aug	434,864		
Sep	526,923		
Total	\$ 5,413,175	\$ 4,579,380	\$ 127,992
<i>Actual to Forecast</i>			2.9%



Positive

Sales tax is an important indicator of financial health for the Rowlett community. Sales taxes are collected by the State Comptroller and are recorded two months later. The sales taxes reported here for June are 1.7% lower than projected. Cumulatively, sales taxes are 2.9% higher than projected.

REVENUE ANALYSIS

FRANCHISE FEES FY2014

<u>Month</u>	<u>2014 Forecast</u>	<u>2014 Actual</u>	<u>Monthly Variance</u>
Oct	\$ -	\$ -	\$ -
Nov	-	-	-
Dec	652,928	-	(652,928)
Jan	-	405,092	405,092
Feb	333,775	659,673	325,898
Mar	642,098	-	(642,098)
Apr	-	346,431	346,431
May	-	278,919	278,919
Jun	528,568	-	(528,568)
Jul	-	561,055	561,055
Aug	-		
Sep	852,633		
Total	\$ 3,010,000	\$ 2,251,170	\$ 93,803
<i>Actual to Forecast</i>			4.3%



Positive

Franchise fees represents nearly 10% of the total General Fund budget and include electric, gas, cable and telecommunications. Most fees are paid quarterly with natural gas being paid yearly in February. Franchise payments are currently 4.3% higher than projected for the fiscal year.



**CITY OF ROWLETT, TEXAS
FINANCIAL STATUS DASHBOARD
July 31, 2014**

OVERALL FUND PERFORMANCE

UTILITY FUND REVENUES VS EXPENSES FY2014

<u>Month</u>	<u>2014 Revenue</u>	<u>2014 Expenses</u>	<u>Monthly Variance</u>
Oct	\$ 2,506,570	\$ 1,769,999	\$ 736,571
Nov	2,111,806	2,053,463	58,343
Dec	1,899,070	1,913,043	(13,973)
Jan	1,894,254	1,945,298	(51,044)
Feb	1,840,086	1,845,514	(5,429)
Mar	1,865,352	5,579,472	(3,714,120)
Apr	1,937,442	1,721,349	216,092
May	2,092,697	1,635,873	456,824
Jun	2,161,092	1,635,420	525,672
Jul	2,275,788	1,620,074	655,714
Aug			-
Sep			-
Total	\$ 20,584,155	\$ 21,719,506	\$ (1,135,351)
Cumulative Forecast	\$ 21,769,311	\$ 21,926,571	\$ (157,260)
Actual to Forecast \$	\$ (1,185,156)	\$ (207,065)	\$ (978,090)
Actual to Forecast	-5.4%	-0.9%	



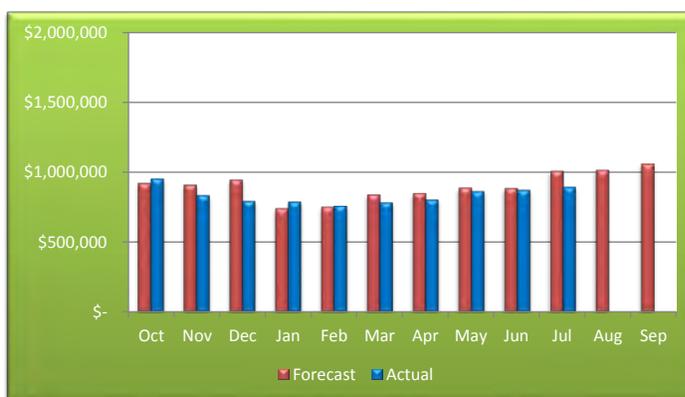
Warning

Utility fund revenues are 5.4% lower than forecast, and expenses are 0.9% lower than expected. These differences are primarily due to lower than expected water and sewer revenues. The fund makes semi-annual debt payments in March and September.

REVENUE ANALYSIS

SEWER REVENUES FY2014

<u>Month</u>	<u>2014 Forecast</u>	<u>2014 Actual</u>	<u>Monthly Variance</u>
Oct	\$ 919,553	\$ 950,609	\$ 31,056
Nov	907,875	832,809	(75,066)
Dec	942,658	791,813	(150,845)
Jan	738,313	788,346	50,033
Feb	750,346	757,401	7,055
Mar	837,264	780,639	(56,625)
Apr	847,397	802,118	(45,279)
May	886,960	861,106	(25,854)
Jun	884,119	870,967	(13,152)
Jul	1,006,135	892,339	(113,796)
Aug	1,014,318		
Sep	1,058,609		
Total	\$ 10,793,547	\$ 8,328,147	\$ (392,473)
Actual to Forecast			-4.5%



Warning

Sewer sales represent over 40% of the Utility Fund budget and cover the cost of sewer treatment paid to City of Garland. Cumulatively overall, sewer revenues are 4.5% lower than forecasted for this time of year.

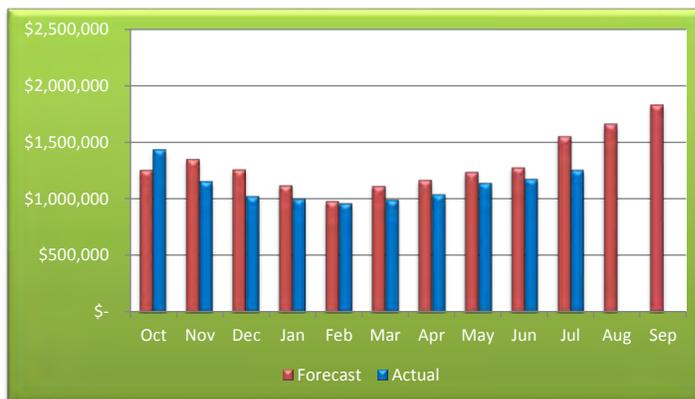


CITY OF ROWLETT, TEXAS
FINANCIAL STATUS DASHBOARD
July 31, 2014

REVENUE ANALYSIS

WATER REVENUES FY2014

<u>Month</u>	<u>2014 Forecast</u>	<u>2014 Actual</u>	<u>Monthly Variance</u>
Oct	\$ 1,256,608	\$ 1,432,250	\$ 175,642
Nov	1,350,960	1,153,189	(197,771)
Dec	1,260,545	1,019,459	(241,086)
Jan	1,121,060	995,804	(125,256)
Feb	983,482	955,899	(27,583)
Mar	1,114,506	988,809	(125,697)
Apr	1,167,772	1,036,762	(131,010)
May	1,239,689	1,136,453	(103,236)
Jun	1,278,088	1,171,347	(106,741)
Jul	1,552,096	1,251,814	(300,282)
Aug	1,663,331		
Sep	1,831,139		
Total	\$ 15,819,276	\$ 11,141,785	\$ (1,183,021)
Actual to Forecast			-9.6%



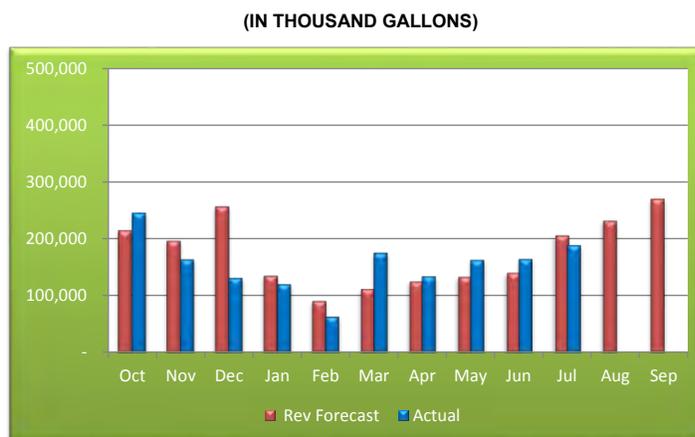
Negative

Water sales represent just over 50% of the total Utility Fund budget and cover the cost of water acquisition from the North Texas Municipal Water District. Water revenues are 9.6% less than forecasted for this time of year.

REVENUE ANALYSIS

WATER USAGE FY2014

<u>Month</u>	<u>2014 Rev Forecast</u>	<u>2014 Actual</u>	<u>Monthly Variance</u>
Oct	214,791	244,924	30,133
Nov	196,050	163,192	(32,858)
Dec	256,386	131,044	(125,342)
Jan	135,250	119,810	(15,440)
Feb	90,680 *	63,297	(27,383)
Mar	111,904	174,862	62,958
Apr	124,977	133,624	8,647
May	133,120	162,355	29,235
Jun	140,531	164,148	23,617
Jul	205,774	188,220	(17,554)
Aug	231,212		
Sep	269,573		
Total	2,110,249	1,545,476	(63,988)
Actual to Forecast			-4.0%



Warning

The City purchases its water from the North Texas Municipal Water District. Customer usage is 4.0% lower than forecasted for this time of the year. The contract with NTMWD requires the City to pay for a minimum of 3.2 billion gallons of water per year. *Budget amendment approved by City Council in February.



CITY OF ROWLETT, TEXAS
FINANCIAL STATUS DASHBOARD
July 31, 2014

OVERALL FUND PERFORMANCE

REFUSE FUND REVENUES VS EXPENSES FY2014

<u>Month</u>	<u>2014 Revenue</u>	<u>2014 Expenses</u>	<u>Monthly Variance</u>
Oct	\$ 393,619	\$ 395,068	\$ (1,449)
Nov	396,211	388,645	7,567
Dec	401,618	388,287	13,331
Jan	398,650	391,384	7,266
Feb	396,073	680,753	(284,680)
Mar	400,681	381,364	19,317
Apr	430,529	400,245	30,284
May	461,005	390,515	70,490
Jun	460,202	391,841	68,361
Jul	458,889	390,072	68,817
Aug			-
Sep			-
Total	\$ 4,197,476	\$ 4,198,174	\$ (698)
Cumulative Forecast	\$ 4,029,874	\$ 3,948,465	\$ 81,410
Actual to Forecast \$	\$ 167,602	\$ 249,709	\$ (82,107)
Actual to Forecast	4.2%	6.3%	



Warning

The Refuse Fund accounts for monies collected from customers on their utility bills and remitted to our solid waste provider. Revenues are currently 4.2% higher than forecasted, and expenses are 6.3% higher than forecasted due to expenses from the ice storm cleanup.

OVERALL FUND PERFORMANCE

DRAINAGE FUND REVENUES VS EXPENSES FY2014

<u>Month</u>	<u>2014 Revenue</u>	<u>2014 Expenses</u>	<u>Monthly Variance</u>
Oct	\$ 111,003	\$ 61,084	\$ 49,919
Nov	110,081	63,512	46,569
Dec	110,877	73,691	37,186
Jan	110,715	70,278	40,437
Feb	110,681	347,255	(236,574)
Mar	110,885	68,186	42,699
Apr	111,456	82,602	28,854
May	111,653	67,375	44,278
Jun	111,760	75,659	36,101
Jul	111,491	67,210	44,281
Aug			-
Sep			-
Total	\$ 1,110,601	\$ 976,852	\$ 133,749
Cumulative Forecast	\$ 1,122,443	\$ 1,051,782	\$ 70,661
Actual to Forecast \$	\$ (11,842)	\$ (74,930)	\$ 63,088
Actual to Forecast	-1.1%	-7.1%	



Positive

The Drainage Fund accounts for monies collected from customers on their utility bills for the municipal drainage system. Cumulatively overall, the fund is better than forecasted for this time of the year, with revenues 1.1% lower than forecasted but expenses 7.1% lower than forecasted. The first of two semi-annual bond payments was made in February.



CITY OF ROWLETT, TEXAS
FINANCIAL STATUS DASHBOARD
July 31, 2014

OVERALL FUND PERFORMANCE

DEBT SERVICE FUND REVENUES VS EXPENSES FY2014

<u>Month</u>	<u>2014 Revenue</u>	<u>2014 Expenses</u>	<u>Monthly Variance</u>
Oct	\$ 242,680	\$ 13,921	\$ 228,759
Nov	276,231	130,274	145,957
Dec	4,377,953	7,593	4,370,360
Jan	1,934,744	12,067	1,922,677
Feb	771,850	6,631,905	(5,860,055)
Mar	106,583	13,099	93,485
Apr	78,036	1,423	76,613
May	63,106	1,435	61,671
Jun	54,830	12,352	42,478
Jul	50,682	2,808	47,873
Aug			-
Sep			-
Total	\$ 7,956,695	\$ 6,826,877	\$ 1,129,817
Cumulative Forecast	\$ 7,985,957	\$ 6,791,267	\$ 1,194,690
Actual to Forecast \$	\$ (29,262)	\$ 35,610	\$ (64,872)
Actual to Forecast	-0.4%	0.5%	



Positive

General Debt Service Fund is used to pay principal and interest on tax-supported debt. Overall, the fund is as forecasted, with revenues 0.4% lower than projected, and expenses 0.5% higher than expected. The fund makes semi-annual debt payments in February and August.

OVERALL FUND PERFORMANCE

EMPLOYEE HEALTH BENEFITS FUND REVENUES VS EXPENSES FY2014

<u>Month</u>	<u>2014 Revenue</u>	<u>2014 Expenses</u>	<u>Monthly Variance</u>
Oct	\$ 377,939	\$ 348,484	\$ 29,455
Nov	313,479	182,787	130,692
Dec	267,500	268,769	(1,269)
Jan	303,830	252,833	50,997
Feb	361,937	362,044	(107)
Mar	322,699	416,103	(93,403)
Apr	321,340	353,006	(31,666)
May	319,385	279,120	40,264
Jun	317,239	266,986	50,253
Jul	384,910	361,831	23,079
Aug			-
Sep			-
Total	\$ 3,290,258	\$ 3,091,962	\$ 198,296
Cumulative Forecast	\$ 3,412,603	\$ 3,391,748	\$ 20,855
Actual to Forecast \$	\$ (122,345)	\$ (299,785)	\$ 177,441
Actual to Forecast	-3.6%	-8.8%	



Positive

Employee Health Benefits Fund accounts for all health related claims paid from the City's partial self-insured fund. Overall, revenues are 3.6% lower than forecasted due to lower than expected employee contributions. Expenses are 8.8% lower than forecasted due to lower than expected claims.



City of Rowlett
Staff Report

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

AGENDA DATE: 09/02/14

AGENDA ITEM: 5E

TITLE

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

STAFF REPRESENTATIVE

Brian Funderburk, City Manager



City of Rowlett
Staff Report

4000 Main Street
P.O. Box 99
Rowlett, TX 75080-0099
www.rowlett.com

AGENDA DATE: 09/02/14

AGENDA ITEM: 7A

TITLE

Consider action to approve minutes from the August 14-15, 2014, City Council Special Work Session, and the August 19, 2014, City Council Meeting.

STAFF REPRESENTATIVE

Laura Hallmark, City Secretary

SUMMARY

Section 551.021 of the Government Code provides as follows:

- (a) A governmental body shall prepare and keep minutes or make a tape recording of each open meeting of the body.
- (b) The minutes must:
 - (1) state the subject of each deliberation; and
 - (2) indicate each vote, order, decisions or other action taken.

BACKGROUND INFORMATION

N/A

DISCUSSION

N/A

FINANCIAL/BUDGET IMPLICATIONS

N/A

RECOMMENDED ACTION

Move to approve, amend or correct the minutes of the August 14-15, 2014, City Council Special Work Session, and the August 19, 2014, City Council Meeting.

ATTACHMENTS

08-14-14 and 08-15-14 City Council Special Work Session Meeting minutes
08-19-14 City Council Meeting minutes



City of Rowlett Special Minutes

4000 Main Street
Rowlett, TX 75088
www.rowlett.com

City Council Budget Workshop

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.

Thursday, August 14, 2014

Friday, August 15, 2014

Saturday, August 16, 2014

6:15 P.M.

Municipal Building – 4000 Main St
Annex Conference Room – 4004 Main St

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.

Thursday, August 14, 2014 (City Hall Chambers, 4000 Main Street)

Present: Mayor Gottel, Mayor Pro Tem Gallops, Deputy Mayor Pro Tem Pankratz, Councilmember Bobbitt, Councilmember Dana-Bashian, Councilmember Sheffield and Councilmember van Bloemendaal

1. Call to Order

Mayor Gottel called the meeting to order at 6:03 p.m.

2. Overview of City's Manager's recommendations for the proposed budget

Brian Funderburk, City Manager, reviewed the recommendations that were presented during the August 5, 2014 Work Session.

3. Discuss proposed property tax rate increase

Mr. Funderburk reviewed the proposed tax rate increase of five cents with three cents going toward operations, one cent toward park maintenance and improvements, and one cent toward community enhancements.

Council discussion regarding repair and replacement of alleys along with funding options. Also discussed were park maintenance standards, the need for improvements, and the assurance funds would be spent according to those standards put in place.

4. Discuss proposed bond election in May 2015

The timeline and community education and involvement were discussed. The formation of the Community Investment Program Task Force was also discussed. Emphasis was placed on the ability to issue these bonds without an increase in the tax rate due to the retirement of previous debt.

5. Discuss proposed temporary water surcharge

Stage 3 water restrictions and the agreement with North Texas Municipal Water District (NTMWD) were discussed outlining the necessity for the surcharge. Emphasis was placed on the timeframe for the surcharge being Stage 3 restrictions. Should the restrictions be lifted, the surcharge would end.

6. Discuss proposed change to Over 65/Disabled tax exemption

Mr. Funderburk reviewed the discussion held with Council at their summer retreat regarding the determination of the recommended rates. Emphasis was placed on the fact this change would not affect those seniors/disabled persons who currently receive these benefits.

7. Discuss other policy proposals from City Manager

Mr. Funderburk reviewed the compensation study implementation, the proposed modification to the employee vacation/sick leave payout policy, the use of Cash CIP funds to cover the Library relocation and moving the Chamber of Commerce building, and reviewing the possibility of adjusting City retiree premiums for medical benefits.

8. Adjournment

After review of the agenda for the next two days and review of opportunities for public engagement, the meeting was adjourned at 9:14 p.m.

Friday, August 15, 2014 (Annex Conference Room, 4004 Main Street)

1. Call to Order

Mayor Gottel called the meeting to order at 6 p.m.

2. Discuss operating funds, capital improvement plan, and other aspects of the proposed budget.

Mr. Funderburk reviewed the reasons for the proposed tax increase:

- a) Personnel costs will increase as a result of the implementation of the pay plan effective April 1, 2015.
- b) One cent to enhance park maintenance.
- c) One cent to enhance community amenities.
- d) Allocation of \$785,000 for the Library location transition and relocation of the Chamber building.
- e) Ten percent increase in cost of water acquisition from NTMWD.

Councilmember Bobbitt arrived at 6:21 p.m. and Councilmember van Bloemendaal arrived at 6:25 p.m.

Alan Guard, Chief Financial Officer, then reviewed other items outlined in the budget memo, including: property taxes and the increase in property values, implementation of the pay plan, projected revenues, expenses in the General Fund, increase in employee costs as related to new Parks Department employees and an Emergency Management position, capital leasing, Utility Fund, Refuse Fund, Debt Service Fund, and various fund reserves.

Council engaged in discussion regarding the specifics of the implementation of the pay plan and how it was determined; Economic Development and possible increased resources; delineation of "purchased services" and a requested more detailed description; possibility of contracting for additional Parks services in lieu of employees; decrease in budgeted salary savings due to staffing levels; and large equipment replacement.

There was further discussion regarding water revenues and a lack thereof, a review of how the rates will change for residential and commercial customers and educating the public on "how we got here". Staff

provided a comparison of the City of Rowlett rates compared to other cities in the Metroplex. Use of Hotel/Motel Tax funds was also reviewed.

Deputy Mayor Pro Tem Pankratz left the meeting at 8:45 p.m. and returned at 8:53 p.m.

It was the consensus of Council to propose an increase in CERT funding in the amount of \$5,000. It was the consensus of Council to reallocate the proposed two cents for Parks maintenance and community enhancements as follows: ½ cent designated for alley repair/replacement, ¼ cent for Parks maintenance and improvements, and ¼ cent for community enhancements.

3. Adjournment

After review of the dates for the upcoming public hearings for the tax rate and the budget, Mayor Gottel adjourned the meeting at 9:09 p.m.

Saturday, August 16, 2014 (Only if Necessary) (Annex Conference Room, 4004 Main Street)

Council completed their review and discussion regarding the budget and this meeting was not necessary.

- 1. Call to Order**
- 2. If necessary, continue discussion of proposed budget.**
- 3. Adjournment**



City of Rowlett

Meeting Minutes

City Council

4000 Main Street
Rowlett, TX 75088
www.rowlett.com

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Tuesday, August 19, 2014

6:15 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 Gottel, Mayor Pro Tem Gallops, Deputy Mayor Pro Tem Pankratz, Councilmember Bobbitt, Councilmember Dana-Bashian, Councilmember Sheffield and Councilmember van Bloemendaal

1. CALL TO ORDER

Mayor Gottel called the meeting to order at 6:15 p.m.

2. EXECUTIVE SESSION

- 2A.** The City Council shall convene into Executive Session pursuant to the Texas Government Code, §551.087 (Economic Development) and §551.071 (Consultation with Attorney) to receive legal advice from the City Attorney and to discuss and deliberate the offer of financial or other incentives to business prospects that the City may seek to have locate in or near Elgin B. Robertson Park. (30 minutes) THIS MEETING WILL BE HELD AFTER THE REGULAR COUNCIL MEETING.

Council convened in Executive Session at 9:36 p.m. Out at 11:15 p.m.

3. WORK SESSION (6:15 P.M.)* Times listed are approximate

- 3A.** Hear presentation about a possible new toll road in Rowlett by Public Werks, Inc. (30 minutes)

Neal Barker, with Texas Turnpike Corporation provided information on a proposed private toll road to connect Greenville with PGBT in the City of Rowlett. They are calling it the Northeast Gateway project. Mr. Barker stated they were currently conducting an environmental assessment for the possible routes. Council expressed their concerns regarding exits, frontage roads, and sound walls through residential areas. Mr. Barker agreed to tour the area with members of staff and Council and also to see areas that have been affected by PGBT.

- 3B.** Discuss amending the Fiscal Year 2013-14 Adopted Operating and Capital Improvements Program Budget. (10 minutes)

Alan Guard, Chief Financial Officer, along with Terri Doby, Budget Officer, outlined the three areas of the amendment: 1) CIP – to allot for the Village of Rowlett and transfer of funds from projects that came in under budget; 2) Court Technology Fund to purchase the new Court software; 3) General Fund – to allot funds for the flooding in the Library and noting the Stormwater Management Plan, which was done in-house as opposed to using consultants as had been done in the past.

- 3C.** Discuss the purchase of Self-Contained Breathing Apparatus (SCBA) and accessories equipment from Hoyt Breathing Air Products in the amount of \$397,658 for Rowlett Fire Rescue. (30 minutes)

Fire Chief Neil Howard reviewed the life of the equipment, changing regulations, compliance entities, funding and delay of purchase until changes were finalized. He also reviewed the process for selection and the improved safety features.

4. DISCUSS CONSENT AGENDA ITEMS

Council requested item 7B be removed from the Consent Agenda for individual consideration.

Council took a short break at 7:22 p.m.

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

Council reconvened in Regular Session at 7:32 p.m.

INVOCATION – Mayor Pro Tem Gallops

PLEDGE OF ALLEGIANCE

TEXAS PLEDGE OF ALLEGIANCE – Led by the City Council

5. PRESENTATIONS AND PROCLAMATIONS

- 5A.** Presentation of Proclamation to Paul Reyna for Award received from Keep Texas Beautiful.

Councilmember Dana-Bashian presented the proclamation to Mr. Reyna.

- 5B.** Recognition of Robert Stockard for years of community service in the Rowlett Hockey League.

Councilmember Dana-Bashian presented the proclamation to Mr. Stockard.

- 5C.** Hear presentation of the Monthly Financial report for the period ending June 30, 2014.

Alan Guard, Chief Financial Officer, presented the report.

- 5D.** Hear Third Quarter Investment Report for June 30, 2014.

Alan Guard, Chief Financial Officer, presented the report.

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

Mayor Gattel announced the following: Upcoming City Council meetings: Tuesday, September 2nd & 16th; Regular Meeting – City Hall Conference Room. No special Council Work Session for September 9th – Council conducting Board & Commission interviews on September 4th, 9th, and 11th. Upcoming Planning & Zoning Commission meetings will be Tuesday, August 26th; 6pm in City Hall Conference Room. **NEW – MAYOR’S MONTHLY MESSAGE** - This month’s edition answers Frequently Asked Questions about the upcoming Budget. **STAGE 3 WATER RESTRICTIONS** – residents can water Once Every TWO Weeks. **ANIMAL SHELTER** – Low-cost vaccine clinic Saturday, August 23rd and Saturday, September 20th 1-4pm. Normal business hours at 4402 Industrial Street are Monday-Friday, 10am-5pm and Saturday, 10:30am-5pm. **CITIZEN’S POLICE ACADEMY** - Enroll now for the 34th Session of the Citizen’s Police Academy. Eleven week course, meeting one night a week beginning September 4th. Apply online. Upcoming events for Parks and Recreation: Movies on Main will start at approximately 6pm on Main Street downtown: September 5th (The Smurfs 2); September 12th (Free Birds); September 19th (Monsters University). Check out the Parks & Recreation page on our website for more information on the programs held at the Community Centre. Upcoming events at the Rowlett Public Library: Check out everything going on at the Library this summer at Rowlett.com or the Rowlett on the Move newsletter. Arts & Humanities Annual Photography Contest: 2014 Theme – “Rowlett Up Close!” Entries accepted at the Rowlett Library on Saturday, September 6th from 10am to noon. Will be on display through October 4th. More information at Rowlett.com on the Arts & Humanities page. Library Camp: Rule the School! – Friday, August 22nd, 2pm. Super Saturday: Doctor Who – Saturday, August 30th, 2pm.

6. CITIZENS’ INPUT

Jeffrey Sheldon, 7242 Liberty Grove, Rowlett; spoke regarding the Senior tax exemption.

Laurieann Dygowski, 7242 Liberty Grove, Rowlett; spoke regarding the Senior tax freeze/exemption.

7. CONSENT AGENDA

- 7A.** Consider action to approve minutes from the July 29, 2014, City Council Special Meeting, and the August 5, 2014, City Council Meeting.

This item was approved on the Consent Agenda.

- 7B.** Consider action to approve a resolution creating the Community Investment Program Task Force, appointing members to the CIP Task Force, and recognizing Council’s choice for a liaison and an alternate.

This item was removed from the Consent Agenda for individual consideration.

Mayor Gattel read the names of appointees into the record:

Rhetta Bowers
Martha Brown
Erik Ernst
Diane Lemmons

Waite Ligon
James Moseley
Jeffrey Sheldon

Jim Proce, Assistant City Manager, also noted that the Council representative will be Mayor Pro Tem Gallops and the alternate is Councilmember Dana-Bashian.

A motion was made by Councilmember Dana-Bashian, seconded by Councilmember Sheffield, to approve the item as presented. The motion carried with a vote of 5 in favor and 2 opposed (Bobbitt, Gallops). This item was adopted as RES-071-14.

- 7C.** Consider action to approve a resolution accepting the bid of and awarding a contract for the purchase of five 2015 Ford Explorer Police Interceptor patrol motor vehicles, emergency vehicle equipment and installation of equipment to Sam Pack's Five Star Ford in the amount of \$234,294.98 for the Police Department through the Purchasing Agreement with Texas Smartbuy.

This item was approved as RES-072-14 on the Consent Agenda.

Passed the Consent Agenda

A motion was made by Mayor Pro Tem Gallops, seconded by Deputy Mayor Pro Tem Pankratz, including all the preceding items marked as having been approved on the Consent Agenda. The motion carried with a unanimous vote of those members present.

8. ITEMS FOR INDIVIDUAL CONSIDERATION

- 8A.** Conduct a public hearing and take action on a request for a Special Use Permit to allow an accessory structure with a metal roof for property located at 7502 Catamaran Drive. (SUP14-721)

Garrett Langford, Principal Planner, presented the information from the staff report.

The public hearing opened and closed with no speakers.

A motion was made by Councilmember Sheffield, seconded by Mayor Pro Tem Gallops, to approve the item as presented. The motion carried with a unanimous vote of those members present. This item was adopted as ORD-029-14.

- 8B.** Conduct a public hearing on the ad valorem tax rate for Fiscal Year 2014-2015.

The public hearing opened and closed with one speaker:

1) Andrew Goss, 8814 Linda Vista Drive, Rowlett

- 8C.** Conduct a public hearing (1st) on the proposed budget for Fiscal Year 2014-2015.

The public hearing opened and closed with four speakers:

- 1) Chris Kilgore, 5809 Ambassador Lane, Rowlett
- 2) Martha Sigel, 7314 Scenic Drive, Rowlett
- 3) Tri Bui, 7310 Scenic Drive, Rowlett
- 4) Mike Lancaster, 9916 Dalrock Road, Rowlett

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

After a short break at 9:28 p.m., Council reconvened in the Executive Session at 9:36 p.m.

There was no action taken.

9. ADJOURNMENT

There being no further business, the meeting adjourned at 11:15 p.m.



City of Rowlett
Staff Report

4000 Main Street
P.O. Box 99
Rowlett, TX 75080-0099
www.rowlett.com

AGENDA DATE: 09/02/14

AGENDA ITEM: 7B

TITLE

Consider action to approve a resolution authorizing the City Manager to execute an amendment to a Subrecipient Grant Agreement with Life Message, Inc. as part of the Public Services portion of the City of Rowlett Community Development Block Grant (CDBG) Grant for program year 2013-2014.

STAFF REPRESENTATIVE

Marc Kurbansade, Director of Development Services

SUMMARY

The City Council previously authorized the City Manager to execute a Subrecipient Agreement with Life Message, Inc., as part of the Public Services portion of the CDBG for program year 2013-2014. The agreement allows the City to allocate a portion of the grant funds to Life Message so that this entity can provide “food and other basic living necessities (such as toiletries, clothing, housewares, appliances, etc.) to primarily low-income residents meeting the HUD defined income criteria for the Rowlett area.” Life Message, Inc. is a local City of Rowlett non-profit agency with the main mission of providing food and clothing to those in need.

In accordance with the Department of Housing and Urban Development (HUD) guidelines for the administration of CDBG funds, this amendment will provide for the expansion of the scope of funds to be allocated to permit Life Message to purchase refrigeration equipment.

BACKGROUND INFORMATION

On August 6, 2013, staff presented the CDBG Annual Plan for City Council approval, which covered grant activities for the Plan Year commencing on October 1, 2013, and concluding on September 30, 2014. The Plan as adopted did not include any allocations for Public Services, which is generally defined as, “Funding for non-profit organizations to provide health and human services to low income or special need households.” On May 20, 2014, City Council approved a Substantial Amendment to the Annual Plan to allow for \$28,688 to be allocated to the Public Services portion of the grant. Furthermore, at this meeting, City Council authorized the City Manager to execute a Subrecipient Agreement with Life Message, Inc. in order to allow the City to allocate a portion (\$28,688) of the overall CDBG funds (\$191,254) to Life Message.

These funds were allocated after the Plan year was approximately two-thirds complete; therefore, there was limited time for Life Message to expend these funds. At the time of the drafting of this staff report, Life Message had requested reimbursement for \$16,000, which provided assistance to over 2,000 families. This amendment will allow Life Message to

purchase commercial refrigeration equipment to permit them to store and dispense additional fresh and frozen foods.

It should be noted that the purchase of refrigeration equipment as part of the Public Services portion of the CDBG funds is permissible and has been confirmed with the City’s HUD representative.

DISCUSSION

The City of Rowlett was allocated \$191,254 in CDBG funds from HUD for the 2013-2014 program year, which covers the period from October 1, 2013 to September 30, 2014. A 15 percent portion of these funds (\$28,688) is allocated to the Public Services portion of the grant for “the funding for non-profit organizations to provide health and human services to low income or special need households.” As previously stated in the staff report, the City has executed a Subrecipient Agreement with Life Message, Inc. for the disbursal of these grant funds.

Approximately five weeks ago, during a site visit from the City’s HUD representative, Life Message inquired if they could purchase refrigeration equipment that would let them better serve the families that visit their facility for assistance. The HUD representative indicated that this was permissible and in accordance with the Public Services portion of the grant. However, the current Subrecipient Agreement with Life Message, Inc., only includes language stating, “Provision of food and other basic living necessities (such as toiletries, clothing, housewares, appliances, etc.) to primarily low-income residents meeting the HUD defined income criteria for the Rowlett area,” and therefore would need to be amended to include the phrase, “Purchase of refrigeration equipment” as an allowable reimbursable expense.

The proposed amendment to the Subrecipient Agreement will allocate \$5,000 for the purchase of refrigeration equipment. This amount will be reallocated from the “food and other basic living necessities” part of the grant (see table below):

Item	Budget (Subrecipient Agreement executed on May 20, 2014)	Budget (Proposed Amendment)
Food items and basic living necessities	\$22,738.00	\$17,738.00
Purchase of refrigeration equipment	N/A	\$5,000.00
One dedicated staff position for daily operations of food pantry	\$5,950.00	\$5,950.00
Total	\$28,688.00	\$28,688.00

FINANCIAL/BUDGET IMPLICATIONS

This item will not have any budget implications. No change in overall CDBG fund allocations will occur.

RECOMMENDED ACTION

Approve a resolution authorizing the City Manager to execute an amendment to a Subrecipient Grant Agreement with Life Message, Inc. as part of the Public Services portion of the City of Rowlett CDBG Grant for program year 2013-2014.

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS APPROVING AN AMENDMENT TO THE SUBRECIPIENT AGREEMENT IN ACCORDANCE WITH THE CITY OF ROWLETT COMMUNITY DEVELOPMENT BLOCK GRANT 2011-2015 CONSOLIDATED PLAN AND 2013 ANNUAL PLAN; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AMENDMENT TO THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Rowlett participates in the Department of Housing and Urban Development's Community Development Block Grant (CDBG) Program; and

WHEREAS, the Department of Housing and Urban Development (HUD) requires the City to prepare a five-year "Consolidated Plan" document for the CDBG program, and the 2011 - 2015 Consolidated Plan was adopted by the City Council on August 2, 2011; and

WHEREAS, on May 20, 2014, the City Council approved a Substantial Amendment ("Substantial Amendment 001") to the Consolidated Plan that authorized a 2013-2014 Subrecipient Agreement for Public Services; and

WHEREAS, the City Council desires to amend the 2013-2014 Subrecipient Agreement for Public Services, adopted by Substantial Amendment 001, as provided hereinafter, which the Council finds and determines is consistent with the 2013 Annual Plan and the Consolidated Plan.

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

Section 1: That the City Council hereby approves the Amendment to the 2013-2014 Subrecipient Agreement for Public Services, attached as Exhibit "A" hereto, for the City of Rowlett Community Development Block Grant (CDBG) 2011-2015 Consolidated Plan and Annual Plan for Community Development Needs.

Section 2: That the City Council authorizes the City Manager to execute the Amendment to the Subrecipient Agreement on the City's behalf as appropriate, and to take any necessary steps to implement the Amendment and issue purchase orders pursuant thereto.

Section 3: This resolution shall become effective immediately upon its passage.

ATTACHMENT

Exhibit A – Subrecipient Agreement Amendment

CITY OF ROWLETT
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

AMENDMENT TO THE
2013-2014 SUBRECIPIENT AGREEMENT FOR PUBLIC SERVICES

THIS AMENDMENT, made and entered into this ____ day of _____, 2014 by and between the **CITY OF ROWLETT, TEXAS** and **LIFE MESSAGE, INC.**, a non-profit corporation, is to amend the 2013-2014 Subrecipient Agreement to include the following budget changes as shown in the table below. Life Message has requested and the City is in agreement to allow the expenditure of up to \$5,000.00 for the purchase of refrigeration equipment to be used at the Rowlett Life Message location for the delivery of food products to program participants. Any funds remaining after the purchase of the refrigeration equipment will be transferred back to the line item "Food items and basic living necessities" and used for eligible expenditures in that category.

2013 BUDGET FOR CDBG PUBLIC SERVICES FUNDING

TOTAL FUNDED AMOUNT: \$28,688.00

Item	Total Budget
Food items and basic living necessities	\$17,738.00
Purchase of refrigeration equipment	\$5,000.00
One dedicated staff position for daily operations of food pantry	\$5,950.00
TOTAL	\$28,688.00

AMENDMENT APPROVED BY CITY COUNCIL ON: _____, **2014**

SUBRECIPIENT NAME:

BY: _____

Printed Name: _____ Title: Executive Director

ATTEST: **CITY OF ROWLETT, TEXAS - "City"**

 CITY SECRETARY

BY: _____
 BRIAN FUNDERBURK
 CITY MANAGER

DATE: _____



City of Rowlett
Staff Report

4000 Main Street
P.O. Box 99
Rowlett, TX 75080-0099
www.rowlett.com

AGENDA DATE: 09/02/14

AGENDA ITEM: 7C

TITLE

Consider action to approve a resolution amending the City's Financial and Fiscal Policies.

STAFF REPRESENTATIVE

Alan Guard, Chief Financial Officer

SUMMARY

The City of Rowlett has a responsibility to its citizens to carefully account for public funds, to manage municipal finances wisely and to plan for the funding of services and facilities required by the public. The principles of prudent financial management require a set of financial and fiscal policies to ensure that this responsibility is met. Many of the policies are based on the Government Finance Officers Association's (GFOA) recommended best practices in addition to standards established by the Governmental Accounting Standards Board (GASB).

The City's Financial and Fiscal Policies are updated as needed, due to any significant accounting events, major pronouncements of authoritative guidance, recommendations from the City's external audit firm or bond counsel, or general "housekeeping" updates.

The most recent policy update, 12/18/12, item 7N, inadvertently excluded some previous policy amendments. The proposed resolution will ensure that the previous updates are accurately reflected in the City's Financial and Fiscal Policies, including new recommendations (see Exhibit A).

BACKGROUND INFORMATION

On November 18, 2003, the City Council adopted a comprehensive set of financial policies. On May 4, 2004, the City Council amended the financial policies to add guidance on capital projects, change orders and contingencies. On June 6, 2006, the City Council amended the financial policies regarding fund budgets, encumbrance and CIP carryover, revenue management practices in the utility billing office and level of budgetary control. On September 4, 2007, the City Council amended the City's financial policies to include passing through increases from the City's utility providers to customers, establishing formal target reserve levels for several funds, and renaming and broadening the role of the Finance Committee to include Audit Committee. On October 20, 2009, the City Council amended the financial policies to eliminate two internal service funds (Information Technology Fund and Fleet Fund) and to create several other governmental funds to improve transparency and remove funds from the reserve requirement calculations for the General Fund. On September 1, 2010, the City Council increased the General Fund minimum reserve policy from 10 percent to 13 percent representing slightly more than 45 days of operations; decreased the Utility Fund minimum reserve policy from 25 percent to 20 percent

representing more than 60 days of operations; and created the Employee Benefits Fund to account for a partial self-insurance strategy for health care. On December 6, 2011, the City Council amended the policies to increase the limit of change orders from \$25,000 to \$50,000 and included an exception to the delegation of authority for purchases up to \$25,000 to the Director of Public Works and Development. On January 17, 2012, the City Council amended the policies to comply with the new major pronouncement, GASB 54, which mandated changes to fund balance reporting and delegating the responsibility to assign funds. Most recently on December 18, 2012, the City Council amended the policies to eliminate adopting a formal budget for the Innovations Fund, delegated the responsibility of annual inventory counts to the department level and released the requirement of a secondary inventory count by the Finance Department (recommended by the external auditors), added written procedures for federal tax compliance as it relates to the issuance and repayment of municipal bonds (recommended by the City's bond counsel), and made several other revisions related to minor formatting and outdated terminology items.

DISCUSSION

The policy amendments presented herein include:

1. Include the 12/6/11 amendment update inadvertently excluded from the 12/18/12 amendment –
 - Section VI.B.: Increase the limit of change orders from \$25,000 to \$50,000 and include an exception to the delegation of authority for purchases up to \$25,000 to the Director of Public Works and Development.
2. Include the 1/17/12 amendment update inadvertently excluded from the 12/18/12 amendment –
 - Section IX.B.: Add policy to comply with the new major pronouncement, GASB 54, which mandated changes to fund balance reporting and delegating the responsibility to assign funds to the Chief Financial Officer and/or the Director of Financial Services.
3. Propose new amendment to update *Appendix A Capital Projects Policy* to be in agreement with Section VI.B.
 - Section II.B.: Change \$25,000 to \$50,000
 - Section II.C.: Change \$25,000 to \$50,000
 - Section III.A.2.: Change \$25,000 to \$50,000
 - Section III.B.: Change \$25,000 to \$50,000
4. Propose new amendment to increase the capital asset cost or value capitalization threshold from \$5,000 to \$10,000
 - Section VII.C.: Change \$5,000 to \$10,000
5. Propose new amendment to replace all references of “Director of Public Works and Development” to “Director of Public Works.”

FINANCIAL/BUDGET IMPLICATIONS

N/A

RECOMMENDED ACTION

City staff recommends the City Council approve the resolution authorizing and approving the City's Financial and Fiscal Policies.

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS, AUTHORIZING AND APPROVING AMENDMENTS TO THE CITY'S FINANCIAL AND FISCAL POLICIES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rowlett, Texas has approved comprehensive financial and fiscal policies; and

WHEREAS, Section II.B. of the financial and fiscal policy recommends periodic review; and

WHEREAS, following periodic review, City Council finds that it is in the best interest of the public to amend certain provisions of the City's financial and fiscal policies;

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

Section 1: That the City Council of the City of Rowlett hereby amends the City of Rowlett's Financial and Fiscal Policies, a copy of said amended policy is attached hereto and incorporated herein as Exhibit A.

Section 2: This resolution shall become effective immediately upon its passage.

ATTACHMENT

Exhibit A – City of Rowlett Financial and Fiscal Policies with proposed amendments

**CITY OF ROWLETT
FINANCIAL AND FISCAL POLICIES**

I. STATEMENT OF PURPOSE

The City recognizes that the community of Rowlett is a unique, dynamic environment with a rich, cultural history and desires to enhance and protect that environment through the adoption of fiscally responsible policies that will maintain or improve the financial health and well being of the City. In order to accomplish this, it is critical to understand the external economic factors operating in the community, identify existing and/or emerging problems before they reach serious proportions, and consider the financial impact decisions have on the City's financial condition. The goals of these financial and fiscal policies are as follows:

- A. To protect the City's policy-making ability by ensuring that policy decisions are not hindered by financial problems or emergencies.
- B. To assist sound management of the City by providing accurate and timely information on financial condition.
- C. To provide sound principles to guide the important decisions of the City Council and of management which have significant fiscal impact.
- D. To establish operational principles that minimize the cost of local government, to the extent consistent with services provided by the City, and which minimize financial risk.
- E. To employ revenue policies that prevent undue or unbalanced reliance on certain revenues, which distribute the costs of municipal services fairly, and which provide adequate funds to operate desired programs.
- F. To provide funding capacity for the ongoing maintenance of the City's essential public facilities and infrastructure.
- G. To protect and enhance the City's credit rating and prevent default on any municipal debts.
- H. To insure the legal use of all City funds through a good system of financial security and internal control.

The scope of these policies generally spans, among other issues, accounting, auditing, financial reporting, internal controls, operating and capital budgeting, revenue management, cash and investment management, expenditure control, debt management, and planning concepts, in order to:

- Present fairly and with full disclosure the financial position and results of financial operations of the City in conformity with generally accepted accounting principles (GAAP).
- Determine and demonstrate compliance with finance-related legal and contractual issues in accordance with provisions of the Texas Local Government Code, Home Rule Charter, and other pertinent legal documents and mandates.
- Demonstrate good fiscal administration of the City's funds and promote accountability to its citizens.

II. GENERAL IMPLEMENTATION AND COMPLIANCE GUIDELINES

- A. **FINANCE AND AUDIT COMMITTEE.** A committee designated as the Finance and Audit Committee will be appointed by the City Council and consist of 3 members of the City Council. The Finance and Audit Committee will meet as requested with the City Manager and the Director of Financial Services and the City's independent auditor for these purposes:
1. Financial and fiscal policy review.
 2. Auditor selection recommendation.
 3. Investment policy review and guidance.
 4. Communications with the City's independent auditor.
- B. **PERIODIC REVIEW.** Based upon the results and recommendations of the Finance and Audit Committee, on a periodic basis, the City Council will approve the financial and fiscal policies as reviewed and refined to reflect current laws in effect at the time, as well as significant changes in the City, which will impact the prevailing policy.
- C. **IMPLEMENTATION, COMPLIANCE, ACCOUNTABILITY AND REVIEW.** The Director of Financial Services will be accountable for implementing these policies and will to the best of his or her knowledge make the Finance and Audit Committee and the City Council aware of any variances in practice from these policies or any other deviation from prudent financial practices in accordance with GAAP, the City Charter, state laws or ethics of the profession. Any variances will be presented at meetings of the Finance and Audit Committee with notification sent to the City Council in writing.
- D. The Finance and Audit Committee may have bylaws approved by the City Council that may further define its role and responsibilities. Such bylaws shall be approved by resolution.

III. ACCOUNTING, AUDITING, AND FINANCIAL REPORTING

- A. **ACCOUNTING.** The City is solely responsible for the reporting of its financial affairs, both internally and externally. The Director of Financial Services is the City's Chief Financial Officer and is responsible for establishing the Chart of Accounts and for properly recording financial transactions.
- B. **EXTERNAL AUDITING.**
1. **Qualifications of the External Auditor.** In conformance with Section 6.01 of the City's Charter and according to the provisions of Texas Local Government Code, Title 4, Chapter 103, the City will be audited annually by outside independent accountants ("external auditor").
 2. **External Auditor Repute.** The external auditor must be a CPA firm of regional reputation and must demonstrate that it has the breadth and depth of staff to conduct the City's audit in accordance with generally accepted auditing standards and contractual requirements. The external auditor must be registered as a partnership or corporation of certified public accountants, holding a license under Article 41a-1, Section 9, of the Civil Statutes of Texas, capable of demonstrating that it has sufficient staff which will enable it to conduct the City's audit in accordance with generally accepted auditing standards as required by the City Charter and applicable state and federal laws.
 3. **Timing.** Pursuant to Section 103.003(a) of the Texas Local Government Code, the annual financial statement, including the external auditor's opinion on the City's financial

statements, shall be filed in the office of the City Secretary within 120 days of the City's fiscal year end. In the event that it is impossible to complete the audit within the specified timeframe, an unaudited financial report, certified by the Director of Financial Services, shall be filed with the City Secretary by the 120th day deadline to be replaced by the final audited financial statements when completed.

4. Management Letter. The external auditor will prepare and will review the Management Letter with the City Council within 60 days of its receipt and in accordance with the City Charter. The Director of Financial Services shall respond in writing to the City Manager and City Council regarding the external auditor's Management Letter, addressing the issues contained therein and will meet with the Audit Committee to discuss the findings and response. The City Council shall schedule its formal acceptance of the external auditor's report upon the resolution of any issues resulting from its review. Pursuant to Section 6.01 of the City's Charter, the written report will be presented to City Council in a regular meeting.
5. Responsibility of External Auditor to City Council. The external auditor is accountable to the City Council and will have access to direct communication with the City Council if City Staff is unresponsive to external auditor recommendations or if the external auditor considers such communication necessary to fulfill its legal and professional responsibilities.
6. Rotation of External Auditor. Pursuant to Section 6.01 of the Home Rule Charter, no firm or certified public accountant shall complete more than five (5) consecutive annual audits. Year to year authorization to continue shall be done no later than 60 days prior to the beginning of the fiscal year to facilitate audit planning purposes.
7. External Auditor Requirements. The external auditor will provide the following to City Staff:
 - a. Detailed invoices accounting for time spent both by audit phase and level of auditor will be submitted to the City with each invoice.
 - b. Copies of all work papers, including diskettes and schedules, will be furnished to the City upon completion of the audit.

C. FINANCIAL AND FISCAL REPORTING.

1. External Financial Reporting.
 - a. Scope. A final financial report, either a general purpose financial statement (GPFS) or a Comprehensive Annual Financial Report (CAFR) shall be prepared in accordance with generally accepted accounting principles (GAAP) and recommended practices of the Government Finance Officers Association (GFOA).
 - b. Timing. The report shall be presented to the City Council within 120 calendar days of the City's fiscal year end (see IIIB3 above).
2. Internal Fiscal Reporting. Pursuant to Section 3.13(6) of the Home Rule Charter, the City Council shall require quarterly financial reports, sufficient to plan, monitor, and control the City's fiscal affairs. Internal financial reporting objectives are addressed throughout these policies.
 - a. Timing. Pursuant to Section 4.03(10) of the Home Rule Charter, on a quarterly basis the Finance Department shall prepare a written report of the City's financial affairs. The City Manager shall orally present said report at a public meeting of the City Council. Each report shall accurately reflect the City's current position in regards to revenue and expenditure performance, as well as any additional information that

reflects the City's current and future fiscal position. Said report shall also include a status report of the City's capital improvements program.

IV. OPERATING BUDGET

- A. PREPARATION. Budgeting is an essential element of the financial planning, control, and evaluation process of municipal government. The City's "operating budget" is the City's annual financial operating plan. The City shall attempt to balance the budget consistent with the needs and desires of the community and available resources and will not generally rely upon one-time measures to balance the budget. The budget shall be prepared and presented to meet the requirements of Section 102 of the Texas Local Government Code.
1. Scope. The scope of the budget includes the following funds for which the City will adopt a formal budget: General Fund, Debt Service, Police Seizures Fund, Hotel/Motel Tax Fund, Tax Increment Financing Fund, Utility Fund, Economic Development Fund, Traffic Safety Fund, Refuse Fund, Drainage Fund, Impact Fees Fund, Innovations Fund, Public Education and Government (P.E.G.) Fund, Grants Fund, CDBG Fund, Juvenile Diversion Fund, Court Technology Fund, Court Security Fund, Golf Fund, and Employee Benefits Fund.
 2. Budgetary Process. The budget is prepared by the City Manager or designee who is responsible to transmit the document to the City Council. In order to meet the requirements of Section 102.005 of the Texas Local Government Code, the budget shall be delivered to the City Council 45 days prior to the beginning of each fiscal year end, filed with the City Secretary, and should be approved by the City Council prior to the fiscal year end. In the event that a budget is not adopted prior to October 1st, the preceding fiscal year budget shall be deemed adopted, which may be amended or supplemented, as the City Council deems appropriate pursuant to Section 6.02 of the Home Rule Charter.
 3. Basis of Budgeting. The basis of budgeting will be the same as the basis of accounting; that is, that budgets for the General Fund and the Special Revenue Funds are prepared on the modified accrual basis of accounting, and budgets for the Utility (Proprietary) Funds are prepared on a full accrual basis, except that capital purchases and depreciation are not adjusted until year-end financial reporting.
 4. Proposed Budget Format. A proposed budget shall be prepared by the City Manager, within the provisions of Section 102 of the Texas Local Government Code. The budget shall include five basic segments for review and evaluation. These segments are: (1) personnel costs, (2) operations and maintenance costs, (3) capital and other (non-capital) project costs, (4) debt service, and (5) revenues. At minimum, a four-column format should be used such that prior year actual, current year budget and revised, and next year proposed are all clearly shown. The budget format should also clearly indicate an opening fund balance, the operating results of each fund, and a closing fund balance, carried over to each subsequent year of the budget. Where possible, the budget should be defined by programs and services provided to the budget and the corresponding costs and benefits of each. In order to meet the Texas Local Government Code, the proposed budget shall also contain the outstanding obligations of the City; the cash on hand to the credit of each fund; and the estimated tax rate required to cover the proposed budget.
 5. City Council Participation. The budget review process shall include City Council participation in the review prior to the budget adoption. The budget process will span sufficient time to address policy and fiscal issues by the City Council. The budget process will be coordinated so as to identify major policy issues for City Council consideration prior to the budget approval date so that proper decision analysis can be made.

6. Filing and Adoption. Upon the presentation of a proposed budget document acceptable to the City Council, the City Council shall call and publicize a public hearing and adopt by Ordinance such budget as the City's Official Budget, effective for the fiscal year beginning October 1st. A copy of the proposed budget shall be filed with the City Secretary in accordance with the provisions of Section 102 of the Texas Local Government Code. Within 45 days after the adoption of the budget or a budget amendment, the budget officer shall provide for the filing of a true copy of the approved budget or amendment in the office of Dallas and Rockwall counties.
 7. Amending the Official Budget. Amendments to the Official Budget shall be made at regularly scheduled City Council meetings. Budget transfers shall be made at the discretion of the City Manager, as outlined and defined in Section VI.A of these policies.
 8. Encumbrances. Encumbrances outstanding at the end of each fiscal year that the City intends to pay during the succeeding fiscal year may be appropriated in that subsequent year's official budget by means of budget amendment as appropriations expire at year-end. However, budgeted funds for encumbrances on items ordered but not yet received by year-end will automatically be carried over.
 9. BALANCED BUDGET. The operating budget will be balanced where the proposed resources (prior year fund balance plus current year revenues) are equal to or greater than the proposed expenditures.
 10. FORECASTING. The budgeting process for the annual budget necessitates the preparation of future projections of both revenues and expenditures. It should be recognized that the balanced budget requirement forces the conservative estimate of revenues and expenditures. Inherent in the forecasting process is the identification of assumptions used in the forecasting calculations. A statement of assumptions should be included in the presentation of forecasts.
 11. CONTROL. Operating Expenditure Control is addressed in Section VI.A. of these Policies.
- B. PERFORMANCE MEASURES AND PRODUCTIVITY INDICATORS. Where appropriate, performance measures and productivity indicators will be used as guidelines and reviewed for efficiency and effectiveness. This information will be included in the annual budgeting process.
- C. MULTI-YEAR PLANNING MODEL. As part of the annual budget process, the City will maintain a five-year operating plan to model the effect of significant changes over time. Said model should include major components such as (1) personnel costs, (2) operations and maintenance costs, (3) capital and other (non-capital) project costs, (4) debt service, and (5) revenues and will identify basic assumptions used in the model.

V. REVENUE MANAGEMENT.

- A. The City will strive for the following optimum characteristics in its revenue system:
1. SIMPLICITY. The City, where possible and without sacrificing accuracy, will strive to keep the revenue system simple in order to reduce compliance costs and to make it more understandable to the taxpayer or service recipient. The City will avoid nuisance taxes or charges as revenue sources.
 2. CERTAINTY. Knowledge and understanding of revenue sources increases the reliability of the revenue system. The City will understand its revenue sources and enact consistent

collection policies to provide assurances that the revenue base will materialize according to budgets and plans.

3. **EQUITY.** The City shall make every effort to maintain equity in its revenue system structure; i.e., the City shall seek to minimize or eliminate all forms of subsidization between entities, funds, services, utilities, and customers. The City shall strive for a balance in the revenue system; i.e., the revenue base will have the characteristics of fairness and neutrality as it applies to cost of service, willingness to pay, and ability to pay.
 4. **ADMINISTRATION.** The benefits of a revenue will be expected to exceed the cost of producing the revenue. The cost of collection will be reviewed annually for cost effectiveness as a part of the indirect cost and cost of services analysis. Where appropriate, the City will use the administrative processes of State or Federal collection agencies in order to reduce administrative costs.
 5. **DIVERSIFICATION AND STABILITY.** In order to protect the City from fluctuations in a revenue source due to fluctuations in the economy and variations in weather, a diversified revenue system will be maintained which will provide stability of income. This stability is also achieved by a balance between elastic and inelastic sources of revenues.
 6. **GRANTS AND RESTRICTED REVENUES.** In order to maintain flexibility in the revenue system, restricted revenues will be closely monitored. Any potential grants will be examined for matching requirements.
- B. The following considerations and issues will guide the City in its revenue policies concerning specific sources of funds:
1. **COST/BENEFIT OF ABATEMENT.** The City will use due caution in the analysis of any tax or fee incentives that are used to encourage development. Ideally, a cost/benefit (fiscal impact) analysis will be performed as a part of such caution.
 2. **NON-RECURRING REVENUES.** One-time or non-recurring revenues will not be used to finance current ongoing operations. Nonrecurring revenues should be used only for one-time expenditures such as long-lived capital needs. They will not be used for budget balancing purposes.
 3. **PROPERTY TAX REVENUES.** All real and business personal property located within the City shall be valued at 100% of the fair market value for any given year based on the current appraisal supplied to the City by the Dallas Central Appraisal District. Reappraisal and reassessment shall be done regularly as required by State law. A 98% collection rate shall serve each year as a goal for tax collections. All delinquent taxes shall be aggressively pursued each year by the County's Tax Assessor/Collector. Delinquent tax accounts shall be submitted for collection each year to an attorney selected by the City Council. A penalty shall be assessed on all delinquent property taxes, which shall include all court costs, as well as an amount for compensation of the attorney as permitted by State law and in accordance with the attorney's contract with the City.
 4. **INTEREST INCOME.** Interest earned from investment of available monies, whether pooled or not, will be distributed to the funds in accordance with the operating and capital budgets. Wherever possible, the distribution will be in accordance with the equity balance of the fund from which monies were provided to be invested.
 5. **USER-BASED FEES AND SERVICE CHARGES.** For services associated with a user fee or charge, a fee should offset the direct and indirect costs of that service where possible or

appropriate. There will be a periodic review of fees and charges to ensure that fees provide adequate coverage of costs of services.

6. UTILITY RATES. The City will review and adopt utility rates periodically that will generate revenues required to fully cover operating expenditures, meet the legal restrictions of all applicable bond covenants, and provide for an adequate level of working capital needs. At a minimum, this review should be conducted every 2 years. This policy does not preclude drawing down cash balances to finance current operations. However, it is best that any extra cash balance be used instead to finance capital projects. Components of Utility Rates will include transfers to the General Fund as follows:
 - a. General and Administrative Charge. An administrative fee will be charged to the Utility Fund for services of general overhead, such as administration, finance, personnel, data processing, and legal counsel.
 - b. Franchise payment (in lieu of tax). A rate of 5% of gross sales will be charged to the Utility Fund, consistent with the rates charged to private utilities operating within the City.
 - c. Payment in lieu of Property Tax (PILOT). A fee will be charged to the Utility Fund to equate to property taxes lost due to municipal ownership. Gross book value will be used as a basis, barring absence of known market value. The existing tax rate will be applied to this base to determine the PILOT charge.
7. REVENUE MONITORING. Revenues actually received will be regularly compared to budgeted revenues and variances will be investigated. This process will be summarized in the appropriate budget report.
8. INTERFUND COST ALLOCATION. The expenditures of all funds of the City, except for debt service and capital project funds shall be evaluated on an annual basis to identify and allocate the general and administrative overhead costs between operating funds. The model for this allocation shall be developed by the Finance Department and approved by the City Manager.

C. The City will utilize the following policies regarding utility billings and collections:

1. USE OF ESTIMATES. In the advent of technical or other factors that prevent the Utility Office from issuing a bill based on actual water/sewer consumption, the City may utilize appropriate administrative techniques to estimate the amount of the water/sewer consumption utilized.
2. WATER LEAKS. Water leaks are the responsibility of the property owner, both in terms of the cost of repairs and the cost associated with the lost water. However, water leaks resulting from the City's piping infrastructure will not be the responsibility of the property owner.
3. APPEALS. Utility customers may appeal staff decisions regarding their utility account. Customers will be required to submit the basis of their appeal in writing. The City Manager (or his designee) after duly reviewing the available information, shall have the authority to make adjustments to customer accounts based upon, but not limited to, questionable water leaks, technical difficulties, customer history, etc.

VI. EXPENDITURE CONTROL

A. APPROPRIATIONS. The level of budgetary control is at the fund level.

1. BUDGET ADJUSTMENTS. Budget adjustments are transfers of approved funds from one line-item within a department or from one department to another within a fund. Budget transfers never increase the total appropriation of a given fund. Budget adjustments within the same department under \$10,000 may be approved by the Department Director and Director of Financial Services with notification to the City Manager. Budget adjustments exceeding \$10,000 or between departments within the same fund shall be made at the discretion and approval of the City Manager.
2. BUDGET AMENDMENTS. Budget amendments increase or decrease the total appropriation of a given fund. The City Council shall approve all budget amendments at a regularly scheduled City Council meeting.

B. PURCHASING. All purchases should be in accordance with the City's purchasing policies as defined in the Purchasing Manual and Chapters 252 and 271 of the Texas Local Government Code as amended. Purchases under \$50,000 but exceeding \$15,000 require the approval of the City Manager in addition to the Department Director. An exception to this rule is the delegation of authority for purchases up to \$25,000 to the Director of Public Works.

The purchase of goods or services at a total cost of \$3,000 or more shall be made through purchase orders. Written purchase orders shall also be used for vendors requiring formal City authorization regardless of the dollar amount.

Any payment for the purchase of goods or services by the City at a total cost of less than \$3,000 may be made via a procurement card or a field purchase order (FPO).

All documentation for the disbursement of funds by the Finance Department exceeding \$50,000 shall require the signature of the City Manager and the Director of Financial Services or designee in addition to the respective Department Director or designee prior to processing.

C. CONTRACT MODIFICATIONS.

1. Once a contract is approved by the City Council, minor modifications (Administrative Modifications) that change the scope of work and increases the original contract amount by less than \$50,000 may be approved by the City Manager with written notification to the City Council listing the purpose and cause of such change order and certifying the availability of funds.
2. Major modifications (Change Orders) that change the scope of work and increases the original contract amount by more than \$50,000 must be approved by the City Council.
3. Pursuant to Texas Local Government Code, Article 252.048, contract modifications over 25% of the original amount awarded will be re-advertised for bids.

D. PROMPT PAYMENT. All invoices approved for payment by the proper City authorities shall be paid by the Finance Department within thirty (30) calendar days of receipt in accordance with the provisions of Article 601f, Section 2 of the State of Texas Civil Statutes.

The Director of Financial Services shall establish and maintain proper procedures which will enable the City to take advantage of all purchase discounts, when possible, except in the instance where payments can be reasonably and legally delayed in order to maximize the City's investable cash.

- E. RISK MANAGEMENT. The City will aggressively pursue every opportunity to provide for the public's and city employees' safety and to manage its risks. The goal shall be to minimize the risk of loss of resources through liability claims with an emphasis on safety programs. All reasonable options will be investigated to minimize risks. Such options may include risk transfer, insurance, and risk retention. Where risk is retained, reserves will be established based upon actuarial determinations and will not be used for purposes other than for financing losses.

VII. ASSET MANAGEMENT

- A. INVESTMENTS. The City's designated Investment Officer(s) shall promptly invest all City funds with the Bank Depository in accordance with the provisions of the current Bank Depository Agreement or in any negotiable instrument that the City Council has authorized under the provisions of the State of Texas Public Funds Investment Act, and in accordance with the City Council approved Investment Policies. The Investment Policies shall designate the City's Investment Officer(s).

As required by the Public Funds Investment Act (PFIA), a report on investment performance will be provided to the City Council. The Director of Financial Services shall prepare and provide a written quarterly report of the City's investment portfolio to the City Council, detailing each City investment instrument with its rate of return and maturity date.

- B. CASH MANAGEMENT. The City's cash flow will be managed to maximize the cash available to invest. Such cash management will entail the centralization of cash collections, where feasible, including property tax payments, utility bills, building and related permits and licenses, and other collection offices as appropriate.

The Director of Financial Services or designee may transfer funds, via electronic transfer, through verbal or written instructions to the City's Depository only for payment of any obligation of the City. Payment authorization shall be in accordance with the pay authorization criteria as defined in the current Bank Depository Agreement, approved by City Council, stipulating the conditions and control procedures on such activity.

- C. FIXED ASSETS AND INVENTORY. A fixed asset of the City shall be defined as a purchased or otherwise acquired piece of equipment, vehicle, furniture, fixture, capital improvement, addition to existing capital investments, land, buildings or accessioned Library materials. The cost or value of any such acquisition, other than accessioned Library materials, must be \$10,000 or more with an expected useful life greater than three years. Public Infrastructure, including but not limited to street and alley improvements, drainage improvements, etc., exceeding \$100,000 in value and with an expected useful life of greater than five years, will also be capitalized. Depreciation guidelines may be promulgated by the Director of Financial Services but should never exceed the expected useful life of the asset. Buildings and land, including right-of-way acquisition, shall be capitalized at any value.

The City's fixed assets shall be reasonably safeguarded and properly accounted for and sufficiently insured. Responsibility for the safeguarding of the City's fixed assets lies with the Department Director in whose department the fixed asset is assigned. The Finance Department shall supervise the marking of fixed assets with City numbered property tags or other identification process and shall maintain the permanent records of the City's fixed assets including description, cost, department of responsibility, date of acquisition, depreciation and expected useful life. The Department in which the fixed assets are assigned shall perform an annual inventory of assets. Such inventory shall be spot checked, using informal sampling by the department supervisor to verify inventory accuracy before submission to the Finance Department. A secondary, informal sampling to verify accuracy may be performed by the Director of Financial Services or designee in the presence of designated department personnel.

VIII. CAPITAL IMPROVEMENTS

- A. **PREPARATION.** The City's capital budget will be called the Five Year Capital Improvements Plan (CIP), and include all capital projects funds and all capital resources. The budget will be prepared annually on a fiscal year basis. The capital budget will be prepared with the involvement of all applicable city departments.
- B. **ADOPTION.** A copy of the Five Year Capital Improvements Plan shall be made available to each council member and to the public prior to City Council discussions concerning the proposed program. A public hearing shall be held each year to allow any citizen to be heard for or against any project or the amount of any project contained herein. The CIP budget shall be adopted annually by majority vote of City Council as part of the adoption of the Operating Budget.
- C. **CONTROL.** All capital project expenditures must be appropriated in the capital budget. The Finance Department must certify the availability of appropriations prior to presenting a capital projects contract to the City Council for approval. Any remaining project funds not completed or started at the end of a fiscal year will be automatically carried over into the following fiscal year.
- D. **CONTINGENCIES.** It is appropriate for certain types of capital projects to include a contingency to cover unforeseen costs and prevent undue delays. This amount can vary due to the type and complexity of the project. The City has an approved Capital Projects Policy identifying the appropriate level of contingencies by project type (see Appendix).
- E. **REPORTING.** Monthly reports, should be prepared on the progress of each active project in the CIP. The reports should contain data on each project, identifying any changes in the financial status of the project and identifying the status of the project. Said reports will be prepared to enable Department Directors to manage their capital budgets and to enable the Finance Department to monitor and control the capital budget as authorized by the City Manager.
- F. **PROGRAM PLANNING.** The capital budget will include capital improvements planned for future years. The planning time frame should normally be at least five years. The replacement and maintenance for capital items should also be projected for the next five years. Future maintenance and operational costs will be considered, so that these costs can be included in the operating budget.
- G. **FINANCING PROGRAMS.** Where applicable, assessments, impact fees, pro-rata charges, or other fees should be used to fund capital projects that have a primary benefit to specific, identifiable property owners.

Recognizing that long-term debt is usually a more expensive financing method, alternative financing sources will be explored before debt is issued. When debt is issued, it will be used to acquire major assets with expected lives that equal or exceed the average life of the debt issue. The exceptions to this requirement are the traditional costs of marketing and issuing the debt, capitalized labor for design and construction of capital projects, and small component parts which are attached to major equipment purchases.

- H. **INFRASTRUCTURE MAINTENANCE.** The City recognizes that deferred maintenance increases future capital costs. Therefore, a portion of the City's operating budget will be set aside each year to maintain the quality of the City's infrastructure. The amount will be established annually, as part of the budget process, so that necessary repairs will be made.

IX. FINANCIAL CONDITIONS, RESERVES, AND STABILITY RATIOS

A. OPERATING RESERVES/FUND BALANCES

1. Defined: Under generally accepted accounting principles (GAAP), governmental entities maintain several types of funds with different accounting basis. As a result, the methodology for determining the level of operating reserves is different. For funds falling under the modified accrual basis of accounting (generally governmental fund types such as the general fund and special revenue funds), the operating reserve will be defined as Fund Balance under GAAP. For funds falling under the full accrual basis of accounting (generally business-type activities such as the utility, drainage and refuse funds), the operating reserve will be defined as Unrestricted Net Assets under GAAP.
2. The General Fund operating reserve balance should be at least 13% of the Fund's annual expenditures exclusive of transfers to other funds and any restricted reserves required to be set aside.
3. The Utility Fund operating reserve balance should be maintained at least 20% of total operating expenditures exclusive of transfers to other funds and any restricted reserves required to be set aside.
4. The Economic Development Fund operating reserve balance should be at least 10% of the Fund's annual expenditures exclusive of transfers to other funds and any restricted reserves required to be set aside.
5. The Drainage Fund operating reserve balance should be maintained at least 10% of total operating expenditures exclusive of transfers to other funds and any restricted reserves required to be set aside.
6. The Refuse Fund operating reserve balance should be maintained at least 5% of total operating expenditures exclusive of transfers to other funds and any restricted reserves required to be set aside.
7. The Golf Fund operating reserve balance should be maintained at least one-year's debt service payment exclusive of transfers to other funds and any restricted reserves required to be set aside.
8. All other funds should maintain adequate operating reserves to accomplish their mission. The Director of Financial Services and the City Manager shall annually evaluate those needs and include such recommendations as part of the annual budget process.

B. GASB 54

Effective beginning with the September 30, 2011 financial statements and thereafter GASB 54 will be applied to all governmental funds. Fund balance classifications that establish a hierarchy based on the extent to which the City observes constraints imposed upon the use of the resources that are reported by the governmental fund will be used for reporting purposes only. This change will not affect the fund balance reserves outlined in A. above.

The fund balance will now be composed of three primary categories:

- Non-spendable Fund Balance – includes amounts that cannot be spent and are, therefore, not included in the current year appropriation.

There are two components to this fund balance category:

1. *Not in spendable form* – previously recorded disbursements and include items that are not expected to be converted into cash, i.e. inventories, pre-paid items, etc.
 2. *Legally or contractually required to be maintained intact* – refers to an amount that has been received that must be invested indefinitely, i.e. a donation received by the City from a citizen, the principal of which is to be invested in a permanent fund and the earnings used for general governmental purposes
- Restricted Fund Balance – reports on resources that have spending constraints that are either:
 1. Externally imposed by creditors, grantors, contributors or laws and regulations of other governments, i.e. grants, etc.
 2. Imposed by law through constitutional provision or enabling legislation. The amounts represented by this fund balance category have very stringent conditions imposed by external parties or by law. Therefore, the amounts are restricted to very specific purposes and cannot be redeployed for other purposes. The City can be compelled by an external party to comply with the spending requirements represented by the Restricted Fund Balance.
 - Unrestricted Fund Balance
 - 1) *Committed Fund Balance* – represents amounts that have internally imposed restrictions mandated by formal action of the City Council. The committed amounts cannot be redeployed for other purposes unless the same type of formal action is taken by the highest level of decision-making authority to reserve or modify the previously imposed restriction.
 - 2) *Assigned Fund Balance* – reports amounts that are constrained by the City's intent that they will be used for specific purposes. Decision making with regard to these amounts shall be delegated to the Chief Financial Officer and/or the Director of Financial Services.

Except for the General Fund, fund balance amounts that are not labeled as non-spendable, restricted or committed would be reported in the Assigned Fund Balance category. Therefore, the Assigned Fund Balance becomes the residual amount for the Special Revenue Fund, Capital Project Fund and Debt Service Funds.
 - 3) *Unassigned Fund Balance* – the residual fund balance for the General Fund. It represents the amount of fund balance remaining after allocation to the Non-

spendable, restricted, committed and assigned fund balances. This amount reflects the resources that are available for further appropriation and expenditure for general governmental purposes.

C. LIABILITIES AND RECEIVABLES.

Procedures will be taken so as to maximize any discounts offered by creditors. Current liabilities will be paid within 30 days of receiving the invoice. Generally, the City will exhaust all normal collection efforts before taking extraordinary procedures, such as utilizing collection agencies or shutting off service. Generally, Accounts Receivables older than 90 days will be turned over to a collection agency or other appropriate medium to ensure collection. In addition, the City will take all reasonable and necessary steps to perfect such receivables. NSF checks shall be automatically processed a second time by the bank before being sent back to the City.

The City Manager is authorized to write-off uncollectible accounts that are delinquent for more than 365 days, if the proper delinquency procedures have been followed. Property and labor liens are exempt from the preceding write-off criteria.

D. CAPITAL AND DEBT SERVICE FUNDS.

1. Monies in the Capital Projects Funds should be used within 36 months of receipt. Balances will be used to generate interest income to offset construction costs.
2. Budgeted funds in the Capital Improvements Program for projects not started or completed will automatically carryover into the next fiscal year. Any capital improvement included in the capital improvements program that has not started nor any funds spent for three consecutive years after being duly appropriated will require action by the City Council to be reappropriated.
3. General Obligation Debt Service Funds will not have reserves or balances in excess of one month of principal and interest plus 15% of the principal outstanding for unrefunded debt issued prior to September 1, 1986. This maximum is dictated by Federal law and does not include the amounts accrued for the next debt service payment.

The policy above does not preclude the debt service reserves normally established to market revenue bonds. The City's policy and bond ordinance requirements are to maintain these debt service reserves at the level of the average annual debt service.

4. Revenue Obligations will maintain Debt Coverage Ratios as specified by the bond covenants. Net revenues must be at least equal to 1.25 times average annual debt service and 1.10 times maximum annual debt service of outstanding parity bonds.

Both these tests must be met in order to issue additional bonds. In addition, the City must have net revenues (adjusted) that exceed current debt by 1.2 times, as a promise to the existing bondholders that rates will be maintained to pay all operating and financing costs.

- E. **COMPENSATED ABSENCES.** The City will establish an additional reserve within its operating funds to pay for accrued reimbursable vacation and sick leave.

X. TREASURY AND DEBT MANAGEMENT

- A. CASH MANAGEMENT. Periodic review of cash flow position will be performed to determine performance of cash management and investment policies. A detailed policy structure will be followed with respect to Cash/Treasury Management. The underlying theme will be that idle cash will be invested with the intent to, in this order, 1) safeguard assets, 2) maintain liquidity, and 3) maximize return. Where legally permitted, pooling of investments will be utilized.

The City will adhere to the investments authorized through the State of Texas Public Funds Investment Act, with amendments, and will additionally establish a comprehensive Investment Policies and Guidelines. Such policies will clarify acceptable investment securities, brokers, terms, and other pertinent investment information.

B. TYPES OF DEBT

1. Leases and Lease Purchase Agreements.
2. Long-term debt will not be used for operating purposes, and the life of a bond issue will not exceed the useful life of a project financed by that bond issue.
3. When appropriate, self-supporting revenues will pay debt service in lieu of tax revenues.

- C. ANALYSIS OF FINANCING ALTERNATIVES. The City will explore all financing alternatives in addition to long-term debt including leasing, grants and other aid, developer contributions, impact fees, and use of reserves of current monies.

- D. DISCLOSURE. Full disclosure of operations will be made to the bond rating agencies and other users of financial information. The City staff, with the assistance of financial advisors and bond counsel, will prepare the necessary materials for presentation to the rating agencies, will aid in the production of Offering Statements, and will take responsibility for the accuracy of all financial information released.

- E. FEDERAL REQUIREMENTS. The City will maintain procedures to comply with arbitrage rebate and other Federal requirements.

- F. DEBT STRUCTURING. The City will issue bonds with an average life of 20 years or less, not to exceed the life of the asset acquired.

The structure should approximate level debt service unless operational matters dictate otherwise or if market conditions indicate a potential savings could result from modifying the level payment stream. Consideration of market factors, such as the tax-exempt qualification, minimum tax alternative, and so forth will be given during the structuring of long-term debt instruments.

G. DEBT ISSUANCE.

1. Method of Sale. The City will use a competitive bidding process in the sale of bonds unless the nature of the issue warrants a negotiated bid. In situations where a competitive bidding process is not elected, the City will publicly present the reasons why, and the City will participate with the financial advisor in the selection of the underwriter or direct purchaser.
2. Bidding Parameters. The notice of sale will be carefully constructed so as to ensure the best possible bid for the City, in light of the existing market conditions and other prevailing factors. Parameters to be examined include:
 - Limits between lowest and highest coupons
 - Coupon requirements relative to the yield curve
 - Method of underwriter compensation discount or premium coupons

- Use of True Interest Cost vs. Net Interest Cost
 - Use of bond insurance
 - Deep discount bonds
 - Variable rate bonds
 - Call provisions
3. Bond Issuance Costs. The City will be involved in the selection of all financial advisors, underwriters, paying agents, and bond counsel. The City shall evaluate the merits of rotating professional advisors and consultants and the kinds of services and fee structures available from independent financial advisors, investment banking firms, and commercial banks. The City will carefully itemize and scrutinize all costs associated with the issuance of bonds.
 4. It will be the policy of the City to comply with any requirements of the federal government regarding debt issuance reporting and tax compliance.

XI. INTERNAL CONTROLS

- A. WRITTEN PROCEDURES. Wherever possible, written procedures will be established and maintained by the Director of Financial Services for all functions involving cash handling and/or accounting throughout the City. These procedures will embrace the general concepts of fiscal responsibility set forth in this policy statement.
- B. DEPARTMENT DIRECTORS RESPONSIBLE. Each Department Director is responsible to ensure that good internal controls are followed throughout his or her Department, that all Finance Department directives or internal controls are implemented, and that all independent auditor internal control recommendations are addressed.

APPENDIX A**CAPITAL PROJECTS POLICY****I. STATEMENT OF PURPOSE**

These procedures are to be followed when deviation from the scope of a construction project results in a change in the total contract amount.

II. DEFINITIONS AS APPLIED TO THIS POLICY

- A. Total Contract Budget – The contract amount plus the approved contingency amount.
- B. Administrative Modification – An item of work that changes the scope of the work and/or the contract amount within the total contract budget and the total cost of such modification is less than \$50,000.
- C. Major Modification – An item of work that changes the scope of the work and/or the contract amount by more than the total contract budget or an item of work that is a change in the scope of the project where the price of such work exceeds \$50,000.
- D. Contingency amount – A fixed sum of money added to the contract amount and approved by the City Council. The contingency amount is intended to cover any additional costs associated with the project when the actual work performed by the contractor exceeds the estimated unit quantities listed in the contract. The contingency is also intended to cover any modifications to the contract that are necessary to complete the project. The amount of contingency depends upon the total contract amount and complexity of the project. A schedule is attached. The schedule may be modified if an unusually complex project is considered.

Contingency Amount Schedule

Project Type	Contract Amount	Contingency Percentage
Water/Sanitary Sewer	\$1 - \$400,000	10%
Water/Sanitary Sewer	\$400,001 – up	5%
Street construction, new	\$1 - \$250,000	10%
Street construction, new	\$250,001 – up	5%
Street reconstruction	\$1 - \$500,000	15%
Street reconstruction	\$500,001 – up	10%
Building construction, new	\$1 - \$100,000	10%
Building construction, new	\$100,001 – up	5%
All other projects	All costs	10%

APPENDIX A**CAPITAL PROJECTS POLICY (continued)**

III. Policy application:

- A. 'Administrative Modifications' for minor changes in the work not inconsistent with the overall intent of the Contract Documents and not involving an increase in the total contract budget may be approved by the following with the exceptions provided herein:
 - 1. Public Works Director/City Engineer - Minor changes in the work not inconsistent with the overall intent of the Contract Documents where the cost of such modification does not exceed 25% of the contingency amount and the cost of such modification is under \$25,000. All modifications must be accompanied by a written cost quote approved by the City Engineer. Such modifications shall be in the form of a change order. The Public Works Director shall provide written notification to the City Manager listing the purpose and cause of such change order and certifying the availability of funds. Administrative modifications costing more than 25% of the contract contingency amount must be approved by the City Manager
 - 2. City Manager - Minor changes in the work not inconsistent with the overall intent of the Contract Documents where the cost of such modification exceeds 25% of the contingency amount and the cost of such modification is under \$50,000. Such modifications shall be in the form of a change order. All modifications must be accompanied by a written cost quote approved by the City Engineer. The City Manager shall provide written notification to the City Council listing the purpose and cause of such change order and certifying the availability of funds.
- B. 'Major Modifications' must be approved by City Council action if the amount of such modification is greater than \$50,000 or if the modification exceeds the total contract budget. Such modifications shall be in the form of a change order. All modifications must be accompanied by a written cost quote approved by the City Engineer.
- C. Pursuant to Texas Local Government Code, Article 252.048, contract modifications that increase the original amount awarded by 25% will be readvertised for bids. Contract modifications that decrease the original amount by 25% must have the contractor's consent.

APPENDIX A**CAPITAL PROJECTS POLICY (continued)**

EXCERPTS FROM THE CITY'S STANDARD FORM OF AGREEMENT FOR CAPITAL IMPROVEMENTS

7.02 ESTIMATED QUANTITIES.

(A) This agreement, including the specifications, plans, and estimate, is intended to show clearly all work to be done and material to be furnished hereunder. Where the estimated quantities are shown for the various classes of work to be done and material to be furnished under this contract, they are approximate and are to be used only as a basis for estimating the probable cost of the work and for comparing the proposals offered for the work. It is understood and agreed that the actual amount of work to be done and material to be furnished under this contract may differ somewhat from these estimates, and that where the basis for payment under this contract is the unit price method, payment shall be for the actual amount of such work done and the material furnished.

(B) Where payment is based on the net price method, the CONTRACTOR agrees that he will make no claim for damages, anticipated profits or otherwise on account of any differences which may be found between the quantities of work actually done, the material actually furnished under this contract and the estimated quantities contemplated and contained in the proposal; provided, however, that in case the actual quantity of any major item should become as much as twenty percent (20%) more than, or twenty percent (20%) less than the estimated or contemplated quantity for such items, then either party to this Agreement, upon demand, shall be entitled to a revised consideration upon the portion of the work above or below twenty percent (20%) of the estimated quantity.

(C) A "Major Item" shall be construed to be any individual bid item incurred in the proposal that has a total cost equal to or greater than five (5) per cent of the total contract cost, computed on the basis of the proposal quantities and the contract unit prices.

8.1 CHANGE ORDERS.

(A) Without invalidating this Agreement, the CITY may, at any time or from time to time order additions, deletions or revisions to the work; such changes will be authorized by a written Change Order to be prepared by the PROJECT MANAGER for execution by the CITY and the CONTRACTOR. The Change Order shall set forth the basis for any change in contract price, as hereinafter set forth for Extra Work, and any change in contract time which may result from the change.

(B) In the event the CONTRACTOR shall refuse to execute a Change Order which has been prepared by the PROJECT MANAGER and executed by the CITY, the PROJECT MANAGER may in writing instruct the CONTRACTOR to proceed with the work as set forth in the Change Order and the CONTRACTOR may make claim against the CITY for Extra work involved therein, as hereinafter provided.

8.2 MINOR CHANGES.

(A) The PROJECT MANAGER may authorize, in writing, minor changes in the work not inconsistent with the overall intent of the Contract Documents and not involving an increase in Contract Price. If the CONTRACTOR believes that any minor change or alteration authorized by the PROJECT MANAGER involves Extra Work and entitles him to an increase in the Contract Price, the CONTRACTOR shall make written request to the PROJECT MANAGER for a written Field Order.

APPENDIX A**CAPITAL PROJECTS POLICY (continued)**

(B) In any case, the CONTRACTOR by copy of his communication to the PROJECT MANAGER or otherwise in writing shall advise the CITY of his request to the PROJECT MANAGER for a written Field Order and that the work involved may result in an increase in the Contract Price.

(C) Any request by the CONTRACTOR for a change in Contract Price shall be made prior to beginning the work covered by the proposed change.

8.3 EXTRA WORK. It is agreed that the basis of compensation to the CONTRACTOR for work either added or deleted by a Change Order or for which a claim for Extra Work is made shall be determined by one or more of the following methods:

Method (A) -- By agreed unit prices; or

Method (B) -- By agreed lump sum; or

Method (C) -- If neither Method (A) nor Method (B) be agreed upon before the Extra Work is commenced, then the CONTRACTOR shall be paid the "actual field cost" of the work, plus fifteen (15%) percent.

In the event said Extra Work be performed and paid for under Method (C), then the provisions of this paragraph shall apply and the "actual field cost" is hereby defined to include the cost to the CONTRACTOR of all workmen, such as foremen, timekeepers, mechanics and laborers, and materials, supplies, teams, trucks, rentals on machinery and equipment, for the time actually employed or used on such Extra Work, plus actual transportation charges necessarily incurred, together with all power, fuel, lubricants, water and similar operating expenses, also all necessary incidental expenses incurred directly on account of such Extra Work, including Social Security, pension and disability benefits and other payroll taxes, and, a ratable proportion of premiums on Performance and Payment Bonds and Maintenance Bonds, Public Liability and Property Damage and Worker's Compensation and all other insurance as may be required by any law or ordinance, or directed by the CITY, or by them agreed to. The PROJECT MANAGER may direct the form in which accounts of the "actual field cost" shall be kept and the records of these accounts shall be made available to the PROJECT MANAGER. The PROJECT MANAGER or CITY may also specify in writing, before the work commences, the method of doing the work and type and kind of machinery and equipment to be used; otherwise these matters shall be determined by the CONTRACTOR. Unless otherwise agreed upon, the prices of the use of machinery and equipment shall be determined by using one hundred percent (100%) unless otherwise specified, of the latest schedule of Equipment Ownership Expense adopted by the Associated General Contractors of America. Where practicable the terms and prices for the use of machinery and equipment shall be incorporated in the Written Extra Work Order. The fifteen percent (15%) of the "actual field cost" to be paid the CONTRACTOR shall cover and compensate him for his profit, overhead, general superintendence and field office expense, and all other elements of cost and expense not embraced within the "actual field cost" as herein defined, save that where the CONTRACTOR'S Camp or Field Office must be maintained primarily on account of such Extra Work; then the cost to maintain and operate the same shall be included in the "actual field cost".

No claim for Extra Work of any kind will be allowed unless ordered in writing by the PROJECT MANAGER. In case any orders or instructions, either oral or written, appear to the CONTRACTOR to involve Extra Work for which he should receive compensation or an adjustment in the construction timer, he shall make written request to the PROJECT MANAGER for written order authorizing such Extra Work. Should a difference of opinion arise as to what does or does not constitute Extra Work, or as to the payment therefore, and the PROJECT MANAGER insists upon its performance, the CONTRACTOR shall proceed with the work

APPENDIX A**CAPITAL PROJECTS POLICY (continued)**

after making written request for written order and shall keep an accurate account of the "actual field cost" thereof, as provided under method (C).

10.15 WORK ORDER CHANGES. It is further agreed that the quantities of work to be done at unit prices and materials to be furnished may be increased or diminished as may be considered necessary, in the opinion of the PROJECT MANAGER, to complete the work fully as planned and that all quantities of work, whether increased or decreased, are to be performed at the unit prices set forth except as provided for in the specifications. The CITY reserves the right to increase or decrease the amount of work to be done by any amount not to be exceeded by twenty-five percent (25%) of the original contract amount. In the event the increase pertains to items not originally bid, the Contractor shall submit a bid in writing to the PROJECT MANAGER for approval. It is further agreed that lump sum prices may be increased to cover additional work ordered by the PROJECT MANAGER but not shown on the plans or required by the specifications, in accordance with the provision of the general conditions; similarly, they may be decreased to cover deletion or work so ordered.



City of Rowlett
Staff Report

4000 Main Street
P.O. Box 99
Rowlett, TX 75080-0099
www.rowlett.com

AGENDA DATE: 09/02/14

AGENDA ITEM: 7D

TITLE

Consider action to approve a resolution awarding a bid for the purchase of Self-Contained Breathing Apparatus (SCBA) and accessories equipment to Hoyt Breathing Air Products in the amount of \$397,658.06 for Rowlett Fire Rescue through the Interlocal Cooperative Purchasing Agreement with the City of Frisco.

STAFF REPRESENTATIVE

Neil Howard, Fire Chief
Allyson Wilson, Purchasing Agent

SUMMARY

Rowlett Fire Rescue has an aging Self Contained Breathing Apparatus (SCBA) fleet and is in need of replacing the current inventory of 32 air packs, along with related ancillary SCBA equipment. Funding and replacement plans were developed three years ago in order to address SCBA replacement. Current funding levels were based on 2011 bid submittals. Additionally, funds were allocated for the SCBA purchase in the FY2013 budget. Unfortunately, the SCBA acquisition was placed on hold due to pending new equipment standards. After a long industry-wide waiting period, the National Institute for Occupational Safety and Health (NIOSH) released the new standards late this year. Rowlett Fire Rescue is now prepared to proceed with the SCBA replacement plan. However, the newly released equipment standards have resulted in a new bid and additional costs that were unforeseen in 2011.

BACKGROUND INFORMATION

This item was presented to the City Council for discussion at the August 19, 2014, work session. The fire service relies on safety equipment to enable its personnel to carry out the mission of saving lives and protecting property. Firefighters are frequently required to enter atmospheres that are Immediately Dangerous to Life and Health, abbreviated as IDLH. Rowlett Fire Rescue maintains a SCBA Standard Operating Procedure policy to provide and ensure proper protection for firefighting personnel, which states that all personnel who respond and function in areas that present an IDLH shall be equipped with SCBA. Additionally, personnel must be trained in its proper use, care, and maintenance in order to enhance safety and to reduce potential health risks. One of the key pieces of protective equipment firefighters use to safely enter an IDLH is the Self Contained Breathing Apparatus (SCBA). SCBA's are essentially an air bottle in a backpack, which firefighters depend on for fresh air in untenable environments. Because the SCBA is so vitally important to firefighters' health and survival, the SCBA market is highly regulated and controlled. SCBA regulations directly affect SCBA use, maintenance, repair, replacement and costs. While the National Institute for Occupational Safety and Health (NIOSH) regulates manufacturing standards, other agencies play roles in the

regulation of SCBA as well. The National Fire Protection Agency (NFPA) sets forth the use and performance standards for SCBA. The Texas Commission on Fire Protection (TCFP) sets and enforces the standards for SCBA use, maintenance and repair. Each of these regulating entities have a significant impact on SCBA selection, purchase and use. This agenda item is a result of numerous hours of research and planning with the goal of adhering to compliance requirements and maximizing the value to the citizens of Rowlett.

DISCUSSION

Rowlett Fire Rescue's current SCBA inventory consists of 32 air packs, 46 air cylinders and 66 face masks. The typical SCBA serviceable life span is ten to 15 years. No SCBA have been purchased within the last ten years. Many of the current SCBA in service today are over 15 years old and have reached the end of their practical service life. In addition to an aging SCBA inventory, there are simply not enough SCBA units to adequately meet the needs of the department. In order to efficiently maintain service levels, eight additional SCBA units and 44 cylinders need to be purchased. The deficit was caused by a combination of department growth, poor economic conditions and the delayed release of updated standards. This, in turn, delayed the manufacturing of SCBA, which prohibited the purchase of a new fleet.

SCBA standards are revised every five years by the National Fire Protection Association (NFPA). The latest standards were published in 2013, with final revisions completed only weeks ago. SCBA must maintain compliancy at a level equal to or greater than the level required at the time of manufacture. Rowlett Fire Rescue's entire SCBA fleet is NFPA 2002 compliant. This was made possible by several previous upgrades since 1995. While this has been fiscally advantageous, all SCBA units now lack many of the safety features commonly found within the industry. Additionally, due to the age of the units, downtime and repair costs are expected to exceed the allocated SCBA repair budget. Additionally, none of the current SCBA fleet are upgradable to the latest NFPA 2013 standards nor are they certified to protect against chemical, biological, radioactive, or nuclear (CBRN) agents. These combined factors make the current SCBA fleet obsolete and in need of replacement.

The end of the SCBA's life cycle is a foreseeable issue. Plans were made in 2011 to replace all SCBA and funds were earmarked for this purpose. However, shortly after funds were allocated, the NFPA and NIOSH announced there would be dramatic changes to SCBA manufacturing standards in the near future. Unfortunately, these changes took much longer than anticipated. The final SCBA standards were released the first week of April 2014. Once this was completed, the Rowlett Fire Rescue Fire Advisory Board was able to conduct a product review of all major SCBA manufacturers in order to make a recommendation for purchase to the Fire Chief. The product review took approximately four weeks to conduct and determined the manufacturer of choice to be Scott brand SCBA. This decision was based on how Scott SCBA best met the operational needs of Rowlett Fire Rescue. It is important to note this is the SCBA manufacturer currently used by the department. Maintaining the same SCBA manufacturer will have the added benefit of reducing costs. This is due to much less new product training being necessary for end users as well as retraining for in-house repair technicians.

SCBA 2013 standards bring new safety and efficiency features, which is a benefit to all fire personnel using SCBA. However, the new features translate into an approximate 15 percent increase in purchasing costs. The change in SCBA standards was unforeseeable in 2011. Therefore, the current allotted funds are inadequate to meet the needs of the City of Rowlett.

Rowlett Fire Rescue anticipates purchasing the following NFPA 2013 compliant SCBA and ancillary equipment:

- **Scott Safety Air-Pak X3 NFPA 2013 Standard-** The purchase of 40 SCBA will effectively replace the SCBA on all frontline fire apparatus and medic units, including reserve apparatus and SCBA placed in reserve to conduct repairs and maintenance. All units will include an integrated PASS (personal alert safety system), Pak-Tracker locator, and the SEMS II accountability system. SEMS II and Pak-tracker devices accurately locate firefighter's locations in volatile and dangerous situations. This is accomplished while simultaneously providing a continuous link of communications to the incident commander. The Pak-Tracker provides Rapid Intervention Teams (RIT) with real time information when a firefighter's PASS alarm is activated. This enables the RIT crews to search for downed firefighters utilizing a hand-held device that hones in on the activated PASS alarm. The SEMS II works in addition to the Pak-Tracker by utilizing a computer-based accountability system that gives real-time PASS device status of all firefighters working the fire. This includes indicating the amount of air in each firefighter's cylinder. This is a huge technological increase in safety in firefighting operations.
- **Ancillary SCBA Equipment-** The purchase includes 82 NFPA 2013 Edition AV3000-HT masks, 82 Epic 3 voice amplifiers, 42 EZ-Flow quick disconnect Chemical Biological Radioactive Nuclear regulators with heads-up display (HUD), and 90 4500psi 45 minute carbon cylinders. The recommendation to purchase voice amplifiers is based on the department's goal to equip all officers and firefighters with this equipment to enable them to effectively communicate while on the fire ground. The NFPA is leaning towards establishing a standard to provide all firefighters with this equipment. In addition, the department recommends purchasing Chemical Biological Radioactive Nuclear regulators to equip all firefighters with individual regulators to defeat cross contamination of infectious diseases and improve overall health and safety of firefighters.
- **Firefighter Accountability Purchase-** The purchase includes two Scott Safety SEMS II Gateway Base Stations that would operate in the Command Post. This would also provide one reserve unit to ensure operations. The purchase includes five Pak-Tracker hand-held units to accompany each RIT bag. Additionally, one RFID (radio frequency identification) card programmer with necessary software would be purchased. Lastly, the purchase would include 90 RFID cards.
- **Rapid Intervention Team (RIT) Bag Purchase-** The purchase includes five RIT-Pak III bags that carry a supplemental air supply, secondary stage regulator, and an additional mask. The Bags are utilized by RIT personnel to rescue downed firefighters and

occupants when they are out of air and/or trapped in a fire. All frontline apparatus will carry RIT Bags.

The NFPA is the world's leading advocate of fire prevention and authoritative source on public safety. They develop, publish, and disseminate more than 300 consensus codes and standards intended to minimize the possibility and effects of fire and other risks. The standard which governs the use of SCBA is NFPA 1981, the standard for open circuit breathing apparatus for emergency services. This standard is one of many standards currently adopted by the NFPA. The standard is revised every five years by committee members made up of fire service personnel, manufacturers, and government organizations such as the National Institute of Safety and Health (NIOSH). The standard has undergone several revisions with the 1992, 1997, 2002, and 2007 standards and recently the 2013 Standard. The 2013 Standard will have a significant impact on the SCBA utilized by the Rowlett Fire Rescue Department.

The 2013 Standard integrates the following operational changes for SCBA:

- Testing for increased face piece lens integrity (this requires the purchase of new face piece for all SCBA users);
- New voice communication amplified requirements (this allows firefighters to hear each other more clearly while in extreme situations);
- Change to end of service time indicators – this indicates how much air is left in the cylinder. In the past, 30 minute cylinders were acceptable, but the standard requires the new indicator to go off when 15 minutes are left. For this reason, we need to begin using 45 minute cylinders to get 30 working minutes.

FINANCIAL/BUDGET IMPLICATIONS

Rowlett Fire Rescue has selected the purchase of an annual contract of SCBA and accessories (competitive bid #1411-015) with Hoyt Breathing Air Products equipment through our Interlocal Cooperative Purchasing Agreement with the City of Frisco. The City of Frisco has executed Interlocal Agreements as permitted under Section 791.025 of the Texas Government Code with certain other governmental entities authorizing participation in the cooperative purchasing program. The successful bidder has been asked to provide products/services, based upon bid price, to the City of Rowlett as shown on the attached quotation.

Rowlett Fire Rescue will also utilize this bid for annual operational expenses related to SCBAs, which at this time is approximately \$15,000 per year. This amount is already in the department's operating budget and includes the maintenance of the department's two SCBA air-filling stations. This is an annual contract with four additional one-year renewals. The total estimated replacement cost for the new SCBAs and related equipment is \$407,958.06. This amount includes a credit for trade-in value of old air packs and cylinders in the amount of \$10,300.00.

The proposed amount exceeds the budget amount based on the original cost estimate of NFPA price indexing gathered in 2010 and past evaluation of departmental SCBA and accessory equipment needs at that time. The budget amount increase was revised after careful evaluation

and analysis of current/future SCBA needs, which fire rescue staff warranted necessary to stay current with Texas Commission on Fire Protection standards and maintain firefighter safety as a priority.

The original price quote provided to Fire Suppression was approximately \$350,000. Since that quote was provided, the preferred product has increased in price to \$397,658 (net trade-in). This will result in an annual lease payment of \$47,815, based on a ten-year lease at an estimated interest rate of 3.5 percent. The FY2015 budget includes \$43,152 for this lease payment. Funds will be reallocated from other line items in the Fire Suppression budget to make up the \$4,663 difference.

Pursuant to City Council approval, City staff will proceed with obtaining competitive bids for the lease purchase financing of the SCBAs for a ten-year term. Those bids will be presented to City Council for approval with a beginning payment to the financing firm on or about October 31, 2014.

Budget Account Number and/or Project Code	Account or Project Title	Budget Amount	Proposed Amount
101-3016-440-7405	Purchased Services – Contractual Lease Payments	\$43,152	\$47,815
101-3016-440-tbd	Other Accounts in Fire Rescue	4,663	-
Total		\$47,815	\$47,815

RECOMMENDED ACTION

City staff recommends the City Council approve a resolution awarding a bid for the purchase of Self-Contained Breathing Apparatus (SCBA) and accessories equipment to Hoyt Breathing Air Products in the amount of \$397,658.06 for Rowlett Fire Rescue through the Interlocal Cooperative Purchasing Agreement with the City of Frisco.

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS, ACCEPTING THE BID OF AND AWARDING A CONTRACT FOR THE PURCHASE OF SELF-CONTAINED BREATHING APPARATUS (SCBA) AND ACCESSORIES AND EQUIPMENT TO HOYT BREATHING AIR PRODUCTS IN THE AMOUNT OF \$397,658.06 FOR ROWLETT FIRE RESCUE THROUGH THE INTERLOCAL COOPERATIVE PURCHASING AGREEMENT WITH THE CITY OF FRISCO; AUTHORIZING THE ISSUANCE OF PURCHASE ORDERS PURSUANT TO APPROVAL; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is necessary to procure Self-Contained Breathing Apparatus (SCBA) and accessories equipment replacing worn and outdated equipment; and

WHEREAS, the City of Rowlett has entered into an Interlocal Cooperative Purchasing Agreement with the City of Frisco for procuring products and services; and

WHEREAS, the City of Frisco has taken sealed bids #1411-015 for the purchase of Self-Contained Breathing Apparatus (SCBA) and accessories equipment and has a contract in place for said equipment with Hoyt Breathing Air Products; and

WHEREAS, City staff will obtain bids for the financing of the Self-Contained Breathing Apparatus (SCBA) and accessories equipment and bring forth those bids for City Council consideration at the September 16, 2014 meeting; and

WHEREAS, the City Council of the City of Rowlett, Texas desires to award a bid for the purchase of Self-Contained Breathing Apparatus (SCBA) and accessories equipment to Hoyt Breathing Air Products.

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

Section 1: That the City Council of the City of Rowlett does hereby accept the bid of and award a contract for the purchase of Self-Contained Breathing Apparatus (SCBA) and accessories and equipment to Hoyt Breathing Air Products in the amount of \$397,658.06 for Rowlett Fire Rescue through the Interlocal Cooperative Purchasing Agreement with the City of Frisco.

Section 2: That the Council does hereby further authorize the City Manager or his designee to issue purchase orders to conform to this resolution in accordance with the quotation attached hereto and incorporated herein by reference as Exhibit A.

Section 3: That the Council does further authorize City staff to obtain bids for the lease/purchase financing of this equipment and to present a recommendation to the City Council for consideration in the near future.

Section 4: This resolution shall become effective immediately upon its passage.

ATTACHMENT

Exhibit A – Hoyt Breathing Air Products Quote

HOYT

QUOTE

BREATHING AIR PRODUCTS

PO Box 653
 Quinlan, Texas 75474
Website: www.hoytair.com
Phone: 800-447-3385 **Fax:** 903-447-3409
Prepared by: Melissa Hayden
E-mail: hbap2melissa@aol.com

Date:	8/12/2014
Inquiry :	10138-RVSD
Valid Until:	9/11/2014

CUSTOMER

Rowlett Fire Department
 Don Poovey
 E-mail: Dpoovey@rowlett.com
 Phone: 972-412-6230

Terms:	Net 30
Shipping:	Additional
Estimate Delivery ARO:	28-42 days
Contract:	Frisco 1411-015

Item	Description	Price/each	Frisco Contract Price	Extended Quantities
40	X3414022200402 Scott 4.5 Air Pak 2013 edition, X3 with Snap-change, with standard harness and standard belt, regulator with Quick connect hose, Dual EBSS, SEMS II, Less Case	\$7,710.00	\$4,972.95	\$198,918.00
90	200129-11 4500 psi, 45 minute carbon cyl., snap change, ST-7	\$1,450.00	\$935.25	\$84,172.50
90	Cylinder ID Bands; photo luminescent; 1 color	\$35.00	\$35.00	\$3,150.00
42	200077-10 EZ Flo+ Reg. Assy. w/Quick Disconnect, HUD hose	\$1,410.00	\$1,064.55	\$44,711.10
82	201215- Scott AV-3000 HT Face Mask right side comm. Bracket			\$19,886.64
	-04 Small	\$376.00	\$242.52	
	-05 Medium	\$376.00	\$242.52	
	-06 Large	\$376.00	\$242.52	
82	201275-01 EPIC 3 Voice Amplifier	\$495.00	\$373.73	\$30,645.86
	200954-02 Scott Rit-Pak III less cylinder, 5' RIC/UAC, with carrying case including pressure reducer, Audible low pressure alarm, Rit-Pak III Face piece, EZ-Flo Regulator, Shoulder Strap	\$3,190.00	\$2,408.45	\$12,042.25
5	201088-01 SEMS II Mesh Gateway w/USB Base Station	\$1,891.13	\$1,427.80	\$2,855.60
2	200773-01 RFID Card programmer with software	\$605.88	\$457.44	\$457.44
1	200774-01 RFID Cards (package of 10) 1 per person	\$113.00	\$85.32	\$767.88
9	200266-04 Pak Tracker Handheld Receiver-EXTENDED RANGE	\$1,575.00	\$1,189.13	\$5,945.65
5	200673-01 Pak Link programmer	\$1,078.44	\$814.22	\$814.22
1	200402-02 Pak Tracker Rechargeable battery	\$95.00	\$71.73	\$573.84
8	200433-01 Pak Tracker Truck Charger	\$504.74	\$381.08	\$1,524.32
4	200434-01 Pak Tracker Desktop Charger	\$494.29	\$373.19	\$1,492.76
	Factory Trained Instructor for Air Pak 6 sessions	\$0.00		
	Factory Trained Instructor for Field Level Maintenance	\$0.00		
	Trade In Trade In Credit for items listed out by Jack Peoples	-\$10,300.00		-\$10,300.00

Subtotal	\$397,658.06
Shipping	Additional
TOTAL Due:	\$397,658.06

Please fax or e-mail the signed price quote to the address above

Customer Acceptance (sign below):

x

Print Name: _____ PO # _____

If you have any questions about this price quote, please contact **Melissa Hayden @ 800-447-3385 or hbap2melissa@aol.com**

We appreciate the opportunity to quote you on these items for your department and look forward to your earliest reply!



City of Rowlett
Staff Report

4000 Main Street
P.O. Box 99
Rowlett, TX 75080-0099
www.rowlett.com

AGENDA DATE: 09/02/14

AGENDA ITEM: 7E

TITLE

Consider an ordinance amending the Fiscal Year 2013-14 Adopted Operating and Capital Improvements Program Budget.

STAFF REPRESENTATIVE

Alan Guard, Chief Financial Officer
Terri Doby, Budget Officer

SUMMARY

Regular budget amendments are an accepted practice in municipal government and represent a visible demonstration that the government manages its fiscal affairs appropriately and openly. City staff has completed a detailed analysis and recommends adjustments to revenues and expenditures consistent with that analysis. City staff continues to monitor the budget and the cost controls established to mitigate the impact of any changes in circumstances.

BACKGROUND INFORMATION

On September 17, 2013, the City adopted the operating and capital improvements program budget for Fiscal Year 2013-14 (FY2014). City Council adopted an ordinance on March 4, 2014, amending the budget for adjustments to revenues and expenditures in the operating funds and the capital improvement funds. Additional analysis has been completed since the first amendment and staff is recommending a second budget amendment before the end of the fiscal year.

DISCUSSION

Amendments can be fairly routine and include new and additional revenue sources, or they can be more comprehensive. City staff has completed a detailed analysis of revenues and expenditures through July 31st and recommends adjustments to revenues and expenditures consistent with that analysis. There are four specific areas that the proposed budget amendment will address as follows:

FY2014 CIP:

The FY2014 CIP totals \$22.7 million from utility revenue bonds and cash funded projects and, with the exception of utility revenue bonds, does not include any future funding from new bonds. As projects funded with past bond issues or cash CIP funds are completed and final expenditures recorded, new development or other circumstances occur, which cause new projects to be initiated or existing projects to change in scope. The re-allocation amendments to the capital improvements program budget being requested by City staff do not require an increase in spending in the FY2014 CIP, but move funds to other projects that need additional resources.

Specifically, the proposed re-allocation of project funds are included in the table below:

The following projects ST2073 – Miller Road/Chiesa Intersection, ST2056 – Martin Drive Reconstruction, WA2092 – Merritt Road Waterlines, SS1160 – Schrade Lift Station, and SS2096 Schrade Manhole and Sewer Line have been completed and were under budget. These funds have been deemed eligible for re-allocation for the City’s contribution to the Village of Rowlett. These funds, combined with funding from Impact Fees (\$1,264,000), round out the funds allocated for the City’s share of the project.

Funds from completed projects SS2093 – Merritt Road Sewer Line and WA2092 – Merritt Road Waterlines are available to be re-allocated to the 24-Inch Force Main and Inspection. This project was added to the scope of the Eastside Pump Station following design of the overall project. This project includes replacement of 550 linear feet of 24-inch sanitary sewer force main, and cleaning and television inspection of 2,230 linear feet of existing 24-inch sewer force main on the west side of Lake Ray Hubbard. This item was requested to be added by City Council at the August 6, 2013, City Council meeting due to potential failure of the system identified by video inspection.

From/ To	Project Number	Project Title	Adjustment	Purpose
FROM	ST2073	Miller Road/Chiesa Intersection	(\$229,551)	Projects completed; move remaining funds to fund contributions for Village of Rowlett.
	ST2056	Martin Drive Reconstruction	(\$143,096)	
	WA2092	Merritt Road Waterlines	(\$32,332)	
	SS1160	Schrade Lift Station	(\$71,862)	
	SS2096	Schrade Manhole & Sewer Line	(\$3,762)	
	ST2074	Merritt Road Connector	(\$294,945)	
TO	CO2100	Village of Rowlett	\$775,548	
FROM	SS2093	Merritt Road Sewer Line	(\$98,467)	Project completed; move remaining funds to other project. An additional amount of \$434,020 is needed to fund the completion of this project.
TO	SS2104	24-inch Force Main & Inspection	\$98,467	
FROM	WA2092	Merritt Road Waterlines	(\$335,553)	(See previous re-allocation also) Project completed; move remaining funds to other project. An additional amount of \$434,020 is needed to
TO	SS2104	24-inch Force Main & Inspection	\$335,553	

From/ To	Project Number	Project Title	Adjustment	Purpose
				fund the completion of this project.
FROM	WA1156	Main Street 16" Waterline	(\$160,000)	Project completed; move remaining funds to other project. Bids and final design were higher than projected.
TO	WA2107	1.25 Elevated Storage Tank	\$160,000	
FROM	WA1118	Water Tank Refurbishing	(\$166,320)	Projects completed; move remaining funds to other project.
	SS1160	Schrade Lift Station Rehabilitation	(\$71,884)	
TO	SS1159	East Side Lift Station	\$238,204	
FROM	WA1118	Water Tank Refurbishing	(\$184,836)	Projects completed; move remaining funds to other project. The scope of work changed from cleaning the tank to replacing the line. This increased the cost of the project.
	WA2100	Martha Elevated Tank Refurbishment	(\$51,338)	
TO	WA2111	Martha Lane Tank Water Main Improvement	\$236,174	

Court Technology Fund:

The City Council approved the acquisition of Encode software to replace the H.T.E. software currently used by Municipal Court at the April 15, 2014, City Council meeting. As noted in the agenda item, staff did not include this expenditure in the FY2014 budget, but an amendment would be brought forward once the exact amount of the purchase was known. The amendment of \$99,373 combined with the budgeted amount of \$29,145, provides sufficient funding in the Court Technology Fund to complete the acquisition.

Utility Fund:

As a direct result of the implementation of Stage 3 water restrictions from the North Texas Municipal Water District (NTMWD) and the "expectation" that those restrictions would remain in place at least through October 2014, City Council approved a reduction of \$1.7 million in the cash contribution from the Utility Fund to the Utility Fund Cash CIP in the first budget amendment. While the reduced transfer was formally approved, staff inadvertently omitted the corresponding reduction in the revenue account.

As presented to City Council in February, a shortfall of \$1.2 million in revenue is anticipated, similar to the shortfall experienced in FY2013. As previously recommended, the Water Sale revenues need to be adjusted accordingly.

General Fund

Two minor amendments are recommended for the General Fund. In November 2014, a drain pipe broke in the Library, which caused some minor flooding damage and required the replacement of

carpeting. In December, a small fire occurred in the Development Services Building, which caused minor damage. The Facilities Maintenance budget was used to execute the repairs in both buildings. Facilities Maintenance does not typically budget for these types of unanticipated events.

The City has subsequently received insurance proceeds from the Texas Municipal League, the City's property insurance carrier. In order to make the Facilities Maintenance budget whole, it is recommended to amend the budget to include a like amount, \$25,396, in both the Payments from Insurance revenue line and Repairs to Buildings expenditure account in Facilities Maintenance.

The other item for amendment is related to the City's contract with Bureau Veritas. Bureau Veritas provides inspection services for the City of Rowlett. Due to an increase in building inspections additional services are needed. These services are offset by additional permit revenue.

Drainage Fund

The Drainage Fund is re-allocating funds (\$73,917) from Stormwater Management to Miscellaneous Drainage Projects. This is possible because the Development Services Engineer is able to perform all the tasks necessary for the City of Rowlett to apply for the stormwater management permit. This work was previously done by a consultant saving dollars that can be spent in actual construction work.

FINANCIAL/BUDGET IMPLICATIONS

As indicated, this ordinance adjusts revenues and expenditures identified for Fiscal Year 2013-14. Exhibit A to the proposed ordinance details the type and purpose.

RECOMMENDED ACTION

City staff recommends the City Council adopt an ordinance approving the restructuring and amending of the FY2014 Adopted budget.

ORDINANCE

AN ORDINANCE OF THE CITY OF ROWLETT, TEXAS, AMENDING ORDINANCE NUMBER ORD-024-13, REPRESENTING THE 2013-2014 FISCAL YEAR BUDGET, BY REALLOCATING FUNDS WITHIN THE BUDGET; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR BE MADE IN ACCORDANCE WITH SAID AMENDED BUDGET; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on September 17, 2013, the City Council of the City of Rowlett, Texas, adopted its budget for Fiscal Year 2013-2014 by adopting Ordinance Number ORD-024-13, and

WHEREAS, the City Council of the City of Rowlett, Texas, has determined, after due consideration and study, that it is necessary to the efficient business and operation of the City to amend the budget for fiscal year 2013-2014, and

WHEREAS, there are adequate funds available for such amendment, and

WHEREAS the budget amendments set forth hereinafter are in the best interest of the public health, safety, and welfare.

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

Section 1: That Ordinance No. ORD-024-13, the Fiscal Year 2013-2014 Budget Ordinance of the City of Rowlett, Texas, adopted on or about September 17, 2013, be and the same is hereby amended by reallocating funds in accordance with the budget amendment attached hereto and incorporated herein as Exhibit "A" and all funds authorized and expended as set forth herein shall be deemed to be properly expended and approved as provided by law.

Section 2: That the City be and is hereby authorized to expend those funds allocated under the budget ordinance, as amended herein and the fund balance at the end of the current fiscal year will be carried forward to the next budget to fund the allocations for the next fiscal year.

Section 3: That except as amended hereby or heretofore amended, all budget amendments and transfers of appropriations budgeted from one account or activity to another within any individual activity for the fiscal year 2013-2014 are hereby ratified; the budget ordinance for fiscal year 2013-2014, heretofore enacted by the City Council, be and the same is hereby amended to the extent of such transfers and amendments for all purposes; and, except as amended hereby, or as heretofore amended, the provisions of Ordinance No. ORD-024-13, the Fiscal Year 2013-2014 Budget Ordinance, shall remain in full force and effect.

Section 4: That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part decided to be invalid, illegal or unconstitutional.

Section 5: That this ordinance shall take effect immediately from and after its passage as the law in such cases provides, and the Budget Officer is directed to furnish a copy of this ordinance to the County Clerk as required by law.

ATTACHMENT

Exhibit A – 3rd Quarter Budget Amendment FY2014

CITY OF ROWLETT
BUDGET AMENDMENT - FY 2013-2014

BUDGET RE-ALLOCATIONS (CAPITAL PROJECTS)

	PROJECT NUMBER	PROJECT NAME	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE	DECREASE	REVISED BUDGET	PURPOSE
FROM	DR2103	Stormwater Management	597-8201-532-80-01	\$82,017		(\$73,917)	\$0	Close out project; work being done in-house currently
TO	DR2065	Miscellaneous Drainage Improvements	597-8201-532-80-01	\$75	\$82,017		\$82,092	
FROM	ST2073	Miller/Chiesa Intersection	403-8201-521-80-02	\$229,551		(\$229,551)	\$0	
	ST2056	Martin Drive Reconstruction	407-8201-521-80-02	\$293,096		(\$143,096)	\$150,000	
	WA2092	Merritt Road Waterlines	612-8201-520-80-02	\$2,983,797		(\$32,332)	\$2,951,465	
	SS1160	Schrade Lift Station	612-8201-520-80-02	\$800,000		(\$71,862)	\$728,138	
	SS2096	Schrade Manhole & Sewer Line	612-8201-531-80-02	\$285,930		(\$3,762)	\$282,168	
	ST2074	Merritt Road Interconnector	406-8201-521-80-02	\$15,085,877		(\$294,945)	\$14,790,932	
TO	CO2100	Villages of Rowlett	403-8201-521-80-02	\$0	\$229,551		\$229,551	
			407-8201-521-80-02	\$0	\$143,096		\$143,096	
			612-8201-520-80-02	\$0	\$107,956		\$107,956	
			406-8201-521-80-02	\$0	\$294,945		\$294,945	
FROM	SS2093	Merritt Road Sewer Line	612-8201-531-80-02	\$98,467		(\$98,467)	\$0	Project completed; close out and move remaining funds to other projects
	WA2092	Merritt Road Water Line	598-8201-530-80-02	\$220,000		(\$220,000)		
			612-8201-530-80-02	\$238,935		(\$115,533)		
TO	SS2104	24 inch Force Main & Inspection	612-8201-531-80-02	\$0	\$214,000		\$214,000	
	SS2104	24 inch Force Main & Inspection	598-8201-530-80-02	\$0	\$220,000		\$220,000	
FROM	WA1118	Water Tank Refurbishing	598-8201-530-80-02	\$351,241		(\$166,320)	\$184,921	Project completed; close out and move remaining funds to other projects
	SS1160	Schrade Lift Station Rehabilitation	612-8201-531-80-02	\$119,687		(\$71,884)	\$47,803	
TO	SS1159	Eastside Lift Station	598-8201-531-80-02	\$51,716	\$166,320		\$218,036	
			612-8201-531-80-02	\$1,378,433	\$71,884		\$1,450,317	
FROM	WA1156	16" Waterline along Main Street	612-8201-530-80-02	\$651,400		(\$160,000)	\$0	Additional funding needed
TO	WA2107	1.25 MG Tank for Upper Pressure Plane	612-8201-531-80-02	\$3,607,110	\$160,000		\$3,767,110	

BUDGET CHANGES

	PROJECT NUMBER	PROJECT NAME OR ACCOUNT DESCRIPTION	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE	DECREASE	REVISED BUDGET	PURPOSE
FROM		Court Technology Fund Balance		\$182,765		(\$99,373)	\$83,392	Fund the purchase of the new municipal court software
TO		Software Maintenance	120-2011-430-78.12	\$29,145	\$99,373		\$128,518	
REVENUE INCREASE		Miscellaneous / Payments from Insurance	101-0000-371-01-11	\$94,111	\$25,396		\$119,507	Unbudgeted expenses for the fire repairs in the Development Services Building and the carpet replacement in the Library (flood from standpipe)
EXPENDITURE INCREASE		Repairs / Buildings	101-4507-430-77-01	\$100,000	\$25,396		\$125,396	
REVENUE INCREASE		Licenses & Permits / Building Structures	101-0000-308-01-03	\$131,516	\$116,000		\$247,516	Unbudgeted expenses for the pass-thru cost contract with Bureau Veritas for building inspections.
EXPENDITURE INCREASE		Purch Service-Contractual / Contract Labor	101-3222-470-74-04	\$10,200	\$116,000		\$126,200	
REVENUE DECREASE		Charge for Services-W & S / Water	160-0000-336-01-01	\$15,819,276		(\$1,200,000)	\$14,619,276	Reduction necessary as a result of the adjustment to the UF Cash CIP transfer in the 1st quarter budget amendment.



City of Rowlett
Staff Report

4000 Main Street
P.O. Box 99
Rowlett, TX 75080-0099
www.rowlett.com

AGENDA DATE: 09/02/14

AGENDA ITEM: 7F

TITLE

Consider action to approve a resolution authorizing Change Order #1 in the amount of \$116,000 to the existing Bureau Veritas North America, Inc. Agreement for planning review and building inspections services and authorizing the City Manager to execute the necessary documents for said change.

STAFF REPRESENTATIVE

Marc Kurbansade, AICP, Director of Development Services

SUMMARY

The purpose of this item is to request authorization for a change order to add \$116,000 to the existing Bureau Veritas Agreement for planning review and building inspections services. Prior to each fiscal year, Staff compiles an estimate of anticipated development projects for the year in order to determine the amount needed to fund the associated building inspection services. This is with the understanding that the amount may need to be altered throughout the fiscal year based on the actual workload. Since the fees associated with the Bureau Veritas agreement are largely a pass-through cost, any unused funds will be returned to the General Fund at the end of the fiscal year.

BACKGROUND INFORMATION

A master contract for professional services for plan review and inspections was executed administratively between the City of Rowlett and Bureau Veritas North America, Incorporated on September 30, 2009. In November of 2013, Council approved a resolution allocating \$200,000 for Bureau Veritas' services for Fiscal Year 2014. As previously noted, prior to each fiscal year, Staff compiles an estimate of anticipated development projects in order to determine the amount needed to fund the associated building inspection services with the understanding that this amount may need to be altered throughout the fiscal year based on the actual workload. Since the fees associated with the Bureau Veritas agreement are largely a pass-through cost, any unused funds will be returned to the General Fund at the end of the fiscal year. This request is a companion item to agenda item 7E, which, if approved, will amend the General Fund budget. Once the funds are added via the budget amendment, then a change order can occur.

DISCUSSION

As the Council is aware, the single family housing market has improved over the last two years. To that end, Staff continues to see an increase in building permits within subdivisions that were approved several years ago (e.g. Springfield Commons and Lakehill Phase II). In addition, within the last year, several new projects, such as The Homestead at Liberty Grove and Terra Lago, moved forward to the building plan review stage of the development process. Based on

the current workload, additional funds are needed to cover the expenses related to plan review and inspections for the remainder of the fiscal year. As previously mentioned, this is an estimate and all unused funds will be returned to the General Fund at the end of the fiscal year. With that said, Staff is confident that \$116,000 is sufficient to pay the remaining invoices received between now and September 30, 2014.

FINANCIAL/BUDGET IMPLICATIONS

Expenditures are charged to account of 101-3222-470-7404 in Building Inspections. Revenues are collected in account 101-0000-308.0103 to offset the expenditures. The fees associated with this agreement are largely a pass-through cost. The current revenues and expenditures for Fiscal Year 2014 are shown below.

Description	Revenue (101-0000-308-0103)	Expenditures (101-3222-470-7404)	Remaining Balance
FY2014 (Y-T-D 7/31/2014)	\$192,865	\$127,447	\$65,418

While the above figures would indicate that the expenditures have not yet exceeded the originally approved \$200,000 allocation, in reality, there are several invoices that have been submitted to Staff or have the potential to be submitted before October 1, 2014. Those invoices are what necessitate the requested change order. To further clarify the differences noted above, Staff receives payment in the form of permit fees, which is categorized as revenue. The City is then invoiced by Bureau Veritas. There is a lag time between the collection of fees and the invoicing by Bureau Veritas. This is why there is a notable difference between revenue and the remaining balance shown in the table above; however, funds are available from this fee for the \$116,000 requested.

RECOMMENDED ACTION

City staff recommends the City Council approve a resolution authorizing Change Order #1 in the amount of \$116,000 to the existing Bureau Veritas North America, Inc. Agreement for planning review and building inspections services and authorizing the City Manager to execute the necessary documents for said change.

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS, APPROVING A CHANGE ORDER ASSOCIATED WITH THE SERVICES AGREEMENT FOR PLAN REVIEW AND INSPECTIONS WITH BUREAU VERITAS NORTH AMERICA, INC., IN THE UNIT AMOUNT NOT TO EXCEED \$116,000; AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS FOR SAID PURCHASE PURSUANT TO APPROVAL; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is necessary for the City to retain a contractor to furnish professional services for plan review and inspection services for the City of Rowlett; and

WHEREAS, The City Council previously approved a proposal for professional services submitted by Bureau Veritas North America, Inc. and they have provided services to date for the City of Rowlett; and

WHEREAS, additional funds are necessary to pay for anticipated services rendered in fiscal year 2014.

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

Section 1: That the City Council of the City of Rowlett does hereby approve a change order to the professional services agreement with Bureau Veritas North America, Inc. for plan review and inspection services, in an amount not to exceed \$116,000.

Section 2: That the City Council does hereby authorize the City Manager to execute the necessary documents for said change order and to issue purchase orders as appropriate to conform to this resolution.

Section 3: This resolution shall become effective immediately upon its passage.



City of Rowlett
Staff Report

4000 Main Street
P.O. Box 99
Rowlett, TX 75080-0099
www.rowlett.com

AGENDA DATE: 09/02/14

AGENDA ITEM: 7G

TITLE

Consider action approving a resolution to accept the Texas Department of Transportation (TxDOT) Traffic Safety eGrant Program Comprehensive Grant for FY2015.

STAFF REPRESENTATIVE

W.M. Brodnax, Chief of Police

Lt. Michael Godfrey, Commander, Support Services Division

SUMMARY

The STEP 2015 Comprehensive Traffic Safety Program Grant is a one-year grant designed to increase the enforcement of Driving While Intoxicated offenses and Speed offenses.

BACKGROUND INFORMATION

The Rowlett Police Department has been the recipient of a TxDOT Comprehensive Traffic Safety Program Grant in the past. A three-year comprehensive grant was awarded to the Rowlett Police Department in October 2008. That grant expired on September 30, 2011. A one year comprehensive grant in the amount of \$50,332.16 was awarded to the Rowlett Police Department in September 2011. That grant was accepted by the City Council by resolution (Res-141-11) on October 4, 2011. That grant expired on September 30, 2012. A one year comprehensive grant in the amount of \$45,031.24 was awarded to the Rowlett Police Department in September 2012. That grant was accepted by the City Council by resolution (Res-088-12) on September 4, 2012. That grant expired on September 30, 2013. A one year comprehensive grant in the amount of \$42,372.92 was awarded to the Rowlett Police Department in September 2013. The grant was accepted by the City Council by resolution (Res-076-13) on September 3, 2013. That grant expires on September 30, 2014.

DISCUSSION

In 2009, Texas (with 3,071 fatalities) was just behind California, who lead the nation with 3,081 traffic fatalities. In 2011, 3,015 people were killed and more than 200,000 were injured on Texas streets and highways.

The STEP 2015 Comprehensive Traffic Safety Program Grant is a one-year grant designed to increase the enforcement of Driving While Intoxicated offenses and Speed offenses. Similar in nature to the previous grants that were awarded to the Police Department by TxDOT in 2008, 2011, 2012, and 2013, this program is comprehensive in nature. Instead of focusing on specific time periods, this program will be in effect throughout the entire fiscal year. The goal of the program is to save lives and reduce injuries resulting from motor vehicle crashes by increasing

the speed compliance of vehicles from the current 25 percent to the goal of 28 percent and to conduct an additional 26 DWI arrests during the fiscal year to reduce intoxication related crashes.

A grant in the amount of \$42,103.20 is available from the Texas Department of Transportation for Fiscal Year 2014-2015. The reimbursable portion of this grant is \$21,049.26. The grant will provide reimbursement for Police Department overtime expenditures associated with participation in the program during FY2015.

FINANCIAL/BUDGET IMPLICATIONS

The fines will be collected through the Municipal Court. The majority of the matching funds portion of the grant will be contributed through the administration of the grant, equipment maintenance and operation cost. It is projected that \$3,000.00 - \$5,000.00 of the Police Department's overtime budget will be utilized to complete the matching funds.

RECOMMENDED ACTION

City staff recommends the City Council approve the resolution to approve the Texas Department of Transportation Traffic Safety Program eGrant agreement.

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS, APPROVING THE TEXAS TRAFFIC SAFETY PROGRAM eGRANT AGREEMENT FOR FISCAL YEAR 2014-2015 STEP COMPREHENSIVE GRANT PROGRAM BY AND BETWEEN THE CITY OF ROWLETT AND THE STATE OF TEXAS, WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE AS EXHIBIT "A"; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL APPROPRIATE DOCUMENTS RELATIVE TO THE GRANT AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the State of Texas, acting by and through the Texas Department of Transportation ("TxDOT"), currently has funds available for the Fiscal Year 2014-2015 STEP Comprehensive Grant Program; and

WHEREAS, it is the desire of the City of Rowlett and the Rowlett Police Department (collectively, "CITY") to participate in the FY2015 STEP Comprehensive Grant Program and obtain reimbursement for the same by entering into the Texas Traffic Safety Program eGrant Agreement with the State of Texas, by and through TxDOT, for grant funding; And

WHEREAS, TxDOT has determined that the City is eligible for a maximum reimbursement amount of \$21,049.26 for project title STEP – Single Year – 2015 Comprehensive; and

WHEREAS, the City Council finds that approval of the Texas Traffic Safety Program eGrant Agreement, STEP Comprehensive eGrant Program FY2015 is in the best interest of the public health, safety and welfare;

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

Section 1: That the City Council of the City of Rowlett hereby approves the Texas Traffic Safety Program eGrant Agreement for the STEP Comprehensive eGrant Program FY2015 by and between the City and the State of Texas, by and through the Texas Department of Transportation for fiscal year 2014-2015, which is attached hereto and incorporated herein by reference as Exhibit A.

Section 2: That the City Manager is hereby authorized to execute the Agreement and all appropriate documents associated with the Agreement on behalf of the City of Rowlett.

Section 3: That this resolution shall take effect immediately from and after its passage and it is accordingly so resolved.

ATTACHMENT

Exhibit A – Texas Traffic Safety eGrant Fiscal Year 2015 agreement

Texas Traffic Safety eGrants

Fiscal Year 2015

Organization Name: City of Rowlett - Police Department

Legal Name: City of Rowlett

Payee Identification Number: 17512339866012

Project Title: STEP- 2015 Comprehensive

ID: 2015-Rowlet P-S-1YG-0009

Period: 10/01/2014 to 09/30/2015

City of Rowlett - Police Department
STEP-2015

TEXAS TRAFFIC SAFETY PROGRAM GRANT AGREEMENT

THE STATE OF TEXAS
THE COUNTY OF TRAVIS

THIS AGREEMENT IS MADE BY and between the State of Texas, acting by and through the Texas Department of Transportation, hereinafter called the Department and the, **City of Rowlett** hereinafter called the Subgrantee, and becomes effective then fully executed by both parties. For the purpose of this agreement, the Subgrantee is designated as a(n) **Local Government**.

AUTHORITY: Texas Transportation Code, Chapter 723, the Traffic Safety Act of 1967, and the Highway Safety Performance Plan for the Fiscal Year 2015.

Name of the Federal Agency: **National Highway Traffic Safety Administration**

Contract Number: **585EG080**

CFDA Number: **20.6**

CFDA Title: **State and Community Highway Safety Grant Program**

Funding Source: Section **402**

DUNS: **089776657**

Project Title: **STEP- 2015 Comprehensive**

This project is **Not Research and Development**

Grant Period: This Grant becomes effective on **10/01/2014** or on the date of final signature of both parties, whichever is later, and ends on **09/30/2015** unless terminated or otherwise modified.

Total Awarded: **\$42,103.20**

Amount Eligible for Reimbursement by the Department: **\$21,049.26**

Match Amount provided by the Subgrantee: **\$21,053.94**

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TEXAS TRAFFIC SAFETY PROGRAM GRANT AGREEMENT

The signatory of the Subgrantee hereby represents and warrants that she/he is an officer of the organization for which she/he has executed this agreement and that she/he has full and complete authority to enter into this agreement on behalf of the organization.

THE SUBGRANTEE

THE STATE OF TEXAS

City of Rowlett
[Legal Name of Agency]

Executed for the Executive Director and
Approved for the Texas Transportation
Commission for the purpose and effect of
activating and/or carrying out orders, established
policies or work programs approved and
authorized by the Texas Transportation
Commission

By: _____
[Authorized Signature]

By: _____
[District Engineer Texas Department of
Transportation]

[Name]

[Name]

[Title]

[Title]

Date: _____

Date: _____

Under the authority of Ordinance or
Resolution Number (for local government)
(If Applicable)

By: _____
Director, Traffic Operations Division Texas
Department of Transportation (Not required for
local project grants under \$100,000.00)

[Resolution Number]

Date: _____

Texas Traffic Safety Program

GRANT AGREEMENT GENERAL TERMS AND CONDITIONS

ARTICLE 1. COMPLIANCE WITH LAWS

The Subgrantee shall comply with all federal, state, and local laws, statutes, codes, ordinances, rules and regulations, and the orders and decrees of any courts or administrative bodies or tribunals in any matter affecting the performance of this agreement, including, without limitation, workers' compensation laws, minimum and maximum salary and wage statutes and regulations, nondiscrimination laws and regulations, and licensing laws and regulations. When required, the Subgrantee shall furnish the Department with satisfactory proof of compliance.

ARTICLE 2. STANDARD ASSURANCES

The Subgrantee assures and certifies that it will comply with the regulations, policies, guidelines, and requirements, including 49 CFR Part 18; 49 CFR Part 19 (OMB [Office of Management and Budget] Circular A-110); 2 CFR Part 225 (OMB Circular A-87); OMB Circular A-102; OMB Circular A-21; OMB Circular A-122; OMB Circular A-133; and the Department's Traffic Safety Program Manual, as they relate to the application, acceptance, and use of federal or state funds for this project. Also, the Subgrantee assures and certifies that:

- A. It possesses legal authority to apply for the grant; and that a resolution, motion, or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained in the application, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide any additional information that may be required.
- B. It and its subcontractors will comply with Title VI of the Civil Rights Act of 1964 (Public Law 88-352), as amended, and in accordance with that Act, no person shall discriminate, on the grounds of race, color, sex, national origin, age, religion, or disability.
- C. It will comply with requirements of the provisions of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970, as amended; 42 USC (United States Code) §§4601 et seq.; and United States Department of Transportation (USDOT) regulations, "Uniform Relocation and Real Property Acquisition for Federal and Federally Assisted Programs," 49 CFR, Part 24, which provide for fair and equitable treatment of persons displaced as a result of federal and federally assisted programs.
- D. It will comply with the provisions of the Hatch Political Activity Act, which limits the political activity of employees. (See also Article 25, Lobbying Certification.)
- E. It will comply with the federal Fair Labor Standards Act's minimum wage and overtime requirements for employees performing project work.
- F. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.

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- G. It will give the Department the access to and the right to examine all records, books, papers, or documents related to this Grant Agreement.
- H. It will comply with all requirements imposed by the Department concerning special requirements of law, program requirements, and other administrative requirements.
- I. It recognizes that many federal and state laws imposing environmental and resource conservation requirements may apply to this Grant Agreement. Some, but not all, of the major federal laws that may affect the project include: the National Environmental Policy Act of 1969, as amended, 42 USC §§4321 et seq.; the Clean Air Act, as amended, 42 USC §§7401 et seq. and sections of 29 USC; the Federal Water Pollution Control Act, as amended, 33 USC §§1251 et seq.; the Resource Conservation and Recovery Act, as amended, 42 USC §§6901 et seq.; and the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 USC §§9601 et seq. The Subgrantee also recognizes that the U.S. Environmental Protection Agency, USDOT, and other federal agencies have issued, and in the future are expected to issue, regulations, guidelines, standards, orders, directives, or other requirements that may affect this Project. Thus, it agrees to comply, and assures the compliance of each contractor and each subcontractor, with any federal requirements that the federal government may now or in the future promulgate.
- J. It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, 42 USC §4012a(a). Section 102(a) requires, on and after March 2, 1975, the purchase of flood insurance in communities where that insurance is available as a condition for the receipt of any federal financial assistance for construction or acquisition purposes for use in any area that has been identified by the Secretary of the Department of Housing and Urban Development as an area having special flood hazards. The phrase "federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any form of direct or indirect federal assistance.
- K. It will assist the Department in its compliance with Section 106 of the National Historic Preservation Act of 1966 as amended (16 USC 470 et seq.), Executive Order 11593, and the Antiquities Code of Texas (National Resources Code, Chapter 191).
- L. It will comply with Chapter 573 of the Texas Government Code by ensuring that no officer, employee, or member of the Subgrantee's governing board or the Subgrantee's subcontractors shall vote or confirm the employment of any person related within the second degree of affinity or third degree by consanguinity to any member of the governing body or to any other officer or employee authorized to employ or supervise that person. This prohibition shall not apply to the employment of a person described in Section 573.062 of the Texas Government Code.
- M. It will ensure that all information collected, assembled, or maintained by the applicant relative to this project shall be available to the public during normal business hours in compliance with Chapter 552 of the Texas Government Code, unless otherwise expressly provided by law.
- N. If applicable, it will comply with Chapter 551 of the Texas Government Code, which requires all regular, special, or called meetings of governmental bodies to be open to the public, except as otherwise provided by law or specifically permitted in the Texas Constitution.

ARTICLE 3. COMPENSATION

- A. The method of payment for this agreement will be based on actual costs incurred up to and not to exceed the limits specified in the Project Budget. The amount included in the Project Budget will be deemed to be an estimate only and a higher amount can be reimbursed, subject to the conditions specified in paragraph B of this Article. If the Project Budget specifies that costs are based on a specific rate, per-unit cost, or other method of payment, reimbursement will be based on the specified method.
- B. All payments will be made in accordance with the Project Budget.
1. The Subgrantee's expenditures may overrun a budget category (I, II, or III) in the approved Project Budget without a grant (budget) amendment, as long as the overrun does not exceed a total of five (5) percent per year of the maximum amount eligible for reimbursement (TxDOT) in the attached Project Budget for the current fiscal year. This overrun must be off-set by an equivalent underrun elsewhere in the Project Budget.
 2. If the overrun is five (5) percent or less, the Subgrantee must provide written notification to the Department, through the TxDOT Electronic Grants Management System (*eGrants*), prior to the Request for Reimbursement being approved. The notification must indicate the amount, the percent over, and the specific reason(s) for the overrun.
 3. Any overrun of more than five (5) percent of the amount eligible for reimbursement (TxDOT) in the attached Project Budget requires an amendment of this Grant Agreement.
 4. The maximum amount eligible for reimbursement shall not be increased above the Grand Total TxDOT Amount in the approved Project Budget, unless this Grant Agreement is amended, as described in Article 5 of this agreement.
 5. For Selective Traffic Enforcement Program (STEP) grants *only*: In the Project Budget, Subgrantees are not allowed to use underrun funds from the TxDOT amount of (100) Salaries, Subcategories A, "Enforcement," or B, "PI&E Activities," to exceed the TxDOT amount listed in Subcategory C, "Other." Also, Subgrantees are not allowed to use underrun funds from the TxDOT amount of (100) Salaries, Subcategories A, "Enforcement," or C, "Other," to exceed the TxDOT amount listed in Subcategory B, "PI&E Activities." The TxDOT amount for Subcategory B, "PI&E Activities," or C, "Other," can only be exceeded within the five (5) percent flexibility, with underrun funds from Budget Categories II or III.
- C. To be eligible for reimbursement under this agreement, a cost must be incurred in accordance with the Project Budget, within the time frame specified in the Grant Period of this Grant Agreement, attributable to work covered by this agreement, and which has been completed in a manner satisfactory and acceptable to the Department.
- D. Federal or TxDOT funds cannot supplant (replace) funds from any other sources. The term "supplanting," refers to the use of federal or TxDOT funds to support personnel or an activity already supported by local or state funds.
- E. Payment of costs incurred under this agreement is further governed by one of the following

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- cost principles, as appropriate, outlined in:
 1. 2 CFR Part 220 (OMB Circular A-21), Cost Principles for Educational Institutions;
 2. 2 CFR Part 225 (OMB Circular A-87), Cost Principles for State, Local, and Indian Tribal Governments; or,
 3. 2 CFR Part 230 (OMB Circular A-122), Cost Principles for Nonprofit Organizations.
- F. The Subgrantee agrees to submit monthly or quarterly Requests for Reimbursement, as designated in this Grant Agreement, within thirty (30) days after the end of the billing period. The Request for Reimbursement and appropriate supporting documentation must be submitted through *eGrants*.
- G. The Subgrantee agrees to submit the final Request for Reimbursement under this agreement within forty-five (45) days of the end of the grant period.
- H. Payments are contingent upon the availability of appropriated funds.
- I. Project agreements supported with federal or TxDOT funds are limited to the length of this Grant Period specified in this Grant Agreement. If the Department determines that the project has demonstrated merit or has potential long-range benefits, the Subgrantee may apply for funding assistance beyond the initial agreement period. Preference for funding will be given to those projects for which the Subgrantee has assumed some cost sharing, those which propose to assume the largest percentage of subsequent project costs, and those which have demonstrated performance that is acceptable to the Department.

ARTICLE 4. LIMITATION OF LIABILITY

Payment of costs incurred under this agreement is contingent upon the availability of funds. If at any time during this Grant Period, the Department determines that there is insufficient funding to continue the project, the Department shall notify the Subgrantee, giving notice of intent to terminate this agreement, as specified in Article 11 of this agreement. If at the end of a federal fiscal year, the Department determines that there is sufficient funding and performance to continue the project, the Department may notify the Subgrantee to continue this agreement.

ARTICLE 5. AMENDMENTS

This agreement may be amended prior to its expiration by mutual written consent of both parties, utilizing the Grant Agreement Amendment in *eGrants*. Any amendment must be executed by the parties within the Grant Period, as specified in this Grant Agreement.

ARTICLE 6. ADDITIONAL WORK AND CHANGES IN WORK

- A. If the Subgrantee is of the opinion that any assigned work is beyond the scope of this agreement and constitutes additional work, the Subgrantee shall promptly notify the Department in writing through *eGrants*. If the Department finds that such work does constitute additional work, the Department shall advise the Subgrantee and a written amendment to this agreement will be executed according to Article 5, Amendments, to provide compensation for doing this work on the same basis as the original work. If performance of the additional work will cause the maximum amount payable to be exceeded, the work will not be performed before a written grant amendment is executed.

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- B. If the Subgrantee has submitted work in accordance with the terms of this agreement but the Department requests changes to the completed work or parts of the work which involve changes to the original scope of services or character of work under this agreement, the Subgrantee shall make those revisions as requested and directed by the Department. This will be considered as additional work and will be paid for as specified in this Article.
- C. If the Subgrantee submits work that does not comply with the terms of this agreement, the Department shall instruct the Subgrantee to make any revisions that are necessary to bring the work into compliance with this agreement. No additional compensation shall be paid for this work.
- D. The Subgrantee shall make revisions to the work authorized in this agreement that are necessary to correct errors or omissions, when required to do so by the Department. No additional compensation shall be paid for this work.
- E. The Department shall not be responsible for actions by the Subgrantee or any costs incurred by the Subgrantee relating to additional work not directly associated with or prior to the execution of an amendment.

ARTICLE 7. REPORTING AND MONITORING

- A. Not later than thirty (30) days after the end of each reporting period, the Subgrantee shall submit a performance report through *eGrants*. For short-term projects, only one report submitted by the Subgrantee at the end of the project may be required. For longer projects, the Subgrantee will submit reports at least quarterly and preferably monthly. The frequency of the performance reports is established through negotiation between the Subgrantee and the program or project manager. For Selective Traffic Enforcement Programs (STEPS), performance reports must be submitted monthly.
- B. The performance report will include, as a minimum: (1) a comparison of actual accomplishments to the objectives established for the period, (2) reasons why established objectives and performance measures were not met, if appropriate, and (3) other pertinent information, including, when appropriate, an analysis and explanation of cost underruns, overruns, or high unit costs.
- C. The Subgrantee shall promptly advise the Department in writing, through *eGrants*, of events that will have a significant impact upon this agreement, including:
 - 1. Problems, delays, or adverse conditions, including a change of project director or other changes in Subgrantee personnel, that will materially affect the ability to attain objectives and performance measures, prevent the meeting of time schedules and objectives, or preclude the attainment of project objectives or performance measures by the established time periods. This disclosure shall be accompanied by a statement of the action taken or contemplated and any Department or federal assistance needed to resolve the situation.
 - 2. Favorable developments or events that enable meeting time schedules and objectives sooner than anticipated or achieving greater performance measure output than originally projected.
- D. The Subgrantee shall submit the Final Performance Report through *eGrants* within thirty (30) days after completion of the grant.

ARTICLE 8. RECORDS

The Subgrantee agrees to maintain all reports, documents, papers, accounting records, books, and other evidence pertaining to costs incurred and work performed under this agreement (called the "Records"), and shall make the Records available at its office for the time period authorized within the Grant Period, as specified in this Grant Agreement. The Subgrantee further agrees to retain the Records for four (4) years from the date of final payment under this agreement, until completion of all audits, or until pending litigation has been completely and fully resolved, whichever occurs last.

Duly authorized representatives of the Department, the USDOT, the Office of the Inspector General, Texas State Auditor, and the Comptroller General shall have access to the Records. This right of access is not limited to the four (4) year period but shall last as long as the Records are retained.

ARTICLE 9. INDEMNIFICATION

- A. To the extent permitted by law, the Subgrantee, if other than a government entity, shall indemnify, hold, and save harmless the Department and its officers and employees from all claims and liability due to the acts or omissions of the Subgrantee, its agents, or employees. The Subgrantee also agrees, to the extent permitted by law, to indemnify, hold, and save harmless the Department from any and all expenses, including but not limited to attorney fees, all court costs and awards for damages incurred by the Department in litigation or otherwise resisting claims or liabilities as a result of any activities of the Subgrantee, its agents, or employees.
- B. To the extent permitted by law, the Subgrantee, if other than a government entity, agrees to protect, indemnify, and save harmless the Department from and against all claims, demands, and causes of action of every kind and character brought by any employee of the Subgrantee against the Department due to personal injuries to or death of any employee resulting from any alleged negligent act, by either commission or omission on the part of the Subgrantee.
- C. If the Subgrantee is a government entity, both parties to this agreement agree that no party is an agent, servant, or employee of the other party and each party agrees it is responsible for its individual acts and deeds, as well as the acts and deeds of its contractors, employees, representatives, and agents.

ARTICLE 10. DISPUTES AND REMEDIES

This agreement supercedes any prior oral or written agreements. If a conflict arises between this agreement and the Traffic Safety Program Manual, this agreement shall govern. The Subgrantee shall be responsible for the settlement of all contractual and administrative issues arising out of procurement made by the Subgrantee in support of work under this agreement. Disputes concerning performance or payment shall be submitted to the Department for settlement, with the Executive Director or his or her designee acting as final referee.

ARTICLE 11. TERMINATION

- A. This agreement shall remain in effect until the Subgrantee has satisfactorily completed all services and obligations described in this agreement and these have been accepted by the Department, unless:
1. This agreement is terminated in writing with the mutual consent of both parties; or
 2. There is a written thirty (30) day notice by either party; or
 3. The Department determines that the performance of the project is not in the best interest of the Department and informs the Subgrantee that the project is terminated immediately.
- B. The Department shall compensate the Subgrantee for only those eligible expenses incurred during the Grant Period specified in this Grant Agreement that are directly attributable to the completed portion of the work covered by this agreement, provided that the work has been completed in a manner satisfactory and acceptable to the Department. The Subgrantee shall not incur nor be reimbursed for any new obligations after the effective date of termination.

ARTICLE 12. INSPECTION OF WORK

- A. The Department and, when federal funds are involved, the USDOT, or any of their authorized representatives, have the right at all reasonable times to inspect or otherwise evaluate the work performed or being performed under this agreement and the premises in which it is being performed.
- B. If any inspection or evaluation is made on the premises of the Subgrantee or its subcontractor, the Subgrantee shall provide and require its subcontractor to provide all reasonable facilities and assistance for the safety and convenience of the inspectors in the performance of their duties. All inspections and evaluations shall be performed in a manner that will not unduly delay the work.

ARTICLE 13. AUDIT

The state auditor may conduct an audit or investigation of any entity receiving funds from the state directly under this agreement or indirectly through a subcontract under this agreement. Acceptance of funds directly under this agreement or indirectly through a subcontract under this agreement acts as acceptance of the authority of the State Auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.

ARTICLE 14. SUBCONTRACTS

A subcontract in excess of \$25,000 may not be executed by the Subgrantee without prior written concurrence by the Department. Subcontracts in excess of \$25,000 shall contain all applicable terms and conditions of this agreement. No subcontract will relieve the Subgrantee of its responsibility under this agreement.

ARTICLE 15. GRATUITIES

- A. Texas Transportation Commission policy mandates that employees of the Department shall not accept any benefit, gift, or favor from any person doing business with or who, reasonably speaking, may do business with the Department under this agreement. The only exceptions allowed are ordinary business lunches and items that have received the advanced written approval of the Department's Executive Director.
- B. Any person doing business with or who reasonably speaking may do business with the Department under this agreement may not make any offer of benefits, gifts, or favors to Department employees, except as mentioned here above. Failure on the part of the Subgrantee to adhere to this policy may result in termination of this agreement.

ARTICLE 16. NONCOLLUSION

The Subgrantee warrants that it has not employed or retained any company or person, other than a bona fide employee working solely for the Subgrantee, to solicit or secure this agreement, and that it has not paid or agreed to pay any company or person, other than a bona fide employee, any fee, commission, percentage, brokerage fee, gift, or any other consideration contingent upon or resulting from the award or making of this agreement. If the Subgrantee breaches or violates this warranty, the Department shall have the right to annul this agreement without liability or, in its discretion, to deduct from the agreement price or consideration, or otherwise recover the full amount of such fee, commission, brokerage fee, contingent fee, or gift.

ARTICLE 17. CONFLICT OF INTEREST

The Subgrantee represents that it or its employees have no conflict of interest that would in any way interfere with its or its employees' performance or which in any way conflicts with the interests of the Department. The Subgrantee shall exercise reasonable care and diligence to prevent any actions or conditions that could result in a conflict with the Department's interests.

ARTICLE 18. SUBGRANTEE'S RESOURCES

- A. The Subgrantee certifies that it presently has adequate qualified personnel in its employment to perform the work required under this agreement, or will be able to obtain such personnel from sources other than the Department.
- B. All employees of the Subgrantee shall have the knowledge and experience that will enable them to perform the duties assigned to them. Any employee of the Subgrantee who, in the opinion of the Department, is incompetent or whose conduct becomes detrimental to the work, shall immediately be removed from association with the project.
- C. Unless otherwise specified, the Subgrantee shall furnish all equipment, materials, supplies, and other resources required to perform the work.

ARTICLE 19. PROCUREMENT AND PROPERTY MANAGEMENT

The Subgrantee shall establish and administer a system to procure, control, protect, preserve, use, maintain, and dispose of any property furnished to it by the Department or purchased pursuant to this agreement in accordance with its own procurement and property management procedures, provided that the procedures are not in conflict with (1) the Department's

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procurement and property management standards and (2) the federal procurement and property management standards provided by:

- A. 49 CFR, Part 18, "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments," or
- B. 49 CFR, Part 19 (OMB Circular A-110), "Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations."

ARTICLE 20. OWNERSHIP OF DOCUMENTS AND INTELLECTUAL PROPERTY

Upon completion or termination of this Grant Agreement, whether for cause or at the convenience of the parties, all finished or unfinished documents, data, studies, surveys, reports, maps, drawings, models, photographs, etc. prepared by the Subgrantee, and equipment and supplies purchased with grant funds shall, at the option of the Department, become the property of the Department. All sketches, photographs, calculations, and other data prepared under this agreement shall be made available, upon request, to the Department without restriction or limitation of their further use.

- A. Intellectual property consists of copyrights, patents, and any other form of intellectual property rights covering any databases, software, inventions, training manuals, systems design, or other proprietary information in any form or medium.
- B. All rights to Department. The Department shall own all of the rights (including copyrights, copyright applications, copyright renewals, and copyright extensions), title and interests in and to all data, and other information developed under this contract and versions thereof unless otherwise agreed to in writing that there will be joint ownership.
- C. All rights to Subgrantee. Classes and materials initially developed by the Subgrantee without any type of funding or resource assistance from the Department remain the Subgrantee's intellectual property. For these classes and materials, the Department payment is limited to payment for attendance at classes.

ARTICLE 21. SUCCESSORS AND ASSIGNS

The Department and the Subgrantee each binds itself, its successors, executors, assigns, and administrators to the other party to this agreement and to the successors, executors, assigns, and administrators of the other party in respect to all covenants of this agreement. The Subgrantee shall not assign, sublet, or transfer interest and obligations in this agreement without written consent of the Department through *eGrants*.

ARTICLE 22. CIVIL RIGHTS COMPLIANCE

- A. Compliance with regulations: The Subgrantee shall comply with the regulations relative to nondiscrimination in federally-assisted programs of the USDOT: 49 CFR, Part 21; 23 CFR, Part 200; and 41 CFR, Parts 60-74, as they may be amended periodically (called the "Regulations"). The Subgrantee agrees to comply with Executive Order 11246, entitled "Equal Employment Opportunity," as amended by Executive Order 11375 and as supplemented by the U.S. Department of Labor regulations (41 CFR, Part 60).
- B. Nondiscrimination: The Subgrantee, with regard to the work performed during the period of

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- this agreement, shall not discriminate on the grounds of race, color, sex, national origin, age, religion, or disability in the selection and retention of subcontractors, including procurements of materials and leases of equipment.
- C. Solicitations for subcontracts, including procurement of materials and equipment: In all solicitations either by competitive bidding or negotiation made by the Subgrantee for work to be performed under a subcontract, including procurements of materials and leases of equipment, each potential subcontractor or supplier shall be notified by the Subgrantee of the Subgrantee's obligations under this agreement and the regulations relative to nondiscrimination on the grounds of race, color, sex, national origin, age, religion, or disability.
- D. Information and reports: The Subgrantee shall provide all information and reports required by the Regulations, or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Department or the USDOT to be pertinent to ascertain compliance with the Regulations or directives. Where any information required of the Subgrantee is in the exclusive possession of another who fails or refuses to furnish this information, the Subgrantee shall certify that to the Department or the USDOT, whichever is appropriate, and shall set forth what efforts the Subgrantee has made to obtain the requested information.
- E. Sanctions for noncompliance: In the event of the Subgrantee's noncompliance with the nondiscrimination provision of this agreement, the Department shall impose such sanctions as it or the USDOT may determine to be appropriate.
- F. Incorporation of provisions: The Subgrantee shall include the provisions of paragraphs A. through E. in every subcontract, including procurements of materials and leases of equipment, unless exempt by the regulations or directives. The Subgrantee shall take any action with respect to any subcontract or procurement that the Department may direct as a means of enforcing those provisions, including sanctions for noncompliance. However, in the event a Subgrantee becomes involved in, or is threatened with litigation with a subcontractor or supplier as a result of such direction, the Subgrantee may request the Department to enter into litigation to protect the interests of the state; and in addition, the Subgrantee may request the United States to enter into such litigation to protect the interests of the United States.

ARTICLE 23. DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM

- A. The parties shall comply with the DBE Program requirements established in 49 CFR Part 26.
- B. The Subgrantee shall adopt, in its totality, the Department's federally approved DBE program.
- C. The Subgrantee shall set an appropriate DBE goal consistent with the Department's DBE guidelines and in consideration of the local market, project size, and nature of the goods or services to be acquired. The Subgrantee shall have final decision-making authority regarding the DBE goal and shall be responsible for documenting its actions.
- D. The Subgrantee shall follow all other parts of the Department's DBE program referenced in TxDOT Form 2395, Memorandum of Understanding Regarding the Adoption of the Texas

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Department of Transportation's Federally-Approved Disadvantaged Business Enterprise by Entity and attachments found at web address
http://txdot.gov/business/business_outreach/mou.htm.

- E. The Subgrantee shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any USDOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The Subgrantee shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure non-discrimination in award and administration of USDOT-assisted contracts. The Department's DBE program, as required by 49 CFR Part 26 and as approved by USDOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the Subgrantee of its failure to carry out its approved program, the Department may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 USC 1001 and the Program Fraud Civil Remedies Act of 1986 (31 USC 3801 et seq.).
- F. Each contract the Subgrantee signs with a contractor (and each subcontract the prime contractor signs with a sub-contractor) must include the following assurance: *The contractor, sub-recipient, or sub-contractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of USDOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this agreement, which may result in the termination of this agreement or such other remedy as the recipient deems appropriate.*

ARTICLE 24. DEBARMENT AND SUSPENSION

- A. The Subgrantee certifies, to the best of its knowledge and belief, that it and its principals:
1. Are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any federal department or agency;
 2. Have not within the three (3) year period preceding this agreement been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a federal, state, or local public transaction or contract under a public transaction; violation of federal or state antitrust statutes; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 3. Are not presently indicted or otherwise criminally or civilly charged by a federal, state, or local governmental entity with commission of any of the offenses enumerated in paragraph A. 2. of this Article; and
 4. Have not, within the three (3) year period preceding this agreement, had one or more federal, state, or local public transactions terminated for cause or default.
- B. Where the Subgrantee is unable to certify to any of the statements in this Article, the Subgrantee shall attach an explanation to this agreement.

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- C. The Subgrantee is prohibited from making any award or permitting any award at any tier to any party which is debarred or suspended or otherwise excluded from or ineligible for participation in federal assistance programs under Executive Order 12549, "Debarment and Suspension." By executing this agreement, the Subgrantee certifies that it is not currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549 and further certifies that it will not do business with any party that is currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549.
- D. The Subgrantee shall require any party to a subcontract or purchase order awarded under this Grant Agreement to certify its eligibility to receive federal grant funds, and, when requested by the Department, to furnish a copy of the certification.

ARTICLE 25. LOBBYING CERTIFICATION

In executing this agreement, each signatory certifies to the best of that signatory's knowledge and belief that:

- A. No federally appropriated funds have been paid or will be paid by or on behalf of the Subgrantee to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
- B. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the party to this agreement shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- C. The Subgrantee shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Title 31 USC § 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

ARTICLE 26. CHILD SUPPORT CERTIFICATION

Under Section 231.006, Texas Family Code, the Subgrantee certifies that the individual or business entity named in this agreement is not ineligible to receive the specified grant, loan, or payment and acknowledges that this agreement may be terminated and payment may be withheld if this certification is inaccurate. If the above certification is shown to be false, the Subgrantee is liable to the state for attorney's fees and any other damages provided by law or the agreement. A child support obligor or business entity ineligible to receive payments because of a payment delinquency of more than thirty (30) days remains ineligible until: all arrearages have been paid; the obligor is in compliance with a written repayment agreement

City of Rowlett - Police Department
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or court order as to any existing delinquency; or the court of continuing jurisdiction over the child support order has granted the obligor an exemption from Subsection (a) of Section 231.006, Texas Family Code, as part of a court-supervised effort to improve earnings and child support payments.

ARTICLE 27. FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT REQUIREMENTS

- A. Any recipient of funds under this agreement agrees to comply with the Federal Funding Accountability and Transparency Act and implementing regulations at 2 CFR Part 170, including Appendix A. This agreement is subject to the following award terms:
<http://edocket.access.gpo.gov/2010/pdf/2010-22705.pdf> and <http://edocket.access.gpo.gov/2010/pdf/2010-22706.pdf>.
- B. The Subgrantee agrees that it shall:
1. Obtain and provide to the State a Central Contracting Registry (CCR) number (Federal Acquisition Regulation, Part 4, Sub-part 4.1100) if this award provides for more than \$25,000 in Federal funding. The CCR number may be obtained by visiting the CCR web-site whose address is: <https://www.bpn.gov/ccr/default.aspx>;
 2. Obtain and provide to the State a Data Universal Numbering System (DUNS) number, a unique nine-character number that allows the Federal government to track the distribution of federal money. The DUNS number may be requested free of charge for all businesses and entities required to do so by visiting the Dun & Bradstreet (D&B) on-line registration website <http://fedgov.dnb.com/webform>; and
 3. Report the total compensation and names of its top five (5) executives to the State if:
 - i. More than 80% of annual gross revenues are from the Federal government, and those revenues are greater than \$25,000,000; and
 - ii. The compensation information is not already available through reporting to the U.S. Securities and Exchange Commission.

ARTICLE 28. SINGLE AUDIT REPORT

- A. The parties shall comply with the requirements of the Single Audit Act of 1984, P.L. 98-502, ensuring that the single audit report includes the coverage stipulated in OMB Circular A-133.
- B. If threshold expenditures of \$500,000 or more are met during the Subgrantee's fiscal year, the Subgrantee must submit a Single Audit Report and Management Letter (if applicable) to TxDOT's Audit Office, 125 East 11th Street, Austin, TX 78701 or or via e-mail to SingleAudits@txdot.gov
- C. If expenditures are less than \$500,000 during the Subgrantee's fiscal year, the Subgrantee must submit a statement to TxDOT's Audit Office, 125 East 11th Street, Austin, TX 78701 or or via e-mail to SingleAudits@txdot.gov as follows: "We did not meet the \$500,000 expenditure threshold and therefore, are not required to have a single audit performed for FY _____."

City of Rowlett - Police Department
STEP-2015

- D. For each year the project remains open for federal funding expenditures, the Subgrantee will be responsible for filing a report or statement as described above. The required annual filing shall extend throughout the life of the agreement, unless otherwise amended or the project has been formally closed out and no charges have been incurred within the current fiscal year.

ARTICLE 29. BUY AMERICA ACT

The Subgrantee will comply with the provisions of the Buy America Act (49 U.S.C. 5323(j)), which contains the following requirements:

Only steel, iron and manufactured products produced in the United States may be purchased with Federal funds unless the Secretary of Transportation determines that such domestic purchases would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. Clear justification for the purchase of non-domestic items must be in the form of a waiver request submitted to and approved by the Secretary of Transportation.

ARTICLE 30. RESTRICTION ON STATE LOBBYING

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

ARTICLE 31. NONGOVERNMENTAL ENTITY'S PUBLIC INFORMATION

[This article applies only to non-profit entities]

The Subgrantee is required to make any information created or exchanged with the Department pursuant to this Grant Agreement and not otherwise excepted from disclosure under the Texas Public Information Act, available in a format that is accessible by the public at no additional charge to the Department. [SB-1368, 83rd Texas Legislature, Regular Session, Effective 9/1/13]

RESPONSIBILITIES OF THE SUBGRANTEE

- A. Carry out all performance measures established in the grant, including fulfilling the law enforcement objectives by implementing the Operational Plan contained in this Grant Agreement.
- B. Submit all required reports to the Department (TxDOT) fully completed with the most current information, and within the required times, as defined in Article 3 and Article 7 of the General Terms and Conditions of this Grant Agreement. This includes reporting to the Department on progress, achievements, and problems in monthly Performance Reports and attaching necessary source documentation to support all costs claimed in Requests for Reimbursement (RFR).
- C. Attend Department-approved grant management training.
- D. Attend meetings according to the following:
 - 1. The Department will arrange for meetings with the Subgrantee to present status of activities and to discuss problems and the schedule for the following quarter's work.
 - 2. The project director or other appropriate qualified persons will be available to represent the Subgrantee at meetings requested by the Department.
- E. Support grant enforcement efforts with public information and education (PI&E) activities. Salaries being claimed for PI&E activities must be included in the budget.
- F. When applicable, all newly developed PI&E materials must be submitted to the Department for written approval, through the TxDOT Electronic Grants Management System (eGrants) system messaging, prior to final production. Refer to the Traffic Safety Program Manual regarding PI&E procedures.
- G. For out of state travel expenses to be reimbursable, the Subgrantee must have obtained the written approval of the Department, through eGrants system messaging, prior to the beginning of the trip. Grant approval does not satisfy this requirement. For Department district-managed grants, the Subgrantee must have obtained written Department district approval, through eGrants system messaging, for travel and related expenses if outside of the district boundaries.
- H. Maintain verification that all expenses, including wages or salaries, for which reimbursement is requested is for work exclusively related to this project.
- I. Ensure that this grant will in no way supplant (replace) funds from other sources. Supplanting refers to the use of federal funds to support personnel or any activity already supported by local or state funds.
- J. Ensure that each officer working on the STEP project will complete an officer's daily report form. The form should include at a minimum: name, date, badge or identification number, type of grant worked, grant site number, mileage (including starting and ending mileage),

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- hours worked, type of citation issued or arrest made, officer and supervisor signatures.
- K. Ensure that no officer above the rank of Lieutenant (or equivalent title) will be reimbursed for enforcement duty, unless the Subgrantee received specific written authorization from the Department, through eGrants system messaging, prior to incurring costs.
- L. Subgrantee may work additional STEP enforcement hours on holidays or special events not covered under the Operational Plan. However, additional work must be approved in writing by the Department, through eGrants system messaging, prior to enforcement. Additional hours must be reported in the Performance Report for the time period for which the additional hours were worked.
- M. If an officer makes a STEP-related arrest during the shift, but does not complete the arrest before the shift is scheduled to end, the officer can continue working under the grant to complete that arrest.
- N. Subgrantees with a traffic unit will utilize traffic personnel for this grant, unless such personnel are unavailable for assignment.
- O. Prior to conducting speed enforcement, the Subgrantee must select and survey enforcement sites that comply with existing state mandated speed limits in accordance with the Texas Transportation Code, Sections 545.352 through 545.356.
- P. Officers assigned to speed sites should be trained in the use of radar or laser speed measurement devices.
- Q. The Subgrantee should have a safety belt use policy. If the Subgrantee does not have a safety belt use policy in place, a policy should be implemented, and a copy maintained for verification during the grant year.
- R. Officers working DWI enforcement must be trained in the National Highway Traffic Safety Administration/International Association of Chiefs of Police Standardized Field Sobriety Testing (SFST). In the case of a first year subgrantee, the officers must be trained, or scheduled to be SFST trained, by the end of the grant year. For second or subsequent year grants, all officers working DWI enforcement must be SFST trained.
- S. The Subgrantee should have a procedure in place for contacting and using drug recognition experts (DREs) when necessary.
- T. The Subgrantee is encouraged to use the DWI On-line Reporting System available through the Buckle Up Texas Web site at www.buckleuptexas.com.

RESPONSIBILITIES OF THE DEPARTMENT

- A. Monitor the Subgrantee's compliance with the performance obligations and fiscal requirements of this Grant Agreement using appropriate and necessary monitoring and inspections, including but not limited to:
 - 1. review of periodic reports
 - 2. physical inspection of project records and supporting documentation
 - 3. telephone conversations
 - 4. e-mails and letters
 - 5. quarterly review meetings
 - 6. eGrants

- B. Provide program management and technical assistance.

- C. Attend appropriate meetings.

- D. Reimburse the Subgrantee for all eligible costs as defined in the project budget. Requests for Reimbursement will be processed up to the maximum amount payable as indicated in the project budget.

- E. Perform an administrative review of the project at the close of the grant period to:
 - 1. Ascertain whether or not the project objectives were met
 - 2. Review project accomplishments (performance measures completed, targets achieved)
 - 3. Document any progress towards self-sufficiency
 - 4. Account for any approved Program Income earned and expended
 - 5. Identify exemplary performance or best practices

PROGRAM ELEMENT SELECTION

YEAR LONG

- | | | |
|---|-------|---|
| X | DWI | DWI: Driving While Intoxicated |
| X | Speed | Speed: Speed Enforcement |
| | OP | OP: Occupant Protection (Safety Belt and Child Safety Seat) |
| | ITC | ITC: Intersection Traffic Control |
| | DD | DD: Distracted Driving |

WAVE

- | | |
|-------|---|
| DWI | Jurisdiction wide (DWI enforcement effort must be focused at locations where there is an over-representation of alcohol-related crashes and/or DWI arrests) |
| Speed | Jurisdiction wide (Speed enforcement should be focused on areas where there is at least a 50% noncompliance with the posted speed limits and/or a higher number of speed-related crashes) |
| OP | Jurisdiction wide |
| DD | Jurisdiction wide |

CMV

- | | |
|----------------|--|
| Speed, OP&H MV | CMV: Commercial Motor Vehicle; H MV: Hazardous Moving Violations |
|----------------|--|

GOALS AND STRATEGIES

Goal: To increase effective enforcement and adjudication of traffic safety-related laws to reduce crashes, fatalities, and injuries.

Strategies: Increase and sustain high visibility enforcement of traffic safety-related laws.
Increase public education and information campaigns regarding enforcement activities.

Goal: To reduce the number of alcohol impaired and driving under the influence of alcohol and other drug-related crashes, injuries, and fatalities.

Strategy: Increase and sustain high visibility enforcement of DWI laws.

Goal: To reduce the number of speed-related crashes, injuries, and fatalities.

Strategy: Increase and sustain high visibility enforcement of speed-related laws.

I agree to the above goals and strategies.

City of Rowlett - Police Department
STEP-2015

BASELINE INFORMATION

Baseline Year (12 months)

From 11/1/2012 to 10/31/2013

Baseline Measure

Baseline Number

Number of Driving While Intoxicated (DWI) arrests
Number of Driving Under Influence(DUI) of Alcohol by
Minor Areests/Citations
Number of speed citations

54

7

1646

**Baseline
Number**

**Month/Year of
Survey**

Percentage of speed compliance

25.48 %

09/2013

LAW ENFORCEMENT OBJECTIVE/PERFORMANCE MEASURE

Objective/Performance Measure	Target Number
1. Number and type citations/arrests to be issued under STEP	
a. Increase DWI arrests by	26
b. Increase DUI of Alcohol by Minor arrests/citations by	3
b. Increase speed citations by	1025
2. Proposed total number of traffic related crashes	
a. Reduce the number of alcohol-related crashes to	15
b. Reduce the number of speed-related crashes to	78
3. Increase speed compliance	
a. Increase the speed compliance rate to	28%
4. Number of Enforcement Hours	498

Step Indicator**3.03**

Note: Nothing in this agreement shall be interpreted as a requirement, formal or informal, that a peace officer issue a specified or predetermined number of citations in pursuance of the Subgrantee's obligations hereunder. Department and Subgrantee acknowledge that Texas Transportation Code Section 720.002 prohibits using traffic-offense quotas and agree that nothing in this Agreement is establishing an illegal quota.

In addition to the STEP enforcement activities, the subgrantee must maintain baseline non-STEP funded citation and arrest activity due to the prohibition of supplanting.

PI&E OBJECTIVE/PERFORMANCE MEASURE

Objectives/Performance Measure	Target Number
Support Grant efforts with a public information and education (PI&E) program	
a. Conduct presentations	4
b. Conduct media exposures (e.g. news conferences, news releases, and interviews)	5
c. Conduct community events (e.g. health fairs, booths)	2
d. Produce the following number of public information and education materials	0
e. Number of public information and education materials distributed	500

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OPERATIONAL PLAN

Page Title: OP Plan page 1

<u>Site Number</u>	<u>Type (Speed, OP, ITC)</u>	<u>Site Description (include Miles Per Hour)</u>	<u>Survey Results (Compliance Percentage)</u>	<u>Enforcement Period (Days & Times)</u>
1. 1	Speed	Rowlett Rd b/t south city limits & north city limits is 4.3 miles long, both a 4 and 6 lane divided concrete roadway with a posted speed limit of 40 mph.	40.74%	24 hours a day / 7 days a week.
2. 2	Speed	SH 66 (Lakeview Pkwy) b/t west and east city limits is 7.1 miles long, 6 lane divided concrete state highway. The posted speed limit ranges b/t 45-55 mph.	31.37%	24 hours a day / 7 days a week.
3. 3	Speed	Merritt Rd b/t Liberty Grove and north city limits is 2.2 miles long, a four lane divided asphalt roadway under construction with a posted speed limit of 30 mph.	24.56%	24 hours a day / 7 days a week.
4. 4	Speed	Dalrock Rd from the south city limits to Liberty Grove is 4.9 miles long and both a 4 lane divided concrete and a 2 lane asphalt roadway with a posted speed limit of 40mph.	22.33%	24 hours a day / 7 days a week.
5. 5	Speed	Miller Rd from west city limits to Dalrock Rd is 4 miles long, both a 4 lane divided concrete and 2 lane asphalt roadway with a posted speed limit of 40 mph.	21.03%	24 hours a day / 7 days a week.
6. 6	Speed	Chiesa Rd b/t Dalrock Rd and Liberty Grove Rd is 4.3 miles long, a 2 lane asphalt roadway with a posted speed	23.50%	24 hours a day / 7 days a week.

City of Rowlett - Police Department
STEP-2015

limit of 35 mph.

7.7	Speed	Toler Rd b/t Liberty Grove and Castle Dr is 1.8 miles long, a 2 lane asphalt residential street with a posted speed limit of 30 mph.	17.83%	24 hours a day / 7 days a week.
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City of Rowlett - Police Department
STEP-2015

OPERATIONAL PLAN

Page Title: OP Plan page 2

<u>Site Number</u>	<u>Type (Speed, OP, ITC)</u>	<u>Site Description (include Miles Per Hour)</u>	<u>Survey Results (Compliance Percentage)</u>	<u>Enforcement Period (Days & Times)</u>
1. 8	Speed	Dexham Rd b/t Miller Rd and Hickox is 1.9 miles long, both a 4 lane divided concrete and 2 lane asphalt roadway with a posted speed limit of 35 mph.	38.59%	24 hours a day / 7 days a week.
2. 9	Speed	Liberty Grove Rd b/t Elm Grove and President George Bush Highway (PGBH) is 2.6 miles long, both a 2 lane asphalt and 4 lane concrete divided roadway with a posted speed limit of 40 mph.	19.64%	24 hours a day / 7 days a week.
3. 10	Speed	Main St b/t SH66 and Rowlett Rd is .6 miles long, a 2 lane asphalt roadway with a posted speed limit of 30 mph.	13.29%	24 hours a day / 7 days a week.
4. 11	Speed	Princeton Rd b/t Dalrock Rd and Liberty Grove Rd is 1.3 miles long, a 4 lane divided concrete roadway with a posted speed limit of 40 mph.	29.55%	24 hours a day / 7 days a week.
5. 12	DWI	City Wide. Between November 1, 2012 and October 31, 2013 Rowlett Police Officers made 67 DWI arrests, 5 DUI Minor arrests, and responded to 15 alcohol related crashes.	%	24 hours a day / 7 days a week.
6.			%	
7.			%	

City of Rowlett - Police Department
STEP-2015

BUDGET SUMMARY

Budget Category		TxDOT	Match	Total
Category I - Labor Costs				
(100)	Salaries:	\$21,049.26	\$5,367.42	\$26,416.68
(200)	Fringe Benefits:	\$0	\$8,046.52	\$8,046.52
	Sub-Total:	\$21,049.26	\$13,413.94	\$34,463.20
Category II - Other Direct Costs				
(300)	Travel:	\$0	\$7,640.00	\$7,640.00
(400)	Equipment:	\$0	\$0	\$0
(500)	Supplies:	\$0	\$0	\$0
(600)	Contractual Services:	\$0	\$0	\$0
(700)	Other Miscellaneous:	\$0	\$0	\$0
	Sub-Total:	\$0	\$7,640.00	\$7,640.00
Total Direct Costs:		\$21,049.26	\$21,053.94	\$42,103.20
Category III - Indirect Costs				
(800)	Indirect Cost Rate:	\$0	\$0	\$0
Summary				
	Total Labor Costs:	\$21,049.26	\$13,413.94	\$34,463.20
	Total Direct Costs:	\$0	\$7,640.00	\$7,640.00
	Total Indirect Costs:	\$0	\$0	\$0
Grand Total		\$21,049.26	\$21,053.94	\$42,103.20
	Fund Sources (Percent Share):	49.99%	50.01%	
Salary and cost rates will be based on the rates submitted by the Subgrantee in its grant application in Egrants.				



City of Rowlett
Staff Report

4000 Main Street
P.O. Box 99
Rowlett, TX 75080-0099
www.rowlett.com

AGENDA DATE: 09/02/14

AGENDA ITEM: 8A

TITLE

Conduct a public hearing on the ad valorem tax rate for Fiscal Year 2014-2015.

STAFF REPRESENTATIVE

Alan Guard, Chief Financial Officer

SUMMARY

Truth-in-taxation is a concept embodied in the Texas Constitution and the Tax Code that requires local taxing units to make taxpayers aware of tax rate proposals. When a proposed tax rate exceeds the rollback rate or the effective rate, whichever is lower, the taxing unit's governing body must hold two public hearings to allow the public the opportunity to express their views on the proposed tax rate.

BACKGROUND INFORMATION

The City Manager presented the proposed budget for Fiscal Year 2014-2015 on August 5, 2014. The City Council held Budget Work Sessions on August 14 and 15, 2014. The first public hearing on the tax rate was held August 19, 2014.

DISCUSSION

The State of Texas "Truth in Taxation" law requires that the City Council conduct two public hearings on its proposed ad valorem tax rate each year if such rate exceeds the rollback rate or the effective tax rate, whichever is lower. The effective tax rate shows the relation between prior year's revenue and the current year's value. The rollback rate is the maximum rate that can be applied and not be subjected to a rollback petition.

City staff presented the Proposed Budget for Fiscal Year 2014-2015 on August 5, 2014, during a City Council Work Session. Ad valorem, or property taxes, are collected by local governments in two components: (1) operations and maintenance (O & M); (2) interest and sinking fund (I & S). The proposed budget was prepared with an operations and maintenance tax rate of \$0.559770 and a debt service tax rate of \$0.237403 for a total tax rate of \$0.797173 per \$100 of taxable value.

The effective tax rate and rollback rate have been calculated and the Notice of Proposed Tax Rate has been published in the local newspaper and on the City's website as required by law. The following table illustrates the proposed tax rate, the rollback tax rate, and the effective tax rates appropriately split between the I & S rate and the O & M rate.

	FY 2013-2014 Adopted	FY 2014-2015 Proposed	FY 2014-2015 Effective	FY 2014-2015 Rollback
O & M	0.504773	0.559770	0.475520	0.520152
Debt	0.242400	0.237403	0.237403	0.237403
Total	0.747173	0.797173	0.712923	0.757555

The proposed tax rate to be considered is \$0.797173, which is more than the effective tax rate. When a proposed tax rate exceeds the rollback rate or the effective rate, whichever is lower, the taxing unit's governing body must vote to place a proposal to adopt the rate on the agenda of a future meeting as an action item. If the motion passes, the governing body must schedule two public hearings on the proposal. City staff proposed that these two public hearings be held on Tuesday, August 19, 2014 and Tuesday, September 2, 2014 at 7:30 pm. The first public hearing was held, as scheduled, on August 19, 2014.

FINANCIAL/BUDGET IMPLICATIONS

N/A

RECOMMENDED ACTION

City staff recommends the City Council conduct a public hearing to allow the public the opportunity to express their views on the proposed tax rate. No official action is required after the public hearing.

At each hearing, the governing body must announce the date, time and place of the meeting at which it will vote on the tax rate. The City of Rowlett will vote on the tax rate on September 16, 2014, at 7:30pm at City Hall, 4000 Main Street, Rowlett, Texas 75088.



City of Rowlett
Staff Report

4000 Main Street
P.O. Box 99
Rowlett, TX 75080-0099
www.rowlett.com

AGENDA DATE: 09/02/14

AGENDA ITEM: 8B

TITLE

Conduct a public hearing (2nd) on the proposed budget for Fiscal Year 2014-2015.

STAFF REPRESENTATIVE

Alan Guard, Chief Financial Officer

SUMMARY

Sec. 102.006 of the Local Government Code requires that the governing body of a municipality shall hold a public hearing on the proposed budget. Any person may attend and may participate in the hearing.

BACKGROUND INFORMATION

The City Manager presented the proposed budget for Fiscal Year 2014-2015 on August 5, 2014. The City Council held Budget Work Sessions on August 14 and 15, 2014. The first public hearing on the budget was held on August 19, 2014.

DISCUSSION

State law requires that the governing body of a municipality shall hold a public hearing on the proposed budget. Any taxpayer of the municipality may attend and participate in the hearing. Public notice of the date, time and location of the hearing has been published in a newspaper of general circulation as required by state law.

- The final steps in the budget process include the public hearing scheduled for September 2, 2014, with consideration of final adoption by the City Council currently scheduled for September 16, 2014.

FINANCIAL/BUDGET IMPLICATIONS

N/A