



City of Rowlett

Action Minutes

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, April 7, 2015

5:30 P.M.

Municipal Building – 4000 Main Street

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

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

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

1. CALL TO ORDER

Mayor Pro Tem Gallops called the meeting to order at 5:32 p.m.

2. EXECUTIVE SESSION (5:30 P.M.)* Times listed are approximate.

- 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 an Economic Development Agreement with Bayside Land Partners LLC (a/k/a Donahue Development Corporation) for the Elgin B. Robertson property. (45 minutes)

Council convened in Executive Session at 5:32 p.m. Out at 6:25 p.m.

- 2B.** 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 about the lawsuit with Xerox concerning the automated red light camera enforcement system. (20 minutes)

Council convened in Executive Session at 6:25 p.m. Mayor Gottel arrived at 6:33 p.m. Out at 6:57 p.m.

- 2C.** The City Council shall convene into executive session pursuant to the Texas Government Code, §551.074 (Personnel) to deliberate on the evaluation and duties of the City Attorney. (30 minutes)
(THIS ITEM WILL BE DISCUSSED FOLLOWING THE REGULAR PORTION OF THE MEETING)

Due to the time, this item will be rescheduled for a later date.

3. WORK SESSION (6:30 P.M.)

3A. Update on 84th Texas Legislative Session. (15 minutes)

Due to the time, this item will be rescheduled for a later date.

3B. Discuss proposed ordinance to amend regulations pertaining to grease traps. (20 minutes)

3C. Discuss amending the Fiscal Year 2014-15 Adopted Operating and Capital Improvements Program Budget. (20 minutes)

4. DISCUSS CONSENT AGENDA ITEMS

Council took a short break at 7:18 p.m.

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

Council reconvened in Regular Session at 7:30 p.m.

INVOCATION – Cliff King – New Horizon Church

PLEDGE OF ALLEGIANCE

TEXAS PLEDGE OF ALLEGIANCE – Led by the City Council

5. PRESENTATIONS AND PROCLAMATIONS

5A. Proclamation recognizing National Library Week, April 12-18, 2015.

Deputy Mayor Pro Tem Pankratz presented the proclamation to Kathy Freiheit, Director of Library Services and her staff.

5B. Presentation of 2014 Achievement of Library Excellence Award from Texas Municipal Library Directors Association.

Deputy Mayor Pro Tem Pankratz presented the award to Kathy Freiheit, Director of Library Services and her staff.

5C. Proclamation recognizing National Public Safety Telecommunicators Week as April 12-18, 2015.

Mayor Pro Tem Gallops presented the proclamation to Beth English, Communications Director and Paul Sandman, Assistant Police Chief.

5D. Proclamation recognizing the month of April as National Organ Donor Awareness Month.

Councilmember Sheffield and Councilmember Dana-Bashian presented the proclamation to Beth English, Communications Director. Each commenting on how organ donation has affected their lives.

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

Mayor Gottel announced the following: Next Regular Council meetings will be held on Tuesday, April 21st; Special Council Meeting will be held Tuesday, April 14th. P & Z MEETINGS – Tuesday, April 14th and 28th – held in the City Hall Conference Room at 6pm. CIP (COMMUNITY INVESTMENT PROGRAM) TASK FORCE - Public Meetings will be held: Tuesday, April 14th at 6:30pm at the RCC. Telephone Town Hall Meeting conducted on Thursday, April 23rd between 6:30 and 7:30pm. Projects on the May 9th Ballot include: **Proposition 1 – Streets – \$18,932,340, **Proposition 2 – Parks – \$4,206,110, **Proposition 3 – Public Safety – \$2,631,050. 2015 Bond Election set for May 9, 2015 – is a three year program with \$25,769,500 of Community Investment Projects – AND NO TAX INCREASE! EARLY VOTING STARTS APRIL 27TH AND GOES THROUGH MAY 5TH. LAST DAY TO REGISTER TO VOTE IN THE UPCOMING ELECTION - Thursday, April 9th is the last day to register to vote for the upcoming election on May 9th. Fill out a form online by clicking on the City Secretary's Office tab, Elections then Register to Vote. Pick up a form in the City Secretary's Office at 4000 Main Street. Mail the form to the county election administrator in your county; addresses found online under Register to Vote tab. EARLY VOTING – Annex Conference Room located at 4004 Main Street. Monday, April 27 through Friday, May 1 - 8:00 am to 5:00 pm, Saturday, May 2 - 8:00 am to 5:00 pm, Sunday, May 3 - 1:00 pm to 6:00 pm, Monday, May 4 through Tuesday, May 5 - 7:00 am to 7:00 pm. KEEP ROWLETT BEAUTIFUL - Rowlett Great American Cleanup Day 2015, Saturday, April 11th has been cancelled due to anticipated inclement weather. Electronics Disposal and Document Shredding, Saturday, April 18th, 9am – 1pm @ Rowlett High School parking lot. ANIMAL SHELTER - Low Cost Vaccine Clinic at Animal Shelter – Saturday, April 18th, 1 – 3pm. Shelter is open Monday – Saturday, 10am – 5pm. PARKS AND RECREATION - Upcoming Events: Senior Health Fair – Tuesday, April 14th, 9am – noon @ RCC. Kid Fish – Saturday, April 25th, 9am – noon @ Community Park located at 8500 St. Andrews. Cardboard Boat Regatta – Saturday, April 25th, 1:30pm @ Community Park. Senior Event: Mother's Day Breakfast, Wednesday, May 6th @ 8:30 am. ROWLETT LIBRARY - Upcoming Events: Rowlett Library Closed the month of May. Checked out books should be returned at the RCC. Storytimes and Family Saturday Programs will be held @ RCC. National Library Week, April 13 – 18. Come by and enter to win a basket filled with books and prizes. Arts & Humanities Annual Writing Contest. Entries due by Monday, April 20th @ the Library. For complete rules and more information visit the Arts & Humanities page on rowlett.com. Family Saturday Games – April 18th, 2pm. One on One Tech Help – Every Friday at Rowlett Library, flexible times – call 972-412-6161 for times. FIRE RESCUE - Citizens Fire Academy - Kicks off on Thursday, April 30th. 8 week course offers adult residents an interactive, in-depth, insiders view of Fire Rescue. Call 972.412.6230 for more information. Safe Sitter Class - Saturday, May 31st @ RCC. Ages 11-16; \$60 each. POLICE DEPARTMENT - Youth and Teen Academies this summer. Academies are free and include lunch every day plus a free trip to the Wet Zone on the last day of each session. Available to students that live and attend school in Rowlett. For more information, contact Office Brandon Herring at bherring@rowlett.com. TWICE A MONTH LANDSCAPE WATERING – *Watering once every other week still in effect* – through May 31st.

6. CITIZENS' INPUT

Hubert Howard, 7315 Maringo Drive, Dallas; asked for clarification regarding property owned by a family member.

7. CONSENT AGENDA

- 7A. Consider action to approve minutes from the March 17, 2015, City Council Regular Meeting, March 27, 2015, Special Meeting, and March 31, 2015 Work Session.

This item was approved on the Consent Agenda.

- 7B. Consider action to approve a resolution approving a bankruptcy trustee sale of real property on which delinquent ad valorem taxes are owed and accepting a compromised amount in satisfaction of the tax indebtedness for property at 6802 and 6804 Scenic Road, Rowlett, Texas.

This item was approved as RES-033-15 on the Consent Agenda.

- 7C. Consider action to approve a resolution accepting the bid of and awarding a contract to U.S. Bancorp Government Leasing and Finance, Incorporated in the amount of \$1,988,307.70, utilizing an interest rate of 2.01 percent for the ten year lease-purchase financing of one new E-One Aerial Fire Truck, one new Fire Pumper Truck, the refurbishment of our 2006 Engine/Pumper, and the refurbishment of our 2004 Ladder (Quint) Fire Truck for Fire Rescue and authorizing the City Manager, after City Attorney approval, to execute the necessary documents for said purchase.

This item was approved as RES-034-15 on the Consent Agenda.

- 7D. Consider action to approve a resolution accepting the bid of and awarding a contract to LKG Resources LLC in the amount of \$156,440.00 for the base bid plus ten percent (10%) contingency in the amount of \$15,644.00, and up to \$5,000.00 for an early completion bonus, resulting in a total project amount of \$177,084.00 for the 12-Inch Water Main along PGBT from Miller Heights Drive to Rowlett High School Project and authorizing the Mayor to execute the necessary documents.

This item was approved as RES-035-15 on the Consent Agenda.

- 7E. Consider action to approve a resolution exercising the third of four one-year renewal options for Section II mowing services to Carruthers Landscape Management in the unit amounts bid with an estimated annual amount of \$104,945 for the Parks and Recreation Department.

This item was approved as RES-036-15 on the Consent Agenda.

- 7F. Consider action to approve a resolution exercising the fourth of four one-year renewal options for Section IV mowing services to The Teter Group, Incorporated in the unit amounts bid with an estimated annual amount of \$120,831.80 and Change Order #1 for Katy Park in the amount of \$5,204.40 for an annual estimate of \$126,036.20 for the Parks and Recreation Department.

This item was approved as RES-037-15 on the Consent Agenda.

- 7G.** Consider action to approve a resolution exercising the first of three one-year renewal options for continuation of Bank Depository and Merchant Card Services to American National Bank and authorize the City Manager to enter into an extension of services agreement after City Attorney approval.

This item was approved as RES-038-15 on the Consent Agenda.

- 7H.** Consider action to approve a Resolution approving an Alternative Landscape Plan for Usuga Medical located at 8100 Lakeview Parkway further described as being 1.87 acres of land located in the James Saunders Survey, Abstract No. 1424, City of Rowlett, Dallas County, Texas (DP15-767).

This item was approved as RES-039-15 on the Consent Agenda.

- 7I.** Consider a resolution authorizing final acceptance of a utility easement associated with 2201 Lakeview Parkway, being further described as Lot 1R, Block A, Home Depot Addition, City of Rowlett, Dallas County, Texas.

This item was approved as RES-040-15 on the Consent Agenda.

- 7J.** Consider action to approve a resolution accepting the bid of and awarding a contract to Tri-Con Services in the amount of \$1,520,000.00 for the total base bid plus ten percent (10%) contingency in the amount \$152,000.00 and up to \$15,000.00 for the early completion bonus, resulting in a total project amount of \$ 1,687,000.00 for the Big A 20-Inch Water Transmission Project and authorize the Mayor to execute the necessary documents for said services.

This item was approved as RES-041-15 on the Consent Agenda.

- 7K.** Consider action to approve awarding a contract to Fuquay, Inc. for the Sanitary Sewer Manhole Rehabilitation Project Phase 3 (SS2088) in the amount of \$500,000.00, through the interlocal purchasing agreement with Texas Local Government Purchasing Cooperative (BuyBoard) and authorizing the Mayor to execute the Standard Public Works Construction Contract for said service.

This item was approved as RES-042-15 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 consider action to approve a Special Use Permit to allow an accessory structure and carport to exceed the size, side yard setback, height and architectural integration requirements for property located at 3802 Hidden Valley Circle. (SUP15-760).

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-011-15.

- 8B.** Conduct a public hearing and consider an ordinance approving Major Warrants related to the following Form Based Code standards: lighting, residential building types, ceiling height, flex-space, building materials (including signage), stairwell treatment, and continuous building frontage for property located at 3900 and 3908 Main Street.

A motion was made by Councilmember Dana-Bashian, seconded by Mayor Pro Tem Gallops, to approve Major Warrant requests #1, 2, 3, 5, 6, and 8. The motion carried with a vote of 6 in favor and 1 opposed (Pankratz). This item was adopted as ORD-012-15.

After a short break at 10:38 p.m., Council reconvened at 10:45 p.m.

- 8C.** Conduct a public hearing and consider action to adopt an ordinance creating the Tax Increment Reinvestment Zone Number Two, City of Rowlett, Texas.

This item was presented fourth.

A motion was made by Deputy Mayor Pro Tem Pankratz, seconded by Councilmember Sheffield, to approve the item as presented. The motion carried with a unanimous vote of those members present. This item was adopted as ORD-013-15.

- 8D.** Consider action to approve a resolution appointing a Board of Directors of the Tax Increment Reinvestment Zone Number Two, City of Rowlett, Texas.

This item was presented last.

A motion was made by Mayor Pro Tem Gallops, seconded by Councilmember Dana-Bashian, to appoint the members of City Council as the Board of Directors and Councilmember Sheffield as the Board Chair. The motion carried with a unanimous vote of those members present. This item was adopted as RES-043-15.

- 8E.** Conduct a public hearing and consider an ordinance imposing Form Based Code zoning with New Neighborhood, Urban Village, and Commercial Center/Special District subdistrict zoning for the Elgin B. Robertson property.

This item was presented third.

A motion was made by Deputy Mayor Pro Tem Pankratz, seconded by Councilmember van Bloemendaal, to approve the item as presented with street section C as modified and maximum 5-story building in the Urban Village. The motion carried with a unanimous vote of those members present. This item was adopted as ORD-014-15.

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

There was no action taken.

9. ADJOURNMENT

Mayor Gottel adjourned the meeting at 11:03 p.m.