



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, January 5, 2016

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 Dana-Bashian, Councilmember Pankratz, Councilmember Bobbitt, and Councilmember Sheffield

Absent: Councilmember van Bloemendaal

1. CALL TO ORDER

Mayor Gottel called the meeting to order at 6:17 p.m.

2. EXECUTIVE SESSION (6:15 P.M.) * Times listed are approximate.

- 2A.** 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, receive an update, and discuss settlement of pending litigation, Trent v. City of Rowlett. (15 minutes)

In at 6:18 p.m. Out at 6:30 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 and consult with the City Attorney on legal issues related to the tornado event of December 26, 2015. (30 minutes) TO BE DISCUSSED AFTER THE REGULAR SESSION

In at 10:02 p.m. Out at 10:36 p.m.

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

- 3A.** Discuss supporting resolution associated with proposed development seeking Texas Department of Housing and Community Affairs Tax Credits for 2016 application year. (30 minutes)

- 3B.** Update on the implementation of the Upper/Lower Pressure Plane (UPP/LPP). (30 minutes)
- 3C.** Discuss issues related to the tornado event of December 26, 2015, to include but not limited to contractor registration, storm debris removal, fraud protection, price gouging ordinance, update on the status of the water tower, and consider possible action regarding aforementioned items. (60 minutes) **TO BE DISCUSSED AFTER THE REGULAR SESSION**

Council reconvened at 8:47 p.m. to discuss this item.

4. DISCUSS CONSENT AGENDA ITEMS

Councilmember Sheffield asked that item 7D be pulled for Individual Consideration.

Council took a short break at 7:32 p.m.

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

Council reconvened at 7:39 p.m.

INVOCATION – Michael Hankins, Church in the City

PLEDGE OF ALLEGIANCE

TEXAS PLEDGE OF ALLEGIANCE – Led by the City Council

5. PRESENTATIONS AND PROCLAMATIONS

- 5A.** Hear presentation of the Monthly Financial report for the period ending October 31, 2015.

Kim Galvin, Director of Financial Services, presented the report.

- 5B.** Hear Fourth Quarter Investment Report for September 30, 2015.

Kim Galvin, Director of Financial Services, presented the report.

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

Mayor Gottel made a brief statement regarding the tornado of December 26th. He thanked the charitable organizations who came in, the phenomenal level of support in terms of donations, the area churches, numerous volunteers who are giving of their time. He thanked the area agencies who have come in to assist our staff. He especially thanked City staff who have worked tirelessly since the tornado. He also thanked the City Council for all the work they have done.

Brian Funderburk, City Manager, stated there were 59 animals at the Animal Shelter that have not been retrieved.

Councilmember Sheffield thanked the Mayor for all his efforts on behalf of the City.

Mayor Gottel announced the following:

INFORMATION ABOUT THE TORNADO CAN BE FOUND ON THE MAIN PAGE OF THE CITY'S WEBSITE AT www.rowlett.com. CLICK ON "VIEW ALL" AT THE BOTTOM OF THE "ROWLETT NEWS SECTION" TO SEE ALL INFORMATION POSTED ON OUR WEBSITE

STORM DEBRIS REMOVAL PLAN –

- WE HAVE BEEN WORKING AROUND THE CLOCK, WITH MUTUAL AID FROM MANY OTHER CITIES, TO REMOVE AND DISPOSE OF DEBRIS. CITY HAS REMOVED OVER 40,000 CUBIC YARDS OF DEBRIS.
- THE CITY IS VETTING THE NEXT STEPS OF THE RECOVERY PHASE
- WE ARE BEING VERY CAUTIOUS WITH DECISIONS MADE TO ENSURE THE BEST INTERESTS OF THE ENTIRE COMMUNITY ARE CONSIDERED
- DISASTER RELATED COSTS INCLUDING DEBRIS REMOVAL COULD BE ELIGIBLE FOR FEMA REIMBURSEMENT IF THIS STORM RECEIVES A MAJOR DISASTER DECLARATION
- ALL DEBRIS REMOVAL WILL BE CONDUCTED IN ACCORDANCE WITH FEMA GUIDELINES TO ALLOW FOR POTENTIAL REIMBURSEMENT
- THE CURRENT ESTIMATE IS STORM DEBRIS REMOVAL WILL CONTINUE FOR ABOUT 10 WEEKS
- o DO's FOR DEBRIS REMOVAL:
 - PLACE DEBRIS JUST BEHIND THE CURB, DO NOT BLOCK TRAVEL LANES OR DRAINAGE DITCHES, DRIVEWAYS OR ALLEYS
 - KEEP DISASTER RELATED DEBRIS SEPARATE FROM REGULAR HOUSEHOLD GARBAGE
 - WHERE PRACTICAL, PLACE VEGETATIVE DEBRIS & RECYCLABLE ITEMS IN SEPARATE PILES
 - ENSURE THAT VOLUNTEER WORKERS ALSO FOLLOW ALL OF THESE GUIDELINES
- o DON'Ts FOR DEBRIS REMOVAL:
 - DON'T DEPOSIT HAZARDOUSE WASTE IN THE RIGHT-OF-WAY, THIS INCLUDES PAINT, PETROLEUM PRODUCTS, OILS, ELECTRONIC MATERIALS, ETC.
 - DON'T DIRECT PAID CONTRACTORS TO PLACE DEBRIS IN THE PUBLIC RIGHT-OF-WAY
 - DON'T PLACE DEBRIS IN DRIVEWAYS OR ALLEYS
 - DON'T PLACE DEBRIS THAT IS COVERED BY INSURANCE ON THE PUBLIC RIGHT-OF-WAY
 - DON'T CO-MINGLE HOUSEHOLD GARBAGE WITH DISASTER RELATED DEBRIS
 - DON'T PLACE DEBRIS NEAR OBSTACLES SUCH AS GAS METERS, WATER METERS, FIRE HYDRANTS OR MAIL BOXES

LANDFILL PASS INFORMATION

- IF AFFECTED RESIDENTS CHOOSE, YOU MAY PICK UP LANDFILL PASSES TO DISPOSE OF YOUR DEBRIS AT THE HINTON LANDFILL LOCATED AT 3175 ELM GROVE RD. 972-205-3670

- NORMAL PROOF OF A UTILITY BILL WILL BE WAIVED AT THIS TIME.
- RESIDENTS NEED TO PRESENT SOME FORM OF ID - WE WILL DO OUR BEST TO ACCOMMODATE THOSE WITHOUT FORMAL ID.
- NO HAZARDOUS WASTE WILL BE ACCEPTED AT THE LANDFILL; PLEASE CHECK ON OUR WEBSITE TO SEE ALL ITEMS THAT ARE ACCEPTED.
- PICK UP PASSES AT:
 - o CITY HALL, 4000 MAIN STREET
 - o ROWLETT COMMUNITY CENTRE, 5300 MAIN STREET
 - o UTILITY BILLING DEPARTMENT, 4004 MAIN STREET
 - o FIRST CHRISTIAN CHURCH, CORNER OF MILLER & CHIESA ROAD
 - o GRANGER RECREATION CENTER (JOINT DISASTER MANAGEMENT CENTER), 1310 W. AVE. F – GARLAND – THIS FACILITY WILL BE CLOSING ON SUNDAY, JANUARY 10TH AT 3PM

JOINT DISASTER MANAGEMENT CENTER INFORMATION

- IF YOU NEED ASSISTANCE OR KNOW SOMEONE THAT DOES, CONTACT THE JOINT CENTER AT 972-205-2771
- ROWLETT AND GARLAND ESTABLISHED THIS JOINT CENTER, LOCATED IN GARLAND AT 1310 W. AVENUE F AS A “ONE-STOP-SHOP” FOR:
 - o RESIDENTS IMPACTED BY THE TORNADO
 - o ORGANIZATIONS OFFERING RESOURCES
 - o VOLUNTEERS OFFERING THEIR TIME AND DONATIONS
- AS STATED ABOVE, THIS JOINT DISASTER MANAGEMENT CENTER WILL CEASE OPERATIONS ON SUNDAY, JANUARY 10TH AT 3PM

AGENCIES PROVIDING ASSISTANCE NOW AND AFTER THE JOINT DISASTER MANAGEMENT CENTER CLOSURES

- IF YOU OR ANYONE YOU KNOW NEEDS VOLUNTEER ASSISTANCE WITH DEBRIS CLEANUP, THE FOLLOWING ORGANIZATIONS ARE MOBILIZED AND HERE IN ROWLETT TO HELP:
 - o TEXAS BAPTIST MEN – 214-908-6239
 - o SAMARITAN’S PURSE INTERNATIONAL RELIEF – 469-996-1429
 - o CHRISTIAN AID MINISTRIES – 817-933-2948
- THEY ARE ONLY HERE AS LONG AS THEY ARE NEEDED BY THE COMMUNITY
- CALL TODAY IF YOU NEED HELP!!

COUNCIL MEETINGS

- JOINT MEETING OF COUNCIL AND CHARTER REVIEW COMMISSION ON TUESDAY, JANUARY 12TH STARTING AT 6PM IN ROOM D AT THE RCC
- NEXT REGULAR COUNCIL MEETINGS WILL BE HELD ON TUESDAY, JANUARY 19TH AND FEBRUARY 2ND

P & Z MEETINGS

- NEXT REGULAR MEETING WILL BE HELD TUESDAY, JANUARY 12TH AND 26TH IN THE CITY HALL CONFERENCE ROOM AT 6:30PM

ROWLETT LIBRARY

- BLACK HISTORY MONTH BOOKMARK CONTEST
- o CALL 972-412-6161 FOR MORE INFORMATION
- MOVIE & POPCORN – SHOWING “HOME” THIS SATURDAY, JANUARY 9 FROM 2-4PM @ RCC

PARKS AND RECREATION

- LITTLE SWEETHEART DANCE
 - o SATURDAY, JANUARY 30TH, 7-9PM @ RCC
 - o \$40 PER COUPLE AND \$15 PER ADDITIONAL DAUGHTER
 - o FOR MORE INFORMATION CALL 972-412-6170

ANIMAL SHELTER

- LOW COST VACCINE CLINIC AT ANIMAL SHELTER – SATURDAY, JANUARY 16TH, 1 – 3PM
- LOCATED AT 4402 INDUSTRIAL ST.
- SHELTER IS OPEN MONDAY – SATURDAY, 10AM – 5PM
- NEXT ADOPTION EVENT – SATURDAY, FEBRUARY 13TH

6. CITIZENS' INPUT

There were no speakers.

7. CONSENT AGENDA

- 7A. Consider action to approve minutes from the December 1, 2015, City Council Regular Meeting.

This item was approved on the Consent Agenda.

- 7B. Consider action to approve a resolution accepting the bid of and awarding a contract for the purchase of two (2) John Deere 410L Combination Loader/Back-hoes to RDO Equipment Company in the amount of \$248,450 for the Fleet Services Division through the Interlocal Purchasing Agreement with Texas Local Government Purchasing Cooperative (BuyBoard), Contract #424-13.

This item was approved as RES-001-16 on the Consent Agenda.

- 7C. Consider action to approve a resolution for the purchase of 2,289 Sensus water meters and 165 Meter Transceiver Units (MXU's) from Aqua Metric Sales Company in the amount of \$327,443.96.

This item was approved as RES-002-16 on the Consent Agenda.

- 7D. Consider action to approve a resolution to amend a Facilities Agreement between the City of Rowlett, Texas and Bullitt Training Fields, LLC, for the construction of a 0.564+/- acre, 65 foot wide portion of Princeton Road, generally located south of Old Princeton Road.

This item was pulled for individual consideration.

A motion was made by Mayor Pro Tem Gallops, seconded by Councilmember Sheffield, to approve the item as presented. The motion carried with a unanimous vote of those members present. This item was approved as RES-003-16.

- 7E.** Consider action to approve a resolution accepting the bid of and awarding a contract for the addition of a new slide feature at Wet Zone Waterpark in the amount of \$356,965 to Sunbelt Pools under BuyBoard Contract #423-13.

This item was approved as RES-004-16 on the Consent Agenda.

- 7F.** Consider action to approve a resolution accepting the bid of and awarding a contract for the pool bottom resurfacing at Wet Zone Waterpark in the amount of \$213,980 to Sunbelt Pools under BuyBoard Contract #42351-14.

This item was approved as RES-005-16 on the Consent Agenda.

- 7G.** Consider action to approve a resolution awarding the bid and contract for 2016 Lease Purchase Financing to US Bancorp Government Lease & Financing in the amount of \$1,402,545.15.

This item was approved as RES-006-16 on the Consent Agenda.

- 7H.** Consider action to approve a resolution accepting the bid and awarding a contract for the purchase of eight 2016 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 \$383,791 for the Police Department through the Interlocal Cooperative Purchasing Agreement on the Tarrant County 2012-151 contract.

This item was approved as RES-007-16 on the Consent Agenda.

- 7I.** Consider action to approve a resolution accepting the bid of and awarding a contract to Motorola in the amount of \$78,681 for the purchase of 42 P25 portable radios through the interlocal participant agreement and an interlocal user agreement with the City of Garland and the City of Mesquite.

This item was approved as RES-008-16 on the Consent Agenda.

- 7J.** Consider action to approve a resolution accepting the bid of and awarding a contract to East Texas Mack, LLC for the purchase of a Mack GU432 Truck equipped with TCM 500-100 Pro-Patch Asphalt Patcher in the amount of \$165,354.49 through The Interlocal Purchasing System (TIPS) Contract # 2102314.

This item was approved as RES-009-16 on the Consent Agenda.

- 7K.** Consider action to accept the bid of and award a contract to Kirby-Smith Machinery for the purchase of a XL3100 Gradall Wheeled Excavator in the amount of \$349,540 through the

Interlocal Cooperative Purchasing Agreement with Houston-Galveston Area Council (H-GAC), Contracts # EM06-15 & Product code #5C.

This item was approved as RES-010-16 on the Consent Agenda.

- 7L. Consider action to approve a resolution accepting the bid of and awarding a contract to Volvo & Mack Trucks of Waco for the purchase of a CHU613 Mack Truck (with a 5th wheel hitch) in the amount of \$135,688.70 and a CHU613 Mack Truck (12 yard dump) in the amount of \$138,230.00 for a total amount of \$273,918.70 for the Fleet Division through the Interlocal Cooperative Purchasing Agreement with the Texas Local Government Purchasing Cooperative (BuyBoard), Contract #430-13.

This item was approved as RES-011-16 on the Consent Agenda.

- 7M. Consider action to approve a resolution for Task Authorization #FY16-RJN1 to the Agreement for Professional Services with RJN Group, Incorporated in the amount of \$109,342 for engineering services to provide construction plans and specifications for the 16" Waterline Westside PGBT - Utility Improvements and authorizing the Mayor to execute the necessary documents for said services.

This item was approved as RES-012-16 on the Consent Agenda.

- 7N. Consider action to approve a resolution accepting the bid of and awarding a contract to Freightliner of Austin for the purchase of a 32-foot Rock Master Half Round End Dump in the amount of \$36,890.00 for the Utilities Division through the Interlocal Cooperative Purchasing Agreement with the Texas Local Government Purchasing Cooperative (BuyBoard), Contract #425-13.

This item was approved as RES-013-16 on the Consent Agenda.

- 7O. Consider action to approve a resolution approving Task Authorization # FY2016FNI01 to the approved professional services agreement with Freese and Nichols, Inc. (FNI) in the amount of \$1,262,604 to provide engineering services for the design of the Merritt Road Interconnector Phase 2 Project and authorizing the Mayor to execute the necessary documents for said services.

This item was approved as RES-014-16 on the Consent Agenda.

- 7P. Consider action to approve a resolution authorizing the final acceptance, release of retainage and early completion bonus for the Big A 20 Inch Water Transmission Project (WA2110) in the amount of \$167,623.31 to Tri-Con Services and authorizing the Mayor to execute the necessary documents.

This item was approved as RES-015-16 on the Consent Agenda.

- 7Q. Consider a resolution approving a request for alternative building materials for a proposed single family home, new construction, located at 6117 New Forest Drive, further described as Lot 27,

Block A of the Point Royal Estates III Addition to the City of Rowlett, Rockwall County, Texas (DP66-2015).

This item was approved as RES-016-16 on the Consent Agenda.

- 7R.** Consider a resolution approving a request for alternative building materials for a proposed single-family home located at 6500 Garner Road, further described as being 0.4635 acres in Charles D Merrell Abstract, No. 957, Rowlett, Dallas County, Texas (ABM77-2015).

This item was approved as RES-017-16 on the Consent Agenda.

- 7S.** Consider action to approve a resolution to purchase and acquire public safety and associated equipment to respond to accidents on PGBT and I-30 for a total cost of \$159,765.88 through HGAC and Buy Board.

This item was approved as RES-018-16 on the Consent Agenda.

Passed the Consent Agenda

A motion was made by Mayor Pro Tem Gallops, seconded by Deputy Mayor Pro Tem Dana-Bashian, 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 an ordinance approving a Special Use Permit to allow a restaurant with a drive-through located at 2801 Lakeview Parkway further described as being Lot 5, Block A of the Briarwood Armstrong Addition, City of Rowlett, Dallas County, Texas. (SUP45-2015)

A motion was made by Mayor Pro Tem Gallops, seconded by Councilmember Bobbitt, to approve the item as presented. The motion carried with a unanimous vote of those members present. This item was approved as ORD-001-16.

- 8B.** Consider a resolution approving a request for an alternative building material for Panda Express located at 2801 Lakeview Parkway further described as being Lot 5, Block A of the Briarwood Armstrong Addition, City of Rowlett, Dallas County, Texas (ABM67-2015).

A motion was made by Mayor Pro Tem Gallops, seconded by Councilmember Bobbitt, to approve the item as presented. The motion carried with a unanimous vote of those members present. This item was approved as RES-019-16.

- 8C.** Conduct a public hearing and consider a resolution approving a Substantial Amendment to the City of Rowlett's Community Development Block Grant (CDBG) 2015 Annual Plan.

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 approved as RES-020-16.

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

There was no action taken.

9. ADJOURNMENT

Council took a short break at 8:36 p.m. and reconvened in the Work Session to discuss Item 3C and Executive Session Item 2B.

Mayor Gottel adjourned the meeting at 10:36 p.m.