



City of Rowlett Meeting Minutes City Council

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

City of Rowlett City Council meetings are available to all persons regardless of disability. If you require special assistance, please contact the City Secretary at 972-412-6109 or write PO Box 99, Rowlett, Texas, 75030-0099, at least 48 hours in advance of the meeting.

Tuesday, March 18, 2008

5:30 PM

Municipal Building - 4000 Main Street

As authorized by Section 551.071(2) 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: 6 - Mayor Harper, Councilmember Alberts, Deputy Mayor Pro Tem Gottel, Councilmember Maggiotto, Councilmember Mays and Mayor Pro Tem Rushing

1. CALL TO ORDER

Mayor Harper called the meeting to order at 5:30 p.m.

CONVENE INTO EXECUTIVE SESSION

The City Council convened into closed session at 5:30 p.m.

2. EXECUTIVE SESSION

- 2A The City Council shall convene into executive session pursuant to §551.071 of the TEXAS GOVERNMENT CODE to seek legal advice from the City Attorney regarding the upcoming special election under Chapter 143, Texas Local Government Code, and the State Civil Service Statutes. (10 minutes)
- 2B The City Council shall convene into executive session pursuant to §551.071 and §551.072 of the TEXAS GOVERNMENT CODE to seek legal advice from the City Attorney and to discuss the bid, auction, or sale of city owned property located between Kirby Road and Rowlett Road. (10 minutes)
- 2C The City Council shall convene into executive session pursuant to §551.071 and §551.072 of the TEXAS GOVERNMENT CODE to discuss with the City Attorney potential litigation, real property deliberations and acquisition of property to wit: Elgin B. Robertson Park. (5 minutes)
- 2D The City Council shall convene into executive session pursuant to § 551.071 of the TEXAS GOVERNMENT CODE to seek legal advice regarding the terms of an Interlocal Agreement with the North Texas Tollway Authority (NTTA) and the Texas Department of Transportation concerning the Eastern Extension of the President George Bush Turnpike / State Highway 190. (5 minutes)

- 2E The City Council shall convene into executive session pursuant to § 551.071 of the TEXAS GOVERNMENT CODE for consultation with the City Attorney and under § 551.072 regarding possible right-of-way acquisitions and funding options with Dallas Area Rapid Transit (DART). (5 minutes)

RECONVENE INTO OPEN SESSION

The City Council reconvened into open session at 6:25 p.m.

3. WORK SESSION ITEMS (6:15 P.M.)

- 3A Joint meeting with the Board of Adjustment. (10 minutes)

Larry Beckham, Chair of the Board of Adjustment, thanked Danny Denman and Dianne Kolb for their outstanding job. Mr. Beckham introduced the members of the Board of Adjustment; explained what the Board does; and briefly reviewed the different matters that the Board has seen over past year.

Council asked Mr. Beckham if any of the issues have gone to District Court.

Mr. Beckham answered in the negative.

Staff expounded on the process to have an item come before the Board of Adjustment.

At this time, Craig Owens, City Manager, spoke briefly concerning the current weather and damage throughout the City.

- 3B Update from the Mayor. (5 minutes)

This item was presented after Item 3D.

Mayor Harper made brief announcements concerning the external auditors' report from the new audit team; an appointment the Traffic and Safety Committee will be made on April 1, 2008; the March Clean-Up Campaign; March 26, 2008 DART Work Shop on Vanpooling; April 10 - 11, 2008 Metroplex Mayors Best Practices Conference in Frisco; April 17, 2008 23rd Citizens' Police Academy; April 19th Rowlett Waterways Cleanup; and Senator Kay Bailey Hutchinson sent information regarding the Digital Television Transition Alert.

Mayor Pro Tem made an announcement regarding the Charter Review Commission meetings.

- 3C Update on 2008 Festival of Freedom. (15 minutes)

This item was presented after Item 3A.

Staff briefly updated the Council concerning the Festival of Freedom. Staff asked for feedback from the Council regarding the potential establishment of a Special Events Citizen Committee. Spoke concerning the changes regarding the fiscal impact from what was originally reported; the projected expenditures are inline with what was budgeted; the

projected revenues are perhaps too ambitious. Made Council aware of a potential \$31,000 additional subsidy; stated the revenues and expenditures will be closely monitored; if the gap is not able to be closed, Staff will find the additional funding in the overall Operations Fund balance for the City.

Council stated the City is challenged to get the Fund balance up to the ten percent (10%) level.

Staff stated they anticipate in finding the additional funds, if needed, in their operations to achieve the same level of fund balance.

Council asked if the downturn in economic times has been considered in the planning of revenues.

Staff answered in the affirmative.

Council questioned staff concerning the fireworks, possible VIP tents, and the possible use of deposit money to secure broader entertainment headliners for next year, and future planning of having the Festival on Main Street.

Staff brought forth information regarding the creation of a citizen advisory committee. Spoke concerning three (3) options for the City's vision of such a committee. They include: to use three (3) of the already existing boards and commissions (Parks Advisory Board, Arts and Humanities Commission, and Traffic and Safety Committee); to have point members from the three (3) boards and commission to a separate Special Events Committee; or to form a Special Events Committee from City Council appointments.

Council asked if there would be any concern with establishing an ad hoc committee with two (2) places from each of the mentioned committees and the remaining openings will be with new volunteers; stated the Festival would benefit with more citizens involvement.

Council directed staff to place this item on the April 1, 2008 City Council meeting.

3D

Update and discussion on the sports user fees and sports user agreements. (10 minutes)

Staff stated the sports user fees project had three (3) main goals. They include: equity and fairness between the sports user fees in the associates; establish sport user agreements between the City and the sports associations for operations; and to establish a sports user forum concept. Stated the expenditures and revenues for each of the various sports associations have been analyzed; the sports user forum has reviewed the fee structure and provided input; on February 28, 2008 the Parks and Recreation Advisory Board made a recommendation for fee structure to the City Council; some of the sports associations have indicated they would be interested in discussing creative options outside of the fee structure but using the fee structure as a guideline to have the opportunity to leverage capital investment with the City, as well as, having other creative means of providing revenue to the City and reaching all of the same goals.

Staff developed a second option for this matter. This option would cause a two (2) month delay in consideration of the fees but would allow the sports association forum to meet and establish a base sports agreement across all the associations, which would include insurance, coaching backgrounds, maintenance standards, etc. Staff would then be meeting with each association to negotiate a sports user agreement.

The goal of the staff is to have the sports user agreements and fees in place for the Fall registration, this would require the recommendation from the Parks and Recreation Advisory Board to the City Council on May 14, 2008.

Staff stated the Board made a recommendation to proceed with the second option.

Council stated the process has been going on for several months; each association is unique and would like for their association to grow, to have a better experience, and to add back to the parks system; and stated organization is necessary.

Staff stated within two (2) weeks staff expects to meet with the sports user forum; staff will meet individually with each association throughout April to negotiate each agreement; on May 14th everything will be ready to present to the Parks and Recreation Advisory Board; on May 20th or June 3rd it will be presented to the City Council.

4. DISCUSS REGULAR SESSION ITEMS

Council discussed Items 9D, 9F, and 9G.

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

Mayor Harper updated the Council regarding the health of former Mayor Buddy Wall.

Work Session adjourned at 7:30 p.m.

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

Convened in the Council Chambers at 7:35 p.m.

At this time, Craig Owens, City Manager, spoke briefly concerning the current weather and damage throughout the City.

5. INVOCATION

The invocation was led by Pastor Sam Seward, Living Faith Community Fellowship.

6. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Harper.

7. PRESENTATIONS AND PROCLAMATIONS

7A Proclamation for Flotilla 081-5-10 (8th Coast Guard District, Coastal Region 1, Central Division 5, Flotilla 10).

Mayor Harper presented a proclamation to the members of the Flotilla 081-5-10.

7B Public Recognition of Duane Beddingfield's 20-year employment service with the City of Rowlett.

Mayor Harper presented a proclamation to Mr. Beddingfield for his twenty (20) years of service.

7C Update from the Mayor.

Mayor Harper briefly updated the citizens regarding activities in the City including the Eastern Extension of the President George Bush Tumpike; DART Blue Line Extension; the City's financial position; the Bond Election Survey; the Charter Review Commission; introduced Ben White, the new Director of Economic Development; March Cleanup; March 26th DART Workshop on Vanpooling; April 17th 23rd Citizens' Police Academy; April 19th Rowlett Waterways Cleanup from 9:00 a.m. to 12:00 p.m.; and April 22nd Public Safety Expo at the Community Centre.

7D Update from the City Manager.

Craig Owens brought forth a PowerPoint presentation for the City Manager's Update. Results for Rowlett: Report on Progress and Activities (38 page PowerPoint presentation).

Top Priorities

- *Neighborhood Quality*
- *Economic Development*
- *Culture and Recreation*
- *Environment*
- *Transportation*
- *Public Safety*

Neighborhood Quality

- *To provide neighborhood-based services to the residents of Rowlett, in order to protect the value, appeal, and quality of homes and businesses in our community.*
- *Neighborhood Quality Update*

- *Top 5 violations (Tier 1) - Closed Issues for January & February 2008*

<i>Tier 1 Violations</i>	<i>January</i>		<i>February</i>	
	<i>1 - 15</i>	<i>16 - 31</i>	<i>1 - 15</i>	<i>16 - 29</i>
<i>High Grass and Weeds (over 12")</i>	<i>18</i>	<i>10</i>	<i>6</i>	<i>13</i>
<i>Junk Vehicles</i>	<i>31</i>	<i>24</i>	<i>17</i>	<i>30</i>
<i>Fences in Disrepair</i>	<i>28</i>	<i>27</i>	<i>66</i>	<i>45</i>
<i>Outside Storage/Junk and Debris</i>	<i>27</i>	<i>21</i>	<i>29</i>	<i>31</i>
<i>Trash, Debris or Junk on Property</i>	<i>59</i>	<i>46</i>	<i>117</i>	<i>56</i>
<i>TOTAL</i>	<i>163</i>	<i>128</i>	<i>235</i>	<i>175</i>

- *Staff created interactive web site for Public Improvement District program*
 - *PID program brochures will be available by the end of March*
 - *4 neighborhood meetings will be held in April to inform residents; times and locations to be determined*
- *Proactive Code Enforcement (PACE)*
 - *PACE website – <http://gisweb.rowletttx.org/CodeEnf/Pace.htm>*
 - *VIPS is continuing Proactive Code Enforcement sweeps in the Lakeside Village and Lakeshore Park Estates*
 - *Updated PACE Volunteer webpage*
 - *Developed PACE presentation for relay on RTN - Channel 16*
- *Continuing Proactive Code Enforcement sweeps in the following subdivisions:*
 - *North East Quadrant: Shady Acres, Lakeview Meadows*
 - *North West Quadrant: Springfield*
 - *South East Quadrant: Vue Du Lac, College Park*
 - *South West Quadrant: Lakeland Heights*

- *Animal Services*
 - *Statistics for 2008:*

	<u>January</u>	<u>February</u>
<i>Impoundments</i>	130	112
<i>Return to owner</i>	33	45
<i>Adoptions</i>	54	54
<i>Warning Citations</i>	71	N/A
<i>Animal Bites</i>	3	2

Economic Development Update

- *To provide economic development services to our existing businesses, prospective business and community, in order to attract investment to the City of Rowlett, and to promote a sustainable, vibrant economy.*
- *New commercial permits issued:*
 - *National Tire & Battery*
 - *Ross*
 - *Pets Mart*
 - *Rack Room Shoes*
 - *Dollar Tree*
 - *Andrew's Office Building*
- *New Single Family Permits issued: 11*
- *Sub-standard house demolished - Chiesa Road*
- *Service King submitted a planned development*
- *Zaxby's submitted plans*
- *New Economic Development Director Ben White started on Monday, 3/17*
- *The Economic Development Strategic Plan was approved by the Economic Development Advisory Board on March 11 and forwarded to the City Council*

Culture and Recreation

- *To provide cultural, entertainment and recreation services to the residents, businesses, and visitors of the City of Rowlett, in order to encourage a healthy, active community.*
- *Community Centre/Pecan Grove Park*
 - *Eggstraordinary Egg Hunt - held for 8 years at Pecan Grove Park*
 - *Held Saturday, March 15*
 - *Approximately 1000 in attendance*
 - *20,000 eggs gone in 5 minutes!*
- *Library*
 - *During early voting:*
 - *Checkouts were up 16 % versus the same period last year*
 - *New cards issued were up 51 %*
 - *Number of visitors to the main part of the library were up 24 %*
 - *Volunteer hours through February were up 61% YTD compared to last year*
 - *Events:*
 - *March 19, 10:30 AM - Spring Break with the Animal Lady*
 - *March 20, 10:30 AM - Story Time at Chase Bank (Lakeview and Dalrock)*
 - *AARP Tax-Aide income tax counseling and preparation continues on Saturdays 9:30AM - 2PM through April 12*

Environment

- *To provide and promote environmental resource management services in order to ensure health and welfare, and to preserve the environment for our community.*
- *SH66/Eula Drive Water Tower:*
 - *Final coating is being applied*
 - *Should be complete in about 3 weeks*
- *March Clean-Up Campaign*
 - *Northeast corner of Miller Heights and Kirby Rd.*

- Started March 1 through end of month
- 10AM - 6PM, Sunday - Saturday
- As of 3/15, 100 dumpsters have been filled and taken away, amounting to about 300 tons

Transportation

- To provide transportation services to our citizens and visitors, to ensure safe, efficient transportation options for the movement of people and goods through the City of Rowlett and surrounding areas.
 - DART
 - Staff met with Lawrence Meshack and other DART staff Friday, 3/7 to go over the art design process for Rowlett's Light Rail Station
 - CDBG Funding
 - Patrick Baugh attended the federal Housing and Urban Development mandated Community Development Block Grant program training in Fort Worth from March 11 through 13
 - TxDOT/NTTA/RTC
 - The Regional Transportation Council was briefed on 3/13 about the lack of funding for the bridge and interchange of the PGBT-EE and IH-30; they are expected to take action on April 10

CIP Update: Word on the Street

- Kenwood Heights Update:
 - The box culvert installation along Kenwood from Long Branch to the channel between Cypress and Maple is complete.
 - The waterline is complete and in service along Kenwood to Cypress and Kenwood to Maple.
 - The contractor has paved half of Kenwood from Wal-mart to Maple.
 - Kenwood remains closed until the end of March 2008.
 - Project is 20% complete
- Point Royal Estates Update:
 - The water line, sanitary sewer, and storm drain along Point Royal are complete
 - Contractor is currently working on the sanitary sewer lines and water lines along Cedar View and Ashe Bend
 - The franchise utility conflicts have been resolved without delaying the project.
 - The contractor has begun removing the old pavement on Point Royal and will begin the subgrade preparation.
 - The waterline construction on Scenic Drive in front of Cullins-Lakepointe Elementary will be completed after the school is out for the summer.
 - Project is 34% complete
- Miller Road Phase 1 Update:
 - Contractor has installed concrete paving along Rowlett Rd. for the southbound lanes
 - Contractor has installed driveways to adjacent properties in these locations
 - Work will now begin on the final quadrant of Rowlett Rd. at Miller Road during the second week of March.
 - The contractor is excavating material in preparation to begin the eastbound lanes of Miller Road.
 - Estimated completion date - July 2008
 - Project is 72 % complete
- Rowlett Road Phase 1 Update:
 - Completed paving for the southbound lanes of Rowlett Road and the eastbound lanes of Main Street (west of Rowlett Road); switched traffic on March 14
 - The colored stamped paving at the Rowlett-Main intersection has been installed for the southbound lanes.

- The original contract project time has expired and liquidated damages will be assessed.
- Estimated project completion date - June 2008
- Project is 47% complete - paid invoices
- Project is 60 % complete - construction
- Rowlett Road Update:
 - Phase 2:
 - Estimated completion December 2011
 - 6 lanes from Century Dr. to Miller Rd.
 - Phase 3:
 - Construction begins May 2008 to rehabilitate existing pavement
 - Estimated completion October 2009
 - 4 lanes South of Miller Rd. to Lake Ray Hubbard
- Asphalt Street Reconstruction:
 - Overlay work is complete for:

Merritt Rd.	Old Rowlett Rd.	Schrade Rd.
Miller Rd.	Main St. South	Chiesa Rd.
Chaha Rd.	Liberty Grove Rd.	Schrade Rd.
 - Added: Castle Dr. and N. Chiesa Rd.
- Concrete Street Reconstruction:
 - Work in progress:

University	Harbor	Seascape
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- Alley Improvement Projects:
 - The design engineer submitted 90% plans to the City which have been reviewed and are scheduled to go out for bid in April.
 - Alleys included are:

Brownlee	Grant	Pebble Beach
Chesham	Highgate	Vernon
College Park	Mariner	Willowbrook
Deerwood	Mediterranean	

Public Safety

- To provide public safety services to the City of Rowlett citizens and visitors in order to reduce crime, injury, and damage to property and the environment.
 - Police:
 - The Patrol Division is currently operating 14 officers below approved staffing levels due to:
 - 4 unfilled police officer positions
 - 2 recruits attending police academy; will graduate on June 27 then attend 19 weeks of field training
 - 4 recruit officers in various phases of field training; 1 will be complete in April, 2 in May and another in July
 - 1 officer deployed on active duty military assignment
 - 3 officers on light duty due to on the job injuries
 - The School Resource Officer Unit operating 1 officer below approved staffing levels due to a vacancy
 - 23rd Policy Academy is now open for enrollment
 - Begins on April 17
 - 250+ citizens have graduated since 1998
 - Created location and distance map for Police Department
 - Updated Registered Sex Offenders location map
 - Police Response Times Comparison: All Calls
 - Police Response Times Comparison: Priority 1 Calls
 - Fire Rescue:
 - Chief Larry Wright's Retirement - effective 3/7/08

- *Rescue Program development and implementation in preparation for PGBT Construction*
- *Currently processing candidates for 3 vacant Firefighter positions*
- *Rowlett Citizen Corps Council received Department of Homeland Security grant for \$29,695.75 for purchase of various equipment and supplies (Generator, mobile radios, uniforms, etc.)*
 - *RCCC ~ VIPS, Fire Corps., CERT & Neighborhood Watch*
- *Fire Rescue: Structure Fires - Property Loss*
- *Fire Rescue: Response Times*
- *Fire Rescue: All Medic Units in Use*
- *Fire Rescue: Structure Fires*
- *Fire Rescue: Percentage/Fire Containment*

Other Activities

- *Taped the March "Rowlett On The Move" with Mayor Harper, City Manager Craig Owens and special guest Shawn Poe, City Engineer*
- *Began airing "news flashes" on RTN16 about recent Fire Rescue retirements, construction projects and NTTA kickoff ceremony for the PGBT; more to come*
- *Communications staff met with the Arts & Humanities Commission to discuss the City's various publicity options*

8. CITIZENS' INPUT

1. *Christine Robnett, 2917 Live Oak Drive, spoke concerning the Rowlett Firefighters.*
2. *Karen Scholz, 7206 Timberline Drive, spoke concerning Civil Service.*
3. *Ken Romaine, 3001 Larkin Lane, spoke concerning the Rowlett Flying Club and fence replacement.*
4. *Don Moore, 7613 Amesbury Lane, spoke concerning Civil Service.*
5. *Lonnie Cornwell, 4106 Baywatch Drive, spoke concerning a young man's effort to raise money to build a park.*
6. *Jeffrey Sheldon, 7242 Liberty Grove, spoke concerning the Charter Review Commission.*
7. *Bobby Wright, 8606 Southbay Circle, spoke concerning Civil Service.*

9. CONSENT AGENDA

Mayor Harper explained the procedure regarding the Consent Agenda and the rights of each Councilmember and each citizen to have any consent agenda item removed to be considered individually.

No Items were pulled from the Consent Agenda to be considered individually.

City Secretary read the items into the record.

9A Consider approving minutes from the February 5, 2008 Regular Council Meeting and February 12, 2008 Special Worksession.

This Matter was approved as corrected on the Consent Agenda.

9B Consider a resolution authorizing approval to enter into an inter-local purchasing agreement to cooperatively purchase under State term contracts with the Texas Comptroller of Public Accounts, replacing the 2007 agreement with Texas Building and Procurement Commission, and authorizing the City Manager to execute the appropriate documents.

This Matter was adopted as RES-027-08 on the Consent Agenda.

- 9C** Consider a resolution authorizing the second one-year renewal option of American Commercial Building Maintenance Services, LLC (ACBMS, LLC) for litter collection and restroom cleaning services for city park facilities in the unit amounts bid and an estimated annual amount of forty-one thousand five hundred four dollars and thirty-two cents (\$41,504.32) beginning on April 9, 2008 for the Parks and Recreation Department.

This Matter was adopted as RES-028-08 on the Consent Agenda.

- 9D** Consider a resolution authorizing Task Order Number 6-CA to the approved professional services agreement with Cheatham & Associates, Incorporated for the engineering design of Delia Street from Commerce to Rowlett Road and for Commerce Street from Dennis Street to Delia Street as part of the City's Community Development Block Grant (CDBG) Program in the amount of sixty-two thousand four-hundred ninety dollars and no cents (\$62,490).

This Matter was adopted as RES-029-08 on the Consent Agenda.

- 9E** Consider a resolution authorizing the Mayor to dedicate an easement to Atmos Energy located north of Miller Heights for the relocation of a natural gas regulator station as part of the construction for the President George Bush Turnpike Eastern Extension.

This Matter was adopted as RES-030-08 on the Consent Agenda.

- 9F** Consider a resolution approving the Texas Transportation Commission Safe Routes to School Non-infrastructure Grant Agreement for the development of a Safe Routes to School Plan.

This Matter was adopted as RES-031-08 on the Consent Agenda.

- 9G** Consider a resolution amending the Master Fee Schedule to include an annual registration fee of \$15 for members of the Rowlett Chapter of the Academy of Model Aeronautics for utilization of the flying field at Springfield Park.

This Matter was adopted as RES-032-08 on the Consent Agenda.

- 9H Consider a resolution amending the Master Fee schedule to include updated impact fees.

This Matter was adopted as RES-033-08 on the Consent Agenda.

- 9I Consider a resolution adopting the Economic Development Strategic Plan as recommended by the Economic Development Advisory Board.

This Matter was adopted as RES-034-08 on the Consent Agenda.

- 9J Consider an ordinance amending ORD-002-08 and ORD-009-08, calling for the May 10, 2008 general and special elections, to correct the address for the Herfurth Elementary School polling place.

This Matter was approved as ORD-010-08 on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Mayor Pro Tem Rushing, seconded by Councilmember Mays, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

Ayes: 6 - Mayor Harper, Councilmember Alberts, Deputy Mayor Pro Tem Gottel, Councilmember Maggiotto, Councilmember Mays and Mayor Pro Tem Rushing

10. ITEMS FOR INDIVIDUAL CONSIDERATION

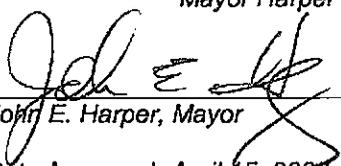
There were no items for Individual Consideration.

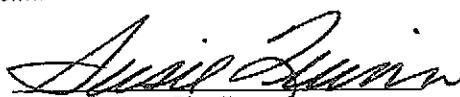
TAKE ANY NECESSARY OR APPROPRIATE ACTION ON CLOSED/EXECUTIVE SESSION MATTERS

No actions were taken during the Executive Session.

11. ADJOURNMENT

Mayor Harper adjourned the meeting at 8:52 p.m.


John E. Harper, Mayor


Susie Quinn, City Secretary

Date Approved: April 15, 2008