



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 4000 Main Street, Rowlett, Texas, 75088, at least 48 hours in advance of the meeting.

Tuesday, September 6, 2011

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 Phillips, Councilmember Davis, Councilmember Pankratz, Councilmember Miller and Councilmember Gallops

Absent: Deputy Mayor Pro Tem Kilgore

1. CALL TO ORDER

Mayor Gottel called the meeting to order at 5:31 p.m.

CONVENE INTO EXECUTIVE SESSION (5:30 P.M.)

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

2. EXECUTIVE SESSION

- 2A.** The City Council shall convene into Executive Session pursuant to the TEXAS GOVERNMENT CODE, §551.071 (Legal Consultation) and §551.087 (Economic Development) to seek legal advice and to deliberate on economic development incentives and financial prospects for property located at or around Pecan Grove Park. (15 minutes)

RECONVENE INTO OPEN SESSION

Reconvened into open session at 6:12 p.m.

3. WORK SESSION ITEMS (5:45 P.M.)

3A. Debut of the new City Android App. (10 minutes).

Staff presented the Android App; stated a citizen of Rowlett, Chris Pick, approached the City with an offer to develop an Android App free of charge, along with Leroy Levin and other members of the Dallas Android Developer Group, as a volunteer project. Staff stated the app has been published and is live.

3B. Hear update from the Library Advisory Board regarding the Five-Year Update to the Strategic Plan for the Rowlett Public Library. (20 minutes)

Staff and Board member, Pat Harris brought forth the Five-Year Update to the Strategic Plan. Stated a team was created to update the Strategic Plan. The Team debated the qualities necessary to a long-term vision, the impact of digital media, evaluated the strengths and weaknesses of the Library, and identified the challenges facing the community in the coming years. A final exercise was to identify what the Rowlett Public Library looks like in the future.

The issues identified by the Team in determining what the Library will look like in the future are as follows:

- Adequate meeting space for communal meetings and a division of space for groups
- More technology
- Coffee house
- Casual space
- Self check-out
- Ability for patrons to check out electronic reading devices
- Shared space, perhaps with other city departments
- Social icon

A member of Council asked questions regarding technology and what is available at the Library.

Staff commented the Library must meet the needs of the community to continue to be relevant.

The result of the review led to four key changes/enhancements to the strategic plan as follows:

- Community Meeting Space
 - Provide space for patrons and groups to gather
 - Explore options to establish additional meeting space
- Lifelong Learning
 - Library must be useful and accessible to all ages
 - Promote activities and ideas to stimulate, enrich and expand interests of patrons of all ages
- Digital Media
 - Offer training and classes to help customers use technology
 - Embrace digital reading technology (i.e. Nook, Kindle)

- Programming
 - Partner with businesses and other organizations
 - Listen to customers in establishing programs
 - Listen to and embrace the teen population

3C. Discuss land lease of 100 acres to LSC and Stratford Land located at or around Pecan Grove Park for the City Center at Waters Edge Project. (30 minutes)

This item was tabled to be discussed at a future meeting.

4. DISCUSS CONSENT AGENDA ITEMS

Item 7M was removed from the Consent Agenda to be considered individually.

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

Convened into the Council Chambers at 7:30 p.m.

INVOCATION

The invocation was led by Councilmember Gallops.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Pro Tem Phillips.

TEXAS PLEDGE OF ALLEGIANCE

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

5. PRESENTATIONS AND PROCLAMATIONS

5A. Proclamation recognizing September 11, 2011 marking it as the 10th anniversary of the ruthless terrorist attacks on our country and 10th National Day of Remembrance.

Mayor Pro Tem Phillips presented a proclamation recognizing September 11, 2011 as the 10th National Day of Remembrance to Police Chief Walling and Fire Chief Harris.

- 5B.** Presentation of the Texas Amateur Athletic Federation – Proclamation to the Rowlett Predators Swim Team and recognition of TAAF “Games of Texas” Qualifiers in Swimming and Track & Field.

Councilmember Gallops presented a proclamation to the Rowlett Predators Swim Team and the Rowlett Xtreme Speed Track Team.

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

Members of Council and Management gave a brief update to the Council on the various activities in the City including the successful Town Hall meeting that was held on August 25th; the Rowlett Road Phase 2 construction has begun and will last for approximately a year; Realize Rowlett 2020 is nearing completion; the Board and Commission applicant interviews are underway; the City’s Android App is currently available and free of charge; the Movies on Main Series are to be held on September 9th, 16th and 23rd at dusk on the Library front lawn; the ‘While You Wait Program’ afterschool program for the area youth; a Low Cost Vaccination Clinic will be held at the Animal Shelter on Saturday, September 10th and September 24th beginning at 12:30 p.m.; September is Library Card Sign-up Month, stop by the Rowlett Library and get your free library card; the City Manager’s Book Club will meet on Thursday, September 15th at the Rowlett Library; and Family Game Day at the Rowlett Library will be held on Saturday, September 24th beginning at 2:00 p.m.; the Arts and Humanities Commission Photo Contest will accept photo entries on Saturday, September 10th beginning at 10:00 a.m.; the Rowlett Community Centre is offering numerous classes and programs; it’s time to register your neighborhood if you’d like to participate in the October 4th National Night Out, contact Denise Perrin at 972-412-6192; with the severe drought conditions, everyone must watch for natural gas leaks, if you notice a natural gas leak, immediate leave the area and contact Atmos Energy at 1-866-322-8667 or dial 9-1-1; congratulations to Rowlett resident Marquis Goodwin, a former Rowlett High School athlete, who competed in the World Championships of Track & Field; Christy Hardgrave, teacher and mentor at Rowlett High School, passed away this weekend; and several of the Rowlett Firefighters are currently fighting the wildfires in Bastrop.

6. CITIZENS’ INPUT

1. Jack Green, 5414 Miller Heights, Rowlett – Spoke concerning the potential land lease for the Waters Edge Project.
2. Vivian Smith, 5110 Miller Heights, Rowlett – Spoke concerning the potential land lease for the Waters Edge Project.
3. Jim Bradshaw, 5322 Miller Heights, Rowlett – Spoke concerning the potential land lease for the Waters Edge Project.
4. Debby Bobbitt, 4413 Chaha Road, Rowlett – Spoke concerning the potential land lease for the Waters Edge Project.

5. Dennis Barrilleaux, 5518 Miller Heights, Rowlett – Spoke concerning the Realize Rowlett 2020 Development Plan.
6. Don Johle, 5410 Miller Heights, Rowlett – Spoke concerning the potential land lease for the Waters Edge Project.
7. Danny Faulkner, 5710 Miller Heights, Rowlett – Spoke concerning the potential land lease for the Waters Edge Project.
8. Larry Smith, 5806 Miller Heights, Rowlett – Spoke concerning the potential land lease for the Waters Edge Project.
9. Collin Mirza, 5206 Miller Heights, Rowlett – Spoke concerning the potential land lease for the Waters Edge Project.
10. Lori Mirza, 5206 Miller Heights, Rowlett – Spoke concerning the potential land lease for the Waters Edge Project.
11. Waite Ligon, 3406 Oak Trail, Rowlett – Spoke concerning the potential land lease for the Waters Edge Project.
12. Lloyd Osborn, 3114 Toler Road, Rowlett – Spoke concerning traffic and speed humps on Toler Road.

7. CONSENT AGENDA

Item 7M was removed from the Consent Agenda to be considered individually.

City Secretary read the items into the record.

- 7A.** Consider approving minutes from the August 9, 2011 City Council Joint Meeting with the Planning and Zoning Commission, the August 16, 2011 City Council Regular Meeting, the August 29, 2011 City Council Special Work Session Meeting, the August 30, 2011 City Council Special Work Session Meeting and the August 31, 2011 City Council Special Work Session Meeting.

This item was approved on the Consent Agenda.

- 7B.** Consider action to approve a resolution affirming Mark Enoch as the City of Rowlett's DART Board Representative.

This item was approved as RES-118-11 on the Consent Agenda.

- 7C.** Consider action to approve a resolution establishing minimum qualifications for the appointment of board members for the Rowlett Municipal Management Districts.

This item was approved as RES-119-11 on the Consent Agenda.

- 7D. Consider action to approve a resolution urging the Federal government to provide for a timely extension of the Federal Surface Transportation Law.

This item was approved as RES-120-11 on the Consent Agenda.

- 7E. Consider a resolution approving a lease agreement for the operation of the Downtown Farmer's Market.

This item was approved as RES-121-11 on the Consent Agenda.

- 7F. Consider action to approve a resolution ratifying the termination of Bio Landscape and Maintenance, Incorporated for Section II mowing services and authorizing services to be performed by Carruthers Landscape Management in an amount not to exceed fifty thousand dollars (\$50,000).

This item was approved as RES-122-11 on the Consent Agenda.

- 7G. Consider action to approve a resolution to enter into an agreement with La Terra Studio, Inc. in the amount of one hundred five thousand seven hundred fifty dollars (\$105,750) for architectural services for Scenic Point Park master plan and design and authorizing the Mayor to execute the necessary documents for said service.

This item was approved as RES-123-11 on the Consent Agenda.

- 7H. Consider a resolution approving Task Order 4-TER in the amount of thirty-nine thousand eight hundred forty dollars (\$39,840.00) with Terracon, Incorporated to provide construction materials testing for the Rowlett Road, Phase 2 Reconstruction Project, and a fifteen percent (15%) contingency in the amount of five thousand nine hundred seventy-six dollars (\$5,976.00) for a total amount of forty-five thousand eight hundred sixteen dollars (\$45,816.00).

This item was approved as RES-124-11 on the Consent Agenda.

- 7I. Consider a resolution awarding a contract with the PVC Alternate Bid in an amount of five hundred forty-five thousand and forty-five dollars (\$545,045.00), approving a contingency amount of fifty-four thousand five hundred and four dollars and fifty cents (\$54,504.50) (10%), and approving an early completion bonus budget of ten thousand dollars (\$10,000) for a total project budget of six hundred nine thousand five hundred forty-nine dollars and fifty cents (\$609,549.50) to CPS Civil, LLC, for the Rowlett Road Pump Station & Upper Pressure Plane Improvements and authorizing the Mayor to execute such agreement.

This item was approved as RES-125-11 on the Consent Agenda.

- 7J. Consider a resolution entering into a Memorandum of Agreement for Parcel 7 – Merritt Road Improvements with Paul C. Merritt in the total amount of one hundred ninety-two thousand four hundred eighty-five dollars and seventy-two cents (\$192,485.72) for Right-of-Way (4.441 acres), Prescriptive Right-of-Way (25,851 sq. ft.) and Temporary Construction Easement (0.45 acre).

This item was approved as RES-126-11 on the Consent Agenda.

- 7K. Consider a resolution entering into a Memorandum of Agreement for Parcel 35 – Merritt Road Improvements with Ruben Marroquin in the amount of fifty thousand dollars (\$50,000.00) for purchase of a Permanent Right-of-Way, Permanent Drainage Easement, and Temporary Construction Easement.

This item was approved as RES-127-11 on the Consent Agenda.

- 7L. Consider a resolution entering into a Memorandum of Agreement for Parcel 46 – Merritt Road Improvements with Rowlett Community Development, L.P. in the amount of seventy-eight thousand five hundred five dollars (\$78,505.00) for purchase of permanent right-of-way (0.578 acre), permanent drainage and wall easement (0.921 acre), permanent sanitary sewer easement (0.127 acre), and a temporary construction easement (0.89 acre).

This item was approved as RES-128-11 on the Consent Agenda.

- 7M. Consider action to approve a resolution for an employee benefits contract for Fiscal Year 2011-2012 to Special Insurance Services, Inc. for GAP insurance in the estimated amount, in combination with employee contributions, not to exceed fifty thousand dollars (\$50,000) and authorization for the City Manager to execute all necessary documents.

This item was removed from the Consent Agenda to be considered individually.

Mayor Gottel read the item into the record.

A motion was made by Mayor Pro Tem Phillips, seconded by Councilmember Davis, to approve the item as read but without the limit of \$50,000. This item was adopted as RES-129-11. The motion carried by the following vote:

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

Absent: 1 Deputy Mayor Pro Tem Kilgore

- 7N. Consider approval of a Notice and Mutual Consent of Termination between the City of Rowlett and D R Horton's Economic Development Incentive Agreement.

This item was approved as RES-130-11 on the Consent Agenda.

Passed The Consent Agenda

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

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

Absent: 1 Deputy Mayor Pro Tem Kilgore

8. ITEMS FOR INDIVIDUAL CONSIDERATION

- 8A. Conduct a public hearing on the ad valorem tax rate for Fiscal Year 2011-2012.

Mayor Gottel read the item into the record.

Staff stated this is the 7th consecutive year that Rowlett has had the same tax rate of 0.747173 per \$100 of valuation which is lower than both the rollback tax rate and the effective tax rate.

The public hearing opened at 8:29 p.m. and closed at 8:30 p.m. with no one speaking.

- 8B. Conduct a public hearing (2nd) on the proposed budget for Fiscal Year 2011-2012.

Mayor Gottel read the item into the record.

Staff stated the budget represents next fiscal year; stated staff has worked on this budget for almost a year. Stated in the final adopted budget, there will be changes due to the State's interpretation of the definition of "place of business" which has resulted in the elimination of the D R Horton agreement, and an adjustment due to a decreased rate charge by the North Texas Municipal Water District. These adjustments will result in a final budget of \$80.3 million instead of \$81.5 million.

The public hearing opened and closed at 8:34 p.m. with no one speaking.

- 8C. Consider action to approve a resolution awarding the bid for the ten-year lease purchase financing of public safety software and hardware for the Police Department and Fire Rescue to Capital One Public Funding in the amount of eight hundred thousand eight hundred fifty-one dollars and seventy cents (\$800,851.70) utilizing an interest rate of 2.58%.

Mayor Gottel read the item into the record.

Staff gave a brief history of this item.

Council asked if staff contacted other cities that use this public safety software and hardware.

Staff answered in the affirmative.

A motion was made by Mayor Pro Tem Phillips, seconded by Councilmember Gallops, to approve the item as read. This item was adopted as RES-131-11. The motion carried by the following vote:

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

Absent: 1 Deputy Mayor Pro Tem Kilgore

- 8D. Consider action to approve a resolution to award proposal #2010-29 for the purchase of public safety software and hardware to Integrated Computer Systems ("ICS") in the amount of six hundred thirty thousand four hundred forty-eight dollars (\$630,448), to Brazos Technology in the amount of fifty-one thousand seven hundred ten dollars (\$51,710), and to ACS Firehouse Services in the amount of forty-three thousand two hundred thirty-two dollars and ninety cents (\$43,232.90) for a grand total of seven hundred twenty-five thousand three hundred ninety dollars and ninety cents (\$725,390.90) for Police and Fire Rescue, and authorizing the City Manager to execute the necessary documents for said purchase.

Mayor Gottel read the item into the record.

A motion was made by Mayor Pro Tem Phillips, seconded by Councilmember Davis, to approve the item as read. This item was adopted as RES-132-11. The motion carried by the following vote:

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

Absent: 1 Deputy Mayor Pro Tem Kilgore

- 8E. Conduct a public hearing and discussion on the proposed Realize Rowlett 2020 Vision Plan, to serve as the City's Comprehensive Plan.

Mayor Gottel read the item into the record.

Staff thanked the City's Steering Committee for their assistance with this project and gave a brief history of this item. Stated from the beginning of the Realize Rowlett 2020 Initiative, the Steering Committee and staff made it clear to the consultant team that the City was not interested in a traditional Comprehensive Plan update, but rather a document that establishes a widely accepted Vision for the City and helps prioritize the City's remaining development opportunities based on economic realities.

Stated the proposed Realize Rowlett 2020 Plan is truly the Community's plan. It is a product of engaged stakeholders and a great deal of work on the part of the Steering Committee, City staff and the HOK team. Staff noted that cities in the State of Texas are not mandated to have comprehensive plans or zoning regulations. However, if a city chooses to adopt zoning regulations, they must be adopted in accordance with a comprehensive plan. The City has adopted zoning regulations; thus those regulations should be in accordance with the Comprehensive Plan. The last Comprehensive Plan update occurred in 2001. The changes that have occurred in the City since 2001 necessitate an update to the Comprehensive Plan in order to proactively address future opportunities. It is important to note that a Comprehensive Plan does not establish zoning regulations. It is high level overview that establishes a vision and provides implementation strategies that are used to create zoning regulations in the future. Unlike previous plan amendments, the Realize Rowlett 2020 Plan is intended to replace all previous comprehensive plans. Due to the drastic change in guiding principles and overarching philosophies it is not practical to think that any portion of the previous plan and the proposed plan can be "read in harmony". Areas outside the 13 strategic opportunity areas will also experience development and redevelopment over time. For these areas, existing zoning as amended will continue to direct design and investment decisions. The Guiding Principles established through the Realize Rowlett 2020 Plan should be considered in decisions about rezoning, subdivision and site design throughout the City as a whole. Implementation of this plan will provide new tools (such as zoning and building code revisions) that will apply Citywide and make it easier to achieve the vision described within the plan.

A presentation was made by HOK representative Mark Bowers and Ricker Cunningham representative Ann Ricker. Spoke concerning the overview of the implementation framework strategies and the priority recommendations. Stated the actions include projects, programs and policies, that once implemented will better position strategic opportunity areas to advance the community's vision. Spoke regarding the strategic opportunity areas.

Concerns were voiced concerning all the development is high quality and the right type for each area, and anchoring tall buildings in the Signature Gateway area.

The public hearing opened at 10:10 p.m. and closed at 11:05 p.m. with six people speaking.

The following citizens spoke during the public hearing:

1. Stanley Pollard, 3110 Sycamore Street, Rowlett – Spoke regarding the planning aspects of the Charrette and higher density residential units.
2. Jeff Sheldon, 7242 Liberty Grove, Rowlett – Spoke regarding the language in the document and that energy efficiency was not addressed in the project.
3. Paul Beckwith, 3202 Oxford Drive, Rowlett – Stated he did not know of the project until recently, concerned with the development of anchoring buildings surrounding the lake and the electricity requirements.
4. Jennifer Glick, 3010 Weems Way, Rowlett – Spoke concerning the traffic issues and future traffic issues that surround Rowlett High School. Stated the wildlife will be destroyed, the air quality will deteriorate, and additional public employees will be needed to care for safety and infrastructure issues.
5. Mike Lancaster, 9916 Dalrock Road, Rowlett – Spoke concerning the length of time it would take for the Council to adopt the plan and spoke concerning the government center.
6. Jack Green, 5414 Miller Heights, Rowlett – Spoke concerning the City's communication efforts. Stated many people are visual and the need for concept drawings.

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

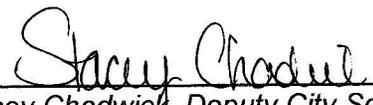
No action was taken following the Executive Session item.

9. ADJOURNMENT

Mayor Gottel adjourned the meeting at 11:05 p.m.



Todd W. Gottel, Mayor



Stacey Chadwick, Deputy City Secretary

Date Approved: September 20, 2011