



# 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.*

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Tuesday, March 5, 2013

5:30 P.M.

Municipal Building – 4000 Main Street

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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, Deputy Mayor Pro Tem Gallops, Councilmember Miller and Councilmember Kilgore**

**Absent: Councilmember Pankratz**

#### 1. CALL TO ORDER

Mayor Pro Tem Phillips called the meeting to order at 5:30 p.m.

#### 2. EXECUTIVE SESSION

#### 3. WORK SESSION ITEMS

Mayor Gottel arrived at the meeting at 5:37 p.m.

- 3A. Discuss the Rowlett Police Department's 2012 Annual Traffic Contact Report. (15 minutes)
- 3B. Discuss the renewal of the Red Light Camera Enforcement Program with ACS State and Local Solutions, Inc. (30 minutes)
- 3C. Update on 83<sup>rd</sup> Texas Legislative Session. (15 minutes)
- 3D. Discuss and provide direction on a preliminary proposal from Dave Holl, Kayak Instruction Inc. regarding a request to allow an office/storage use at 6809 Miller Road, in part to supplement the existing Kayak program located north of the subject property at Paddlepoint Park. (30 minutes)

- 3E.** Discuss the \$2.8M Utility Fund Cash CIP Allocation Plan. The funding for this initiative is provided for by the October 2012 Utility Rate Increase. The plan includes procurement of staff, equipment, materials, and services required to maintain, repair, and upgrade the Utility system. (45 minutes)

**4. DISCUSS CONSENT AGENDA ITEMS**

No items were 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 Assistant Pastor Jin Lee, Lake Cities Community Church.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by the City Council.

**TEXAS PLEDGE OF ALLEGIANCE**

The Texas Pledge of Allegiance was led by the City Council.

**5. PRESENTATIONS AND PROCLAMATIONS**

- 5A.** Proclamation recognizing the month of March as Red Cross Month.

Councilmember Kilgore presented Don Poovey, Interim Fire Chief and a member of the Red Cross, with a proclamation recognizing the month of March as Red Cross Month.

- 5B.** Hear presentation of the Monthly Financial report for the period ending January 31, 2013.

Brian Funderburk, Assistant City Manager, gave a presentation regarding the Monthly Financial report for the period ending January 31, 2013. Spoke regarding Revenues, Sales Taxes; Property Taxes; Water Fees; Sewer Fees; Expenditures and various Funds.

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

Mayor Gottel gave a brief update to the Council on the various activities in the City including the next Planning and Zoning Commission meetings will be held on Tuesday, March 12<sup>th</sup> and 26<sup>th</sup>; the next City Council meetings will be held on Tuesday, March 19<sup>th</sup>; the Great Texas Warrant Roundup is underway and will last through March 9<sup>th</sup>; the March Clean Up Campaign will last the entire month of March; the last day to register to vote in the May Election is Thursday, April 11<sup>th</sup>; Early Voting for the May Election will begin April 30<sup>th</sup> – May 7<sup>th</sup> with May 11<sup>th</sup> being Election Day; the Animal Shelter will host a Low Cost Animal Vaccination Clinic on Saturday, March 9<sup>th</sup> and 23<sup>rd</sup> beginning at 2:00 p.m.; the Rowlett Library will host Spring Break at the Library the week of March 11<sup>th</sup> – March 15<sup>th</sup>, Tech Ed will present Craigslist on Tuesday, March 5<sup>th</sup> and Friday, March 22<sup>nd</sup> beginning at 6:30 p.m., and one-on-one tech help is available every Friday, call the Library for reservations, and the entry due date for the Annual Writing Contest is Monday, April 29<sup>th</sup>; Parks and Recreation Department will host Spring Break at the Rowlett Community Centre the week of March 11<sup>th</sup> – 15<sup>th</sup>, the Mother-Son Bowl Event will be held at the Bowl-a-Rama on Friday, March 15<sup>th</sup> beginning at 7:00 p.m., the Eggstraordinary Egg Hunt will be held on Saturday, March 23<sup>rd</sup> at 10:00 a.m. on the front lawn of City Hall, and Art Class are available at the Community Centre, call for further details.

**6. CITIZENS' INPUT**

1. Susette Geissler, 7318 Birchmont Drive, Rowlett – Spoke regarding the City's invocation policy.
2. Randy Word, 7605 Bridlewood Court, North Richland Hills – Spoke regarding the City's invocation policy.
3. Terry McDonald, 1332 Martin Court, Grapevine – Spoke regarding the City's invocation policy.
4. Chad Aldridge, 3309 Auburn, Rowlett – Spoke regarding the City's invocation policy.
5. Julio Rosario, 2209 Sage Lane, Bedford – Spoke regarding the City's invocation policy.
6. LaVerde Feagons, 1356 River Ridge Boulevard, Grand Prairie – Spoke regarding the City's invocation policy.
7. Larry Beckham, 9313 Willard Street, Rowlett – Spoke regarding Item 8A.

**7. CONSENT AGENDA**

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

The City Secretary read the items into the record.

**7A.** Consider approving minutes from the February 13, 2013, City Council Joint Meeting and the February 19, 2013, City Council Regular Meeting.

**This item was approved on the Consent Agenda.**

- 7B.** Consider a resolution accepting the Rowlett Police Department's 2012 Annual Traffic Contact Report.

**This item was approved as RES-023-13 on the Consent Agenda.**

- 7C.** Consider a resolution ratifying the City Manager's approval of an amendment to the City's Interlocal Cooperative Agreement with the North Central Texas Council of Governments for Phase II of the City of Rowlett's Sustainable Development Infrastructure project in order to add \$2.5 Million in funds to the agreement and acknowledging the City's commitment to a 20% contribution.

**This item was approved as RES-024-13 on the Consent Agenda.**

- 7D.** Consider action to approve a resolution awarding the annual bid for the crack seal program in the unit amounts bid and in an estimated annual amount of \$150,000 as work is required for the City of Rowlett Street Department to Delta Prime Specialty Services, Incorporated and authorizing the execution of the necessary documents for said purchase.

**This item was approved as RES-025-13 on the Consent Agenda.**

- 7E.** Consider approving a resolution for Change Order Number 8 to the contract with Tri-Con Services, Incorporated in the amount of \$47,104.10 for lowering an existing 24-inch water line and authorizing the Mayor to execute such change order.

**This item was approved as RES-026-13 on the Consent Agenda.**

- 7F.** Consider a resolution approving Change Order Number 9 to the contract with Tri-Con Services, Incorporated in the amount of \$211,972.67 for constructing water line connections to the water lines in Merritt Road to enable connections for the Lower Pressure Plane from the Rowlett Road Pump Station and authorizing the Mayor to execute such change order.

**This item was approved as RES-027-13 on the Consent Agenda.**

- 7G.** Consider approving a Joint Election Contract with Dallas County Elections Department for the May 11, 2013, General Election and the possible June 15, 2013, Run-Off Election.

**This item was approved on the Consent Agenda.**

- 7H. Consider approval of a resolution in support of Rowlett citizens seeking relief from significant noise generated from the President George Bush Turnpike Eastern Extension that negatively impacts their quality of life.

**This item was approved as RES-028-13 on the Consent Agenda.**

### **Passed The Consent Agenda**

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

### **8. ITEMS FOR INDIVIDUAL CONSIDERATION**

- 8A. Consider a resolution authorizing the City Manager to enter into an economic development incentive agreement with Arcadia Realty Corp. (The Homestead at Liberty Grove) for the development of a single family neighborhood located in the Woodside Living New Neighborhood Form Based District.

Mayor Gottel read the item into the record.

Erin Jones, Planning Director, gave a brief history of this development. Stated Form Based Code (FBC) provide applicants with a more streamlined process by allowing for administrative approvals, this is paired with much higher design standards than conventional zoning, which in turn will produce projects that will retain long-term value to the City. However, it also requires a more substantial investment from the development community up front than conventional zoning. Thus incentives will be required, especially in the first few catalyst projects for each development type, in order to prove up the market and remove barriers to development.

Jim Grabenhorst, Economic Development Director, spoke regarding the economic impact of the project. Stated The Homestead at Liberty Grove will be a \$200,000,000 multi-phased private investment generating in excess of \$1,500,000 in annual property tax revenue to the City upon build out over the next 8-10 years; creating a significant number of indirect construction jobs and providing a diversification of housing options for the citizens of Rowlett. As part of the FBC process, approximately \$11,800,000 dollars will be public improvements in the form of water, sewer, streets, electric, gas, streetlights and public open space amenities.

Upon receipt of the incentive request, City staff from the Public Works Department conducted an evaluation of the various impact fee categories (water, waste water and roadway) to determine if any capital improvements or facility expansions were necessary. Based on the fact that the applicant is requesting a waiver of impact fees for Phases 1-3 only, and staff has confirmed that there are no associated "hard costs" to the City related to approving the request, staff considers this request a "pay for performance" request that will be at no direct cost to the

City. Arcadia receives no incentive unless they deliver the proposed product. Thus from the standpoint of risk, staff considers this request to be low risk, with a high return on investment for the City.

A member of Council commented on the language used in the staff report. Stated the City was “forgiving” the fees for the project; in turn, giving the developer a marketing program. It was reiterated that the City would not be giving funds to the developer.

**A motion was made by Mayor Pro Tem Phillips, seconded by Deputy Mayor Pro Tem Gallops, to approve the item as read. The motion carried by a unanimous vote of those members present. This item was adopted as RES-029-13.**

- 8B.** Consider a resolution approving the proposition language for a Special Election to be held May 11, 2013, to amend the Rowlett City Charter.

Mayor Gottel read the item into the record.

**A motion was made by Mayor Pro Tem Phillips, seconded by Deputy Mayor Pro Tem Gallops, to approve the item as read. The motion carried by a unanimous vote of those members present. This item was adopted as RES-030-13.**

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

There were no Executive Session items to discuss.

**9. ADJOURNMENT**

Mayor Gottel adjourned the meeting at 8:38 p.m.