



City of Rowlett

Meeting Agenda

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, October 20, 2015

5:45 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.

1. CALL TO ORDER

2. EXECUTIVE SESSION (5:45 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 and to discuss and deliberate legal issues relating to 4505 Skyline Drive. (30 minutes)

3. WORK SESSION (6:20 P.M.)

- 3A.** Discuss the Economic Development Advisory Board's recommendation for amending the City's Policy Statement for Economic Development incentives. (45 minutes)

- 3B.** Discuss City Hall monument sign. (25 minutes)

4. DISCUSS CONSENT AGENDA ITEMS

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

INVOCATION

PLEDGE OF ALLEGIANCE

TEXAS PLEDGE OF ALLEGIANCE

Honor the Texas Flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.

5. PRESENTATIONS AND PROCLAMATIONS

5A. Proclamations recognizing the 2015 winners of the City of Rowlett Arts and Humanities Commission's Photography Contest.

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

6. CITIZENS' INPUT

At this time, three-minute comments will be taken from the audience on any topic. To address the Council, please submit a fully-completed request card to the City Secretary prior to the beginning of the Citizens' Input portion of the Council meeting. No action can be taken by the Council during Citizens' Input.

7. CONSENT AGENDA

The following may be acted upon in one motion. A City Councilmember or a citizen may request items be removed from the Consent Agenda for individual consideration.

7A. Consider action to approve minutes from the October 13, 2015, City Council Regular Meeting.

7B. Consider action to approve a resolution directing the publication of notice of intent to issue certificates of obligation; provide for the reimbursement of project expenses; and resolve all matters relating to the Police/Fire radio system interlocal agreements.

7C. Consider a resolution approving a tree mitigation plan and related tree removal permit application for more than three trees associated with the Evergreen at Rowlett Addition for property located at located at 5500 Old Rowlett Road. (Case Number: 2015-33)

7D. Consider action to approve a resolution for professional services with 720 Design Inc. in the amount of \$47,360 for Rowlett Public Library relocation planning and building design services and authorizing the City Manager to execute the necessary documents.

7E. Consider action to approve a resolution authorizing the City Manager to enter into an interlocal agreement with Dallas County for Household Hazardous Waste for FY2016.

7F. Consider action to approve a resolution authorizing the final acceptance and release of retainage for the Northshore Sanitary Sewer Project (SS2103) in the amount of \$157,077.99 to Dowager Utility Construction, LTD and authorize the Mayor to execute the necessary documents for said services.

7G. Consider action to approve a resolution accepting the bid of and awarding a contract to Waterton Construction Group in the amount of \$77,322.74 for the installation of a masonry wall and fencing for the Westside Lift Station and authorize the Mayor to execute the necessary documents for said services.

8. ITEMS FOR INDIVIDUAL CONSIDERATION

- 8A.** Conduct a public hearing and take action on a request for a Special Use Permit to allow an accessory structure that does not meet the height and side setback requirements of Section 77-303 of the Rowlett Development Code for property located at 4810 Scenic Drive. (SUP26-2015)

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

9. ADJOURNMENT

Laura Hallmark

Laura Hallmark, City Secretary

I certify that the above notice of meeting was posted on the bulletin boards located inside and outside the doors of the Municipal Center, 4000 Main Street, Rowlett, Texas, as well as on the City's website (www.rowlett.com) on the 15th day of October 2015, by 5:00 p.m.



City of Rowlett
Staff Report

4000 Main Street
P.O. Box 99
Rowlett, TX 75080-0099
www.rowlett.com

AGENDA DATE: 10/20/15

AGENDA ITEM: 2A

TITLE

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 and to discuss and deliberate legal issues relating to 4505 Skyline Drive. (30 minutes)



City of Rowlett
Staff Report

4000 Main Street
P.O. Box 99
Rowlett, TX 75080-0099
www.rowlett.com

AGENDA DATE: 10/20/15

AGENDA ITEM: 3A

TITLE

Discuss the Economic Development Advisory Board's recommendation for amending the City's Policy Statement for Economic Development Incentives. (45 minutes)

STAFF REPRESENTATIVE

Jim Grabenhorst, Director of Economic Development
Nathan Weber, Economic Development Specialist

SUMMARY

As part of the City's Economic Development Strategic Plan, evaluation and review of the City's incentive policy statement is an ongoing effort. In November 2014, City Council tasked staff and the Economic Development Advisory Board (EDAB) to review the existing policy in light of the Economic Development Strategic Plan and Realize Rowlett 2020 efforts. The associated recommendations are a result of that review by staff and EDAB.

BACKGROUND INFORMATION

On September 17, 1996, the City Council passed and approved Resolution No. 9-17-96A adopting a comprehensive policy statement for Economic Development incentives including an Economic Development incentive procedural guideline.

On November 7, 2000, the City Council passed and approved Resolution No. 11-07-00A readopting the guidelines and criteria governing tax abatement agreements by the City and ratified and confirmed the policy statement for Economic Development incentives.

On February 19, 2013, the City Council passed and approved Resolution: RES-022-13 to authorize the assignment of loans and grants pursuant to Section 380.001 of the Texas Local Government Code and remove the Economic Development Advisory Board (EDAB) as part of the review process.

DISCUSSION

At the direction of the City Council, City staff along with the EDAB reviewed the existing policy statement in light of the City's Economic Development Strategic Plan and Realize Rowlett 2020 Comprehensive Plan. The goal of those documents is a diversification of the City's tax base with a vision statement: "Rowlett will be a community with diverse lifestyle choices for living, working, playing and learning." Key elements to achieving that vision include the attraction of corporate and high tech jobs along with unique retail and restaurant options for the community. To that end, the following amendments are being recommended:

1. The City wishes to utilize the EDAB as part of the review and recommendation process; therefore under the “Consideration of the Application” heading subparts A & B have been added and the remaining subparts re-lettered as per the highlighted in red on Attachment 1.
2. The City wishes to add Section V. titled “Targeted Incentives” to include possible incentives for specialty retailers and restaurants and job creation as per the highlighted in red on Attachment 1.

Economic Development incentives are a common tool used at both the state and local level to attract private investment. Staff and the EDAB reviewed incentive tools being offered by eight surrounding communities. Those communities utilize incentives on a “case-by-case” basis, as does Rowlett, and most communities use similar tools authorized under Texas statutes. Some examples include tax abatement, Chapter 380 Grants, Tax Increment Reinvestment Zones (TIRZ), Municipal Management Districts (MMD’S) and fee waivers.

A key distinction in incentives being offered by surrounding communities is the creation of Type A and Type B economic development corporations (EDC’s). Those communities with EDC’s have a dedicated percentage of sales tax revenue that can be used for economic development purposes, including incentives. Targeted incentive examples from surrounding communities include development of industrial or business parks for job creation, issuance of industrial revenue bonds, land grants, beautification grants, and tenant improvement grants. Rowlett’s participation in DART, and the commensurate dedication of a percentage of sales tax revenues, renders the EDC option unfeasible.

The changes to the City’s Policy Statement for Economic Development Incentives allow for the EDAB to participate and make recommendations to City Council on a case-by-case basis and provide for the use of targeted incentives to support the community vision as developed under Realize Rowlett 2020.

FINANCIAL/BUDGET IMPLICATIONS

This is a policy-related item, any fiscal impact will be evaluated on a case-by-case basis and detailed in the associated staff report for a specific project that may qualify for economic development incentives under this policy.

RECOMMENDED ACTION

This item is for discussion purposes.

ATTACHMENT

Attachment 1 – Redlined Policy Statement for Economic Development Incentives



CITY OF ROWLETT, TEXAS

POLICY STATEMENT FOR ECONOMIC DEVELOPMENT INCENTIVES

I. GENERAL PURPOSE AND OBJECTIVES

The City of Rowlett is committed to the promotion of high quality development in all parts of the city and to an ongoing improvement in the quality of life for its citizens. In so far as these objectives are generally served by the enhancement and expansion of the local economy, the City of Rowlett will, on a case-by-case basis, give consideration to providing incentives as stimulation for economic development in Rowlett. It is the policy of the City of Rowlett that said consideration will be provided in accordance with the procedures and criteria in this document. Nothing herein shall imply or suggest that the City of Rowlett is under any obligation to provide incentives to any applicant. All applicants shall be considered on a case-by-case basis.

II. CRITERIA

Any request for incentives shall be evaluated based upon a subjective review of the following criteria that each applicant will be requested to address in narrative as well as an application form to be provided by the City's Economic Development Department.

Fiscal Impact

- How much real and personal property value will be added to the tax roll?
- How much direct sales tax will be generated?
- How will this project affect existing business?
- What infrastructure construction would be required?
- What is the total projected annual operating budget of this facility?

Community Impact

- What effect would the project have on the local housing market?
- What environment impact, if any, will be created by the project?
- How compatible is the project with the City's comprehensive plan?
- What effect would the project have on other taxing entities?

Employment Impact

- How many jobs will be brought to Rowlett?
- What types of jobs will be created?
- What will be the total annual payroll?

III. VALUE INCENTIVES

The subjective criteria outlined in Section II will be used in determining whether it is in the best interests of the City of Rowlett that an incentive is offered to a particular applicant. Specific considerations will include the degree to which the individual project furthers the goals and objectives of the community, as well as the relative impact of the project.

IV. AVAILABLE INCENTIVES

The City of Rowlett may consider providing one or a combination of any of the following economic development incentives:

A. Tax Abatement

The City will consider providing tax abatements for real and/or personal property. A Cost/Benefit Analysis will be performed to determine the feasibility of the project. Once a determination has been made that a tax abatement should be offered, the subject, value and term of the abatement will be determined by referencing the following schedule:

Tax Abatement for Real and/or Personal Property

<u>Amount of Capital Investment</u>	<u>Years of Abatement</u>	<u>% of Abatement</u>
\$ 500,000 - 1,999,999	1-3	10- 50%
\$ 2,000,000 - 4,999,999	1-4	10- 75%
\$ 5,000,000 - 9,999,999	1-5	10- 75%
\$10,000,000 - 19,999,999	1-6	10-100%
\$20,000,000 - 39,999,999	1-7	10-100%
\$40,000,000 - 59,999,999	1-8	10-100%
\$60,000,000 or greater	1-10	10-100%

B. Fee Waivers

Reduction or elimination of any city fees associated with the development of the project.

C. Infrastructure Improvements

Provision of, or participation in, the extension of community infrastructure to the project site, including water, wastewater, drainage or road improvements.

D. Loans and Grants

The City may consider providing loans and grants of City funds, may underwrite or guaranty loans and financial obligations, and may acquire, purchase, convey or assign loans and grants and any rights or obligations arising thereunder, as permitted by Section 380.001 of the Texas Local Government Code.

E. Fast Track City Services

A fast track service involving all inspections, permitting and planning activities may be provided. The City's development coordinator would be assigned to assist with the progress of the project.

V. TARGETED INCENTIVES

The City of Rowlett may consider providing one or a combination of any of the following targeted incentives in order to further the strategic objectives as outlined in Realize Rowlett 2020:

A. Specialty Retail and Restaurant

The City may consider providing incentives to "destination" retailers and restaurants that have the capability to attract customers from outside the area and fit well into the existing retail/restaurant economy to provide new and different shopping, dining, and/or entertainment experiences. Local, Regional, and National retailers or restaurants may apply if they meet the above qualifications. This incentive may also be considered for existing "destination" retailers and restaurants that are expanding or relocating if their added square footage is a minimum of 50% larger than their current space.

In order to qualify for incentives, "destination" retailers and restaurants may own the property, otherwise they are required to sign a minimum 5-year lease with the property owner. Based on the value of the incentive requested, the City may require the tenant to sign a lease for a period longer than five (5) years. Consideration for incentives shall require a return on investment (ROI) for the City; any and all incentives under this provision shall be limited by an ROI of 10:1 (for example, a \$1 million investment, maximum incentive would be \$100,000).

Incentives that may be considered for a "destination" retailer or restaurant as outlined above are as follows:

1. Matching Grants

- a. The City may reimburse up to 50% of the costs of tenant improvements (including FFE – fixtures, furniture, and equipment).

2. Grease Trap Rebate

- a. *The City may consider a rebate equal to fifty percent (50%) of the cost to purchase and install or upgrade an existing grease trap up to a maximum of \$7,500 per project for "destination" restaurants.*

B. Job Creation

The City may consider an incentive for the creation and maintenance of jobs within the City of Rowlett by offering a grant payment for companies that create or relocate a minimum of 25 full-time jobs. The company must maintain the number of jobs created and/or relocated for at least a 2-year period to receive the total grant payment. Each job must pay at least 120% of the average annual wage for Dallas County, as determined by the United States Census.

For each job paying 120-149% of the average annual wage for Dallas County, the incentive is \$3,000 per job, payable as \$1,500 each year over a two year period.

For each new full-time job paying 150% or more of the average annual wage for Dallas County, the incentive is \$5,000 per job, payable as \$2,500 each year over a two year period.

The maximum grant amount cannot exceed 50% of the net new ad valorem and business personal property taxes paid annually to the City of Rowlett as a result of the project.

These incentives will be evaluated on a case-by-case basis so that the total incentive package may be designed specifically for each project as well as provide maximum flexibility for an incentive package that accommodates the unique needs of each project. The City will require a recapture provision on all incentives granted. These recapture provisions would specify requirements a company must fulfill in order to continue to receive incentives and would specify the process for recapture of incentives should a company be in default of its contract with the City. Nothing herein shall imply or suggest that the City of Rowlett is under any obligation to provide incentives to any applicant.

CITY OF ROWLETT
ECONOMIC DEVELOPMENT INCENTIVES
PROCEDURAL GUIDELINES

Any person, organization or corporation desiring that the City of Rowlett consider providing incentives to encourage location or expansion of operations within the city limits of Rowlett shall comply with the following procedural guidelines. Nothing within these guidelines shall imply or suggest that Rowlett is under any obligation to provide incentives to any applicant.

Preliminary Application Steps

- A. Applicant shall complete the attached Application for Incentives. Included in said application shall be a statement regarding the applicant's desire for consideration of available incentives listed in the Policy Statement for Economic Development Incentives.
- B. Applicant shall address all criteria questions outlined in Section II of the Incentive Policy Statement.
- C. Applicant shall prepare a plat showing the precise location of the property and all roadways within 500 feet of the site.
- D. If the property is described by metes and bounds, a complete legal description shall be provided.
- E. Applicant shall complete all forms and information and submit them to the Director of Economic Development, City of Rowlett, Texas, P.O. Box 99, Rowlett, TX 75030.

Once an application has been submitted to the Director of Economic Development, it shall be regarded as a matter of public record and will be available for inspection by the public. Any proprietary information included as a part of the application should be so indicated, marked in advance and supplied in such a manner so as to be readily separated from the remainder of the application.

Consideration of the Application

- A. The application will be sent to the Rowlett Economic Development Advisory Board for review and comments. Additional information may be requested as needed.
- B. The Rowlett Economic Development Advisory Board will make a recommendation to the City Council regarding the incentive request.
- C. The City Council of Rowlett will consider the application at a regular or called meeting(s). Additional information may be requested as needed.
- D. If a tax abatement is being considered, the City Council of Rowlett may consider a resolution calling a public hearing to consider establishment of a tax reinvestment zone and to determine whether the project is feasible and practical and would be of benefit to the land to be included in the zone and municipality.
- E. If a tax abatement is being considered, the City Council of Rowlett may consider adoption of an ordinance designating the area described in the legal description of the proposed project as a commercial/industrial tax abatement zone.
- F. If a tax abatement is being considered, the City Council of Rowlett may consider adoption of a resolution approving the terms and conditions of a contract between the City and the applicant governing the provision of the tax abatement.
- G. The final decision on any incentive application will rest with the Rowlett City Council.



APPLICATION FOR INCENTIVES

CITY OF ROWLETT, TEXAS

PROPERTY OWNER: _____

ADDRESS: _____

CITY, STATE, ZIP: _____

TELEPHONE NUMBER: _____ FAX NUMBER: _____

PROPERTY OWNER'S REPRESENTATIVE: _____

ADDRESS: _____

CITY, STATE, ZIP: _____

TELEPHONE NUMBER: _____ FAX NUMBER: _____

PROPERTY ADDRESS: _____

CITY, STATE, ZIP: _____

PROPERTY LEGAL DESCRIPTION: _____
(Provide Metes and Bounds if available)

LOCATED WITHIN:
GARLAND INDEPENDENT SCHOOL DISTRICT _____

ROCKWALL INDEPENDENT SCHOOL DISTRICT _____

DALLAS COUNTY _____

ROCKWALL COUNTY _____

DESCRIPTION OF PROPERTY: _____

PROJECTED OCCUPANCY/INITIATION OF OPERATIONS: _____

Please complete a written narrative response to the questions in Section II of the “Policy Statement for Economic Development Incentives”. Please include any additional information necessary to address the criteria outlined therein.



City of Rowlett

Staff Report

4000 Main Street
P.O. Box 99
Rowlett, TX 75080-0099
www.rowlett.com

AGENDA DATE: 10/20/15

AGENDA ITEM: 3B

TITLE

Discuss City Hall monument sign. (25 minutes)

STAFF REPRESENTATIVE

Marc Kurbansade, Director of Development Services

SUMMARY

The City of Rowlett is considering the installation of an electronic message board sign, constructed as a monument sign in front of City Hall. The sign would provide City of Rowlett community and event information to the public. The purpose of this meeting is to discuss the proposed sign in the context of zoning and development code regulations.

BACKGROUND INFORMATION

The City of Rowlett has numerous events within our community. Communication of these events occurs across multiple media sources, including social media, print sources and temporary signage at strategic areas in the City. The proposed electronic message board would allow for better communication of these events with the traveling public.

The proposed sign is located in the Downtown Urban Village form-based code district and would thus be subject to these regulations.

DISCUSSION

The City of Rowlett is considering the construction of an electronic message board sign constructed as a monument sign. The location of the sign would be in front of City Hall at 4000 Main Street (Attachment 1). The proposed monument sign is approximately 7.6-feet tall and 10.9 feet wide. The sign height is inclusive of a two-foot base. The sign area (5.6-ft x 10.9-ft) is approximately 61 square feet.

Since City Hall is located in the Downtown Urban Village form-based code district, it would be subject to these regulations. Monument signs are not defined specifically in the Form-Based Code; however, there is a definition in the Rowlett Development Code (see below):

A free-standing ground sign generally having little or no open space between the ground and the sign and having the appearance of a solid base.

There are three sections of the Form-Based Code that address monument signage within the Downtown Urban Village district. Section 5.4.11.b. states, "Monument signs are only permitted along Highway 66/Lakeview Parkway, PGBT access road and Browsing Lane frontages."

Where permitted in various districts of the Form-Based Code, the following additional regulations apply:

Monument signs will be limited to a maximum of 50 sq. ft. per sign face and 6 feet in height. (Section 5.4.11.c)

Programmed Electronic Display signs will not change images more frequently than every 8 seconds. Brightness is limited to 0.3 foot-candles above ambient light conditions and signs will be equipped with automatic dimmers to transition from day to night. (Section 5.2.1.d)

The purpose of this work session item is to discuss the proposed signage in the context of its value to the community as well as the associated regulations.

FINANCIAL/BUDGET IMPLICATIONS

N/A

RECOMMENDED ACTION

No action required. Information only.

ATTACHMENT

Attachment 1 – Proposed Sign Rendering



5130 Dexham Rd. Rowlett, TX 75088
 Tel: (972)475-7879 Fax: (972)475-4163

DESIGNED BY: KMD

DATE: 08-13-15

Scale: 1/67.6"

Customer: City of Rowlett

QUOTE: 1508-1315-3448

This original design and all information contained herein are the property of Datatronic Control, Inc. and is subject to return, any unauthorized use is prohibited. Images shown on the sign may not display actual resolutions. This drawing shows estimates for representation and size only. Actual sizes may vary and this should in no way constitute as a technical or engineered drawing. The sizes, layouts, and images used in this drawing are for the sole purpose of being viewed by the client to estimate how a sign may be displayed. Refer to an engineer drawing for actual sizes, layouts, and scales. Datatronic Control, Inc does not perform any electrical work. All Electrical Work must be performed by a Licensed Electrician.

Brief Description: CINEVISION VIDEO DISPLAY
10mm 144 x 312 MATRIX



City of Rowlett
Staff Report

4000 Main Street
P.O. Box 99
Rowlett, TX 75080-0099
www.rowlett.com

AGENDA DATE: 10/20/15

AGENDA ITEM: 5A

TITLE

Presentation of proclamations recognizing the 2015 winners of the City of Rowlett Arts and Humanities Commission's Photography Contest.

STAFF REPRESENTATIVE

Kathy Freiheit, Director of Library Services

BACKGROUND INFORMATION

To encourage participation in the artistic life of the Rowlett community, the Arts and Humanities Commission sponsors an annual photography contest. Open to residents of the Lake Ray Hubbard area, the contest theme changes each year. Entries must have been photographed within one year of the contest deadline. Entries are judged by a professional photographer, with cash prizes awarded in each of the three categories (people, places and things), as well as for the best of show.

DISCUSSION

The theme for this year's contest was "Whatever Floats Your Boat." The Commission received 33 entries, all of which were on display from September 8th through October 2nd in the City Hall Annex Building at 4004 Main Street.

Cindy Serine, a professional photographer from Dallas, served as the judge for this year's contest. A photography student at the Art Institute of Pittsburg, Ms. Serine has 19 years of experience in shooting for local and national fashion magazines. Her current specialties are family, wedding and corporate photography.

This year, the contest was expanded to include Second and Third Place non-cash awards for entries in each of the people, places and things categories. These winners were awarded prize ribbons and photographs of their entries will appear immediately after presentation of the First Place and Best of Show cash awards.

Winner of the Best of Show award receives a \$150 prize. First Place award winners in each of the three categories receive a \$100 prize.

First Place and Best of Show winners of the 2015 Rowlett Arts and Humanities Commission Photography Contest, who will be presented cash awards are:

First Place, People Category:	Fay Stout
First Place, Places Category:	Daniel Work

First Place, Things Category: Christian Newkirk

Best of Show: Don Bittinger

Second and Third Place winners of the 2015 Rowlett Arts and Humanities Commission Photography Contest, who have received prize ribbons include:

Second Place, People Category: Daniel Work

Second Place, Places Category: Nicolette Work

Second Place, Things Category: Jim Katzenberger

Third Place, People Category: Jim Katzenberger

Third Place, Places Category: Jim Katzenberger

Third Place, Things Category: Anna Voth

FINANCIAL/BUDGET IMPLICATIONS

Funding will come from account 4033501 6699, which has a FY2015 balance of \$460.19. The account will have a balance of \$10.19 after payment of \$450 in the cash prize awards noted above.

ATTACHMENTS

Proclamations

FAY STOUT
2015 CITY OF ROWLETT
ARTS AND HUMANITIES COMMISSION PHOTOGRAPHY CONTEST
FIRST PLACE – PEOPLE CATEGORY

WHEREAS, the City of Rowlett and the Rowlett Arts and Humanities Commission sponsored a photography contest; and

WHEREAS, the theme for the 2015 contest was, “Whatever Floats Your Boat” and the categories for the photography contest included People, Places and Things; and

WHEREAS, the contest was open to everyone in the Lake Ray Hubbard area; and

WHEREAS, with 33 entries received, the 2015 First Place award in the People Category is presented to Fay Stout.

NOW, THEREFORE, be it resolved that I, Todd Gottel, Mayor of the City of Rowlett, Texas, and on behalf of the City Council do hereby give special recognition to

FAY STOUT

in the City of Rowlett, Texas and encourage all citizens of this community to join me in congratulating Fay Stout in attaining this artistic achievement.

DANIEL WORK
2015 CITY OF ROWLETT
ARTS AND HUMANITIES COMMISSION PHOTOGRAPHY CONTEST
FIRST PLACE – PLACES CATEGORY

WHEREAS, the City of Rowlett and the Rowlett Arts and Humanities Commission sponsored a photography contest; and

WHEREAS, the theme for the 2015 contest was, “Whatever Floats Your Boat” and the categories for the photography contest included People, Places and Things; and

WHEREAS, the contest was open to everyone in the Lake Ray Hubbard area; and

WHEREAS, with 33 entries received, the 2015 First Place award in the Places Category is presented to Daniel Work.

NOW, THEREFORE, be it resolved that I, Todd Gottel, Mayor of the City of Rowlett, Texas, and on behalf of the City Council do hereby give special recognition to

DANIEL WORK

in the City of Rowlett, Texas and encourage all citizens of this community to join me in congratulating Daniel Work in attaining this artistic achievement.

**CHRISTIAN NEWKIRK
2015 CITY OF ROWLETT
ARTS AND HUMANITIES COMMISSION PHOTOGRAPHY CONTEST
FIRST PLACE – THINGS CATEGORY**

WHEREAS, the City of Rowlett and the Rowlett Arts and Humanities Commission sponsored a photography contest; and

WHEREAS, the theme for the 2015 contest was, “Whatever Floats Your Boat” and the categories for the photography contest included People, Places and Things; and

WHEREAS, the contest was open to everyone in the Lake Ray Hubbard area; and

WHEREAS, with 33 entries received, the 2015 First Place award in the Things Category is presented to Christian Newkirk.

NOW, THEREFORE, be it resolved that I, Todd Gottel, Mayor of the City of Rowlett, Texas, and on behalf of the City Council do hereby give special recognition to

CHRISTIAN NEWKIRK

in the City of Rowlett, Texas and encourage all citizens of this community to join me in congratulating Christian Newkirk in attaining this artistic achievement.

DON BITTINGER
2015 CITY OF ROWLETT
ARTS AND HUMANITIES COMMISSION PHOTOGRAPHY CONTEST
BEST OF SHOW

WHEREAS, the City of Rowlett and the Rowlett Arts and Humanities Commission sponsored a photography contest; and

WHEREAS, the theme for the 2015 contest was, "Whatever Floats Your Boat" and the categories for the photography contest included People, Places and Things; and

WHEREAS, the contest was open to everyone in the Lake Ray Hubbard area; and

WHEREAS, with 33 entries received, the 2015 Best of Show award is presented to Don Bittinger.

NOW, THEREFORE, be it resolved that I, Todd Gottel, Mayor of the City of Rowlett, Texas, and on behalf of the City Council do hereby give special recognition to

DON BITTINGER

in the City of Rowlett, Texas and encourage all citizens of this community to join me in congratulating Don Bittinger in attaining this artistic achievement.



City of Rowlett
Staff Report

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

AGENDA DATE: 10/20/15

AGENDA ITEM: 5B

TITLE

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

STAFF REPRESENTATIVE

Brian Funderburk, City Manager



City of Rowlett
Staff Report

4000 Main Street
P.O. Box 99
Rowlett, TX 75080-0099
www.rowlett.com

AGENDA DATE: 10/20/15

AGENDA ITEM: 7A

TITLE

Consider action to approve minutes from the October 13, 2015, City Council Regular Meeting.

STAFF REPRESENTATIVE

Laura Hallmark, City Secretary

SUMMARY

Section 551.021 of the Government Code provides as follows:

- (a) A governmental body shall prepare and keep minutes or make a tape recording of each open meeting of the body.
- (b) The minutes must:
 - (1) state the subject of each deliberation; and
 - (2) indicate each vote, order, decisions or other action taken.

RECOMMENDED ACTION

Move to approve, amend or correct the minutes for the October 13, 2015, City Council Regular Meeting.

ATTACHMENT

10-13-15 City Council Regular Meeting Minutes



City of Rowlett

Meeting Minutes

City Council

4000 Main Street
Rowlett, TX 75088
www.rowlett.com

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Tuesday, October 13, 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 Dana-Bashian, Councilmember van Bloemendaal, Councilmember Bobbitt and Councilmember Sheffield

Absent: Councilmember Pankratz

1. CALL TO ORDER

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

2. EXECUTIVE SESSION

There are no items.

3. WORK SESSION (5:30 P.M.) * Times listed are approximate.

3A. Discuss customers' concerns regarding water usage and billing practices. (45 minutes)

Brian Funderburk, City Manager, provided a presentation outlining drought history and the discontinuation of water restrictions. He reviewed residential water use over the last few years, change of water/sewer bill from 2009-2015, and City staff's response to citizen complaints and concerns. He also outlined resources provided to citizens through the City's website for how to water your yard for your area and pool water evaporation information. He further explained the random sampling and testing of meters through a reciprocal agreement with the City of Garland. Sixty-eight meters will be randomly selected for testing and their accounts examined by the City's auditors to ensure billing accuracy.

Council discussion regarding comparable water rates for Dallas, timing of the water bills, conduct of a water rate study and its cost, and the annual rebated amount from North Texas Municipal Water District (NTMWD).

It was the consensus of Council to have an additional discussion next month regarding this issue and review water rates and consumption of comparison cities.

- 3B.** Presentation by GroundFloor Development regarding consideration for 2016 TDHCA tax credits. (30 minutes)

Marc Kurbansade, Director of Development Services, introduced Brandon Bolin, with GroundFloor Development and Robert Meckfessel, DSGN Associates, Inc. – Architect, who presented some of their existing projects and an overview of key components of Realize Rowlett 2020 and Form Based Code that would be utilized for this project. They also provided clarification of “workforce” and “affordable” housing definitions. It was the consensus of Council to tour their existing facilities to get a better idea of the product they are proposing.

- 3C.** Discuss regulations associated with food truck operations to be included in the municipal code. (30 minutes)

Due to time constraints, this item was discussed at the conclusion of the Regular Session.

Mr. Kurbansade presented various options regarding location, zoning and environmental health regulations. It was the consensus of Council to move forward with food truck operations.

- 3D.** Discuss Rowlett Road Improvements in Garland from Bridge to Roan Road. (10 minutes)

Robbin Webber, Assistant Director of Public Works, informed Council of the location of the improvements, the timeline for completion, and the method by which Garland will proceed relating to traffic control.

4. DISCUSS CONSENT AGENDA ITEMS

Council took a short break at 7:27 p.m.

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

Council reconvened at 7:35 p.m.

INVOCATION – Mayor Gottel

PLEDGE OF ALLEGIANCE

TEXAS PLEDGE OF ALLEGIANCE – Led by the City Council

5. PRESENTATIONS AND PROCLAMATIONS

- 5A. Presentation of check for funds donated by the Chamber of Commerce to the Rowlett Animal Shelter.

Mayor Gottel and members of the Rowlett Animal Shelter received a check in the amount of \$1,000 from Diane Lemmons, President of the Rowlett Chamber of Commerce. Funds were raised as part of the Chamber's annual golf tournament.

- 5B. Hear presentation of the Monthly Financial report for the period ending August 31, 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 announced the following: Council meetings: Next regular Council meetings will be held on Tuesday, October 20th and November 3rd. P & Z meetings: Next regular meeting will be held Tuesday 27th in the City Hall Conference Room at 6:30pm. Early voting for the constitutional amendment and joint elections on November 3rd. Starts Monday, October 19th and goes through Friday, October 30th; on various dates and times. Check the website on the City Secretary's page for full details concerning dates, times and locations for Dallas and Rockwall Counties. Rowlett library: Library Visioning Task Force meets Wednesday, October 28th, 6:30pm in the City Hall Conference Room. Conducting a survey to collect opinions for the future library all month. Survey is short and simple; located @ <https://www.surveymonkey.com/r/rowlettplsurvey>. Upcoming events: *Love on a leash*: therapy dogs information – Saturday, October 17th, 11am @ City Hall. Teen read week, October 19th – 23rd; contests & prizes available that week @ library. Halloween treats @ the library – all day Saturday, October 31st – come in your costume! Parks and Recreation: Kids Kingdom – The official Kids Kingdom groundbreaking – Saturday, October 17th from 3-5pm. Takes place @ Pecan Grove Park. Bounce houses, hot dogs, and more – don't miss the party! Kids Kingdom Playground Committee meets weekly on Tuesday evenings at RCC; for more information check on the City's website on the home page, Rebuild Kids Kingdom! Selling fence pickets now – for the price \$50 each. Volunteers needed!! Sign up now for "Build Week" – Nov. 30 – Dec. 6. Spooktacular teen night out – Saturday, October 17th, 7-9pm @ RCC; for 10-15 year olds, \$10 each. Activities for Seniors: Senior potluck lunch social – Second Thursday of the month; 11:30am at RCC. November 12th the next lunch. Lunch around town, Fourth Tuesday of the month @ 11:30 am; October 27th next date. AARP safe drivers class – Saturday, October 17th @ RCC, 9am – 1pm. \$15 for AARP members; \$20 for non-members. Animal shelter – Low cost vaccine clinic at Animal Shelter – Saturday, October 17th, 1 – 3pm. Located at 4402 Industrial St. Shelter is open Monday – Saturday, 10am – 5pm.

Animal Shelter staff introduced Raider, a Labrador Retriever mix, who is one of the animals available for adoption at the shelter.

Brian Funderburk, City Manager, announced that the Rowlett Public Library's facebook page is up and running.

6. CITIZENS' INPUT

There were no speakers.

7. CONSENT AGENDA

- 7A.** Consider action to approve minutes from the September 15, 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 to Lea Park and Play in the amount of \$37,950 for the construction of a pavilion at Isaac Scruggs Park and authorizing the City Manager to execute the necessary documents for said purchase.

This item was approved as RES-114-15 on the Consent Agenda.

- 7C.** Consider action to approve a resolution accepting the bid of and awarding a contract to D & D Commercial Landscape Maintenance in the amount of \$22,530.95 for design and construction improvements including irrigation, landscape, fence, and sidewalk at Isaac Scruggs Park and authorizing the City Manager to execute the necessary documents for said purchase.

This item was approved as RES-115-15 on the Consent Agenda.

- 7D.** Consider action to approve a resolution to authorize the Mayor to execute Contract Amendment NS1 Phase 2 to the approved professional service agreement with Neel-Schaffer, Inc. in the amount not to exceed \$21,330 for bid documents and the construction phase of Big A Shoulder Stabilization and Widening Project.

This item was approved as RES-116-15 on the Consent Agenda.

- 7E.** Consider action to approve a resolution authorizing Change Order #1 to the contract with Gadberry Construction Company, Inc. in the amount of \$11,891.00, the final acceptance of the project, and the release of retainage for a final payment in the amount of \$58,011.10 for the Library Building Remodel Project, and authorizing the Mayor to execute the necessary documents.

This item was approved as RES-117-15 on the Consent Agenda.

- 7F.** Consider action to approve a resolution awarding a bid to APAC-Texas, Incorporated for installation of asphalt level up and overlay street improvements in the unit amounts bid attached hereto and incorporated herein by reference as Exhibit A and an annual amount of \$801,822.37 through Dallas County's Master Road & Bridge Interlocal Maintenance Agreement and authorizing the Mayor to execute the necessary documents for said services.

This item was approved as RES-118-15 on the Consent Agenda.

- 7G.** Consider action to approve a resolution accepting the bid of and awarding contracts to Cowboy Chrysler Dodge Jeep for the purchase of three vehicles in the amount of \$131,124 through the Interlocal Cooperative Purchasing Agreement with the Texas Local Government Purchasing Cooperative (BuyBoard), Contract # 430-13.

This item was approved as RES-119-15 on the Consent Agenda.

- 7H. Consider action to approve a resolution accepting the bid of and awarding a contract to Freedom-CDJR for the purchase of seven vehicles in the amount of \$199,390 through the Interlocal Cooperative Purchasing Agreement with Tarrant County and the Houston-Galveston area council (H-GAC).

This item was approved as RES-120-15 on the Consent Agenda.

- 7I. Consider action to approve a resolution accepting the bid of and awarding a contract for the purchase of three vehicles to Silsbee Ford for the Fleet Division in the amount of \$64,859 through the Interlocal Cooperative Purchasing Agreement with the Texas Local Government Purchasing Cooperative (BuyBoard), Contract # 430-13.

This item was approved as RES-121-15 on the Consent Agenda.

- 7J. Consider action to approve a resolution accepting the bid of and awarding a contract to Cowboy Chevrolet Buick GMC Cadillac in the amount of \$29,556 for the purchase of one (1) 2016 Chevrolet Express 15 Passenger Van for the Fleet Division through the Interlocal Cooperative Purchasing Agreement with the State of Texas – Comptroller of Public Accounts, RFP #071-072 A1.

This item was approved as RES-122-15 on the Consent Agenda.

- 7K. Consider action to approve a resolution authorizing the payment for computer software maintenance and support services for the Police Department to Integrated Computer Systems (ICS) in the amount of \$150,783 and authorizing the City Manager to execute the necessary documents to continue said services.

This item was approved as RES-123-15 on the Consent Agenda.

Passed the Consent Agenda

A motion was made by Mayor Pro Tem Gallops, seconded by Councilmember Bobbitt, 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

There are no items.

Council took a short break at 8:03 p.m. and reconvened at 8:07 p.m. to discuss Work Session item 3.C.

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

There was no action taken.

9. ADJOURNMENT

Mayor Gottel adjourned the meeting at 8:18 p.m.



City of Rowlett
Staff Report

4000 Main Street
P.O. Box 99
Rowlett, TX 75080-0099
www.rowlett.com

AGENDA DATE: 10/20/15

AGENDA ITEM: 7B

TITLE

Consider action to approve a resolution directing the publication of notice of intent to issue certificates of obligation; provide for the reimbursement of project expenses; and resolve all matters relating to the Police/Fire radio system interlocal agreements.

STAFF REPRESENTATIVE

Kim Galvin, Director of Financial Services

SUMMARY

This bond issue will fund the public radio system upgrade to ensure compliance with Federal Law, mandating that Police and Fire Departments become Phase II/P25 compliant. Important dates in the estimated timeline for this bond issue include:

- October 22, 2015 – Publish Notice of Intent to Issue CO's
- October 29, 2015 – Publish Notice of Intent to Issue CO's
- October 30, 2015 – Distribute POS to Rating Agencies & Insurance
- November 2-6, 2015 – Rating Agency Meetings
- November 17, 2015 – Post POS to Potential Purchasers
- December 1, 2015 – Pricing
- December 1, 2015 – City Council considers Ordinance authorizing issuance of CO's
- December 31, 2015 – Certificates Closing & Delivery of Funds to the City

This resolution will provide City staff the authorization to publish the Notice of Intent as well as provide for the reimbursement of any and all costs incurred for this project prior to the receipt of bond funds on December 31, 2015.

BACKGROUND INFORMATION

The Rowlett Public Safety Departments have been a user of the Garland Public Radio System for the past twenty (20) years. In 2013, the City of Rowlett was notified by the City of Garland that the public safety radio system would be coming to its end of life in December, 2016. At that time, Garland requested that Rowlett remain a user of the public safety radio system, and after reviewing our options, it was decided that it would be in the best interest of Rowlett to remain as a user with Garland. Garland also advised Rowlett that the City of Mesquite would become a partner with Garland on this project to help reduce overall costs and to improve the infrastructure of the system.

On February 19, 2014, City Manager, Brian Funderburk, signed a Letter of Intent to confirm the desire to work with the cities of Garland and Mesquite to identify and/or create the mechanism for the procurement of the radio system.

On March 11, 2014, Public Safety Staff discussed the public safety radio system with Council in a work session. In this meeting Staff presented preliminary equipment needs along with the estimated cost of the total project to Council.

Work began on the project to identify all cities that would be participating along with a needs assessment study conducted by RCC Consultants to identify equipment needs and any additional radio towers. This study took approximately twelve months. Garland and Mesquite are partners and owners of the public safety radio system while Rowlett and Sachse are users of the system.

In September, 2014, discussions began with two vendors, Motorola and Harris Corporation, for pricing of the new system. Both vendors gave presentations which outlined what their systems would provide and the estimated cost. In the first quarter of calendar year 2015, Motorola was chosen as the vendor of the new public safety radio system.

On September 15, 2015, Council authorized the execution of an interlocal agreement with the City of Garland to continue hosting the public radio system utilized by Rowlett, thus providing an opportunity to reduce overall costs and to improve the infrastructure of the system used by all participating agencies.

DISCUSSION

These bonds will provide funding necessary for upgrading the public radio system utilized by Rowlett and hosted by the City of Garland.

FINANCIAL/BUDGET IMPLICATIONS

Funds are available to cover project expenditures on a temporary basis. This Notice of Intent will provide for the reimbursement of expenditures as well as fund the remaining costs of the project.

As discussed earlier this year, the City of Rowlett will issue 15-year Certificates of Obligation (CO's) to provide the funding on the Public Safety Radio System. The annual payment, depending upon the interest rate at the time of issuance, is expected to fall between \$240,000 and \$245,000 per year. This takes into account the interface charges and the EOC dispatch consoles that were not included in the previous Garland proposal. The mistake was discovered during our review, and the charges are now included in the cost chart below. Based on the current schedule, the CO's will be issued in December with a projected closing date of December 31, 2015.

The projected costs are depicted as follows:

Initial Rowlett System Costs

Implementation Item	Total Cost
Remote Simulcast Site 8 (Table 13.2.4G) - <u>Schrade Road</u>	\$1,430,131
Ring <u>Schrade Road</u> (Fire Station 2) to Rowlett RD and SFP Modules	\$134,462
Spur <u>Schrade Road</u> (Fire Station 2) to Rowlett Dispatch	\$140,793
Rowlett Dispatch Consoles	\$317,450
EOC Dispatch Consoles	\$151,000
Rowlett Dispatch Logging Recorder – Upgrade / Replacement	\$135,357
Rowlett Fire Station Alerting	\$142,858
Additional FSA Scope	\$135,128
Fire Station Sound System Cost Estimate (Table 13.2.14D) - Rowlett	\$24,651
Interoperability & Mutual Aid Equipment in Rowlett	\$20,666
Rowlett User Radios	\$763,947
Systems integration, Freight, Performance Bond	\$231,312
ICS CAD Interface	\$65,325
System Incentives and Warranty Credit	(\$1,011,152)
Total	\$2,681,928

System Maintenance Costs Years 3 & 4

Maintenance Item	Rowlett Yearly Cost
Infrastructure Equipment	\$34,394
Microwave Radio Equipment	\$4,384
Dispatch Equipment	\$3,772
Mobile, Portable, and Control Station Equipment	4-Year Warranty
Software Maintenance Agreement	\$55,732
Optional On-Site Response Service Subtotal	\$77,804
Total Yearly Maintenance	\$176,086

System Maintenance Costs Years 5 - 10

Maintenance Item	Rowlett Yearly Cost
Infrastructure Equipment	\$34,394
Microwave Radio Equipment	\$4,384
Dispatch Equipment	\$3,772
Mobile, Portable, and Control Station Equipment	\$13,502
Software Maintenance Agreement	\$55,732
Optional On-Site Response Service Subtotal	\$77,804
Total Yearly Maintenance	\$189,588

System Maintenance Costs Breakdown***

Maintenance Item	Rowlett Yearly Cost
Infrastructure Equipment	
Depot Repair Service (Infra Repair)	\$34,394
Tech Support	
FSA Hardware	
Microwave Radio Equipment	
Microwave Warranty Plus (repair services)	\$4384
ProVision Support	
MPLS Warranty Plus (repair services)	
Dispatch Equipment	
Depot Repair Service	\$3772
Technical Support	
VPI Equipment Repair/Adv Replacement	
Software Maintenance Agreement	
SUA II (software and hardware refresh 2 years)	\$55,732
Security Update Service	

System Maintenance Costs Breakdown* (cont.)**

Maintenance Item	Rowlett Yearly Cost
On-Site Response Services Breakdown - \$77,804	
Infrastructure Eq On-Site Response	\$18,401
FSA Maintenance On-Site Response	\$5,393
Microwave Eq On-Site Response	\$7,122
MPLS Eq On-Site Response	\$1,404
Dispatch Eq On-Site Response	\$3,999
Infrastructure Eq Call Management	\$1,690
Dispatch Eq Call Management Service	\$754
Optional Infrastructure Equipment Advanced Exchange Service	\$5,439
Optional Dispatch Equipment Advanced Exchange Service	\$379
Optional VPI Software Support	\$11,184
Optional FSA Software Support	\$7,115
Optional Network Monitoring	\$5,958
Optional Security Monitoring	\$4,214
Optional Preventive Maintenance (annual)	\$4,752

System Maintenance Costs Breakdown* (cont.)**

- No maintenance costs until Year 3
- Each of these items are negotiable and costs are based on quantities of equipment proposed.
- Costs are subject to change after Detailed Design Review (DDR)
- The City of Garland plans to provide support services in order to reduce overall operational costs

ESTIMATED PAYMENT / IMPLEMENTATION SCHEDULE

Milestone	Anticipated Date	% on Infrastructure	% on User Radio Equip	Infrastructure Equip Cost Due	User Radio Equip Cost Due
Contract Execution	Month 1	4.5%		\$85,083	
Design Review Complete	Month 3	4.5%		\$85,083	
Subscriber Radios Ship	Month 3		72%		\$600,088
Successful Completion of Factory Staging	Month 6	22%		\$406,246	
Delivery of Equipment	Month 6				
Infrastructure Installed	Month 10	46%		\$850,830	
Successful Completion of Acceptance Testing	Month 15	14%		\$255,249	
Final System Acceptance	Month 17	9%	28%	\$170,165	\$229,184
TOTAL BY CATEGORY		100%	100%	\$1,852,656	\$829,272
				SYSTEM TOTAL	\$2,681,928

The estimated costs to maintain our radio system over the next 15 years are in the chart below. This is just an estimate and includes equipment, maintenance agreements, and service costs. There will be no maintenance costs the first two years, because the equipment will be covered by the manufacturer's warranty.

	Years (1-5)	Years (6-10)	Years (10-15)	Total
Annual payments for 15-year COs (funded thru Debt Service Fund)	\$1,225,000	\$1,225,000	\$1,225,000	\$3,675,000
System Maintenance - starts in year 3 (funded thru General Fund)	\$541,760	\$961,442	\$1,015,450	
Less amount currently paid to City of Garland for system maintenance	<u>(220,765)</u>	<u>(220,765)</u>	<u>(220,765)</u>	\$1,856,357
Subtotal system maintenance	\$320,995	\$740,677	\$794,685	
Total	\$1,545,995	\$1,965,677	\$2,019,685	\$5,531,357
*System maintenance is estimated beyond year 10.				

In a previous meeting with Council on February 11, 2014, staff discussed possible acquisition costs if we were to go it alone. At that time, because of the necessary radio towers and associated

equipment, staff estimated that a new radio system could cost as much as \$9-\$12 million. This estimate was made, in part, because the cities of Garland and Mesquite budgeted \$24 million and \$15 million respectively. During this meeting, staff also indicated that the acquisition cost for Rowlett would be about \$4.0 million. In the end, Rowlett's acquisition costs will be about \$2.7 million. Staff wants to acknowledge the work of Garland and Mesquite to negotiate the final price as this represents a great solution to a regional problem.

RECOMMENDED ACTION

It is staff's recommendation that Council approve the resolution expressing official intent to issue CO's and provide for the reimbursement of project costs prior to funding.

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS, DIRECTING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION; RESOLVING OTHER MATTERS RELATING TO THE SUBJECT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rowlett (the "City") deems it advisable to give notice of intention to issue certificates of obligation of the City, as hereinafter provided; and

WHEREAS, it is hereby officially found and determined that the meeting at which this Resolution was considered was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS:

Section 1: Attached hereto and marked "Exhibit A" is the form of Notice of Intention to Issue Certificates of Obligation of the City (the "Notice"), the form and substance of which are hereby passed and approved.

Section 2: The City Secretary shall cause the Notice to be published in substantially the form attached hereto, in a newspaper of general circulation in the City, and published in the City, once a week for two consecutive weeks, the date of the first publication thereof to be no later than the 31st day prior to the date set for adoption of the ordinance authorizing the issuance of such Certificates of Obligation as shown in the Notice.

Section 3: The facilities and improvements to be financed from the proposed Certificates of Obligation are to be used for the purposes described in the attached Notice.

Section 4: This resolution is intended to satisfy the official intent requirements set forth in Sections 1,150-2 of the Treasury Regulations.

Section 5: This resolution shall be effective immediately upon adoption.

ATTACHMENT

Attachment 1 – Rowlett CO 2015 – draft Intent Resolution

Exhibit A – Notice of Intention to Issue Certificates of Obligation of the City

CERTIFICATE FOR RESOLUTION

THE STATE OF TEXAS
COUNTIES OF DALLAS AND ROCKWALL
CITY OF ROWLETT

We, the undersigned officers of the City of Rowlett (the "City"), hereby certify as follows:

1. The City Council of said City convened in a regular meeting on October 20, 2015, at the designated meeting place, and the roll was called of the duly constituted officers and members of said City Council, to wit:

Todd Gottel, Mayor
Michael Gallops, Mayor Pro Tem
Tammy Dana-Bashian, Deputy Mayor Pro Tem
Robbert van Bloemendaal, Council Member
Carl Pankratz, Council Member
Debby Bobbitt, Council Member
Rick Sheffield, Council Member

all of said persons were present except _____, thus constituting a quorum. Whereupon, among other business, the following was transacted at said Meeting: a written

A RESOLUTION DIRECTING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION; AND RESOLVING OTHER MATTERS RELATING TO THE SUBJECT

was duly introduced for the consideration of said City Council. It was then duly moved and seconded that said Resolution be adopted and, after due discussion, said motion, carrying with it the adoption of said Resolution, prevailed and carried by the following vote:

AYES: _____ NOES: _____ ABSTAIN: _____

2. That a true, full and correct copy of the aforesaid Resolution adopted at the Meeting described in the above and foregoing paragraph is attached to and follows this Certificate; that said Resolution has been duly recorded in said City Council's minutes of said Meeting; that the above and foregoing paragraph is a true, full and correct excerpt from said City Council's minutes of said Meeting pertaining to the adoption of said Resolution; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of said City Council as indicated therein; that each of the officers and members of said City Council was duly and sufficiently notified officially and personally, in advance, of the time, place and purpose of the aforesaid Meeting, and that said Resolution would be introduced and considered for adoption at said Meeting, and each of said officers and members consented, in advance, to the holding of said Meeting for such purpose, and that said Meeting was open to the public and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

3. That the Mayor of said City has approved and hereby approves the aforesaid Resolution; that the Mayor and the City Secretary of said City have duly signed said Resolution; and that the Mayor and the City Secretary of said City hereby declare that their signing of this Certificate shall constitute the signing of the attached and following copy of said Resolution for all purposes.

SIGNED AND SEALED THIS OCTOBER 20, 2015.

City Secretary,
City of Rowlett

Mayor,
City of Rowlett

RESOLUTION

A RESOLUTION DIRECTING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION; AND RESOLVING OTHER MATTERS RELATING TO THE SUBJECT

WHEREAS, the City Council of the City of Rowlett (the "City") deems it advisable to give notice of intention to issue certificates of obligation of the City, as hereinafter provided; and

WHEREAS, it is hereby officially found and determined that the meeting at which this Resolution was considered was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS:

Section 1. Attached hereto and marked "Exhibit A" is the form of Notice of Intention to Issue Certificates of Obligation of the City (the "Notice"), the form and substance of which are hereby passed and approved.

Section 2. The City Secretary shall cause the Notice to be published in substantially the form attached hereto, in a newspaper of general circulation in the City, and published in the City, once a week for two consecutive weeks, the date of the first publication thereof to be no later than the 31st day prior to the date set for the adoption of the ordinance authorizing the issuance of such Certificates of Obligation as shown in the Notice.

Section 3. The facilities and improvements to be financed with proceeds from the proposed Certificates of Obligation are to be used for the purposes described in the attached Notice.

Section 4. This Resolution is intended to satisfy the official intent requirements set forth in section 1.150-2 of the Treasury Regulations.

Section 5. This Resolution shall be effective immediately upon adoption.

Exhibit A

NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION
OF THE CITY OF ROWLETT, TEXAS

NOTICE IS HEREBY GIVEN that it is the intention of the City Council of the City of Rowlett, Texas, to issue one or more series of interest bearing certificates of obligation of the City for the purpose of paying all or a portion of the City's contractual obligations to be incurred in connection with (i) the design, construction, engineering and equipping of improvements to the City's public safety radio system and (ii) paying legal, fiscal, engineering and architectural fees in connection with these projects and to pay costs of issuance of the certificates of obligation. The City Council tentatively proposes to adopt an ordinance authorizing the issuance of said certificates of obligation at the Rowlett City Council Chambers, 4000 Main Street, Rowlett, Texas at a meeting to commence at 6:00 p.m. on December 1, 2015. The maximum amount of certificates of obligation indebtedness that may be authorized to be sold on said date for such purposes described above is \$3,135,000. The City proposes to provide for the payment of such certificates of obligation from the levy and collection of ad valorem taxes in the City as provided by law, and from limited surplus revenues of the City's waterworks and sewer system remaining after payment of all operation and maintenance expenses thereof, and all debt service, reserve, and other requirements in connection with all of the City's revenue bonds or other obligations (now or hereafter outstanding), which are payable from all or any part of the net revenues of the City's waterworks and sewer system. The certificates of obligation are to be issued, and this notice is given, under and pursuant to the provisions of Texas Local Government Code, Chapter 271, Subchapter C.

CITY OF ROWLETT, TEXAS

AGENDA DATE: 10/20/15

AGENDA ITEM: 7C

TITLE

Consider a resolution approving a tree mitigation plan and related tree removal permit application for more than three trees associated with Evergreen Senior Living for property located at 5500 Old Rowlett Road.

STAFF REPRESENTATIVE

Erin Jones, Senior Planner

SUMMARY

This is a request to remove more than three protected trees from a 5.50 +/- acre tract of land located at 5500 Old Rowlett Road. The removal of more than three protected trees requires a recommendation from the Planning and Zoning Commission and final approval from the City Council. **The Planning and Zoning Commission unanimously recommended approval of this item at their October 13, 2015, regular meeting.**

BACKGROUND INFORMATION

The subject property is located east of Old Rowlett Road, north of Big A Road, west of R. Arnold Edwards Park and south of Tulip Lane as seen in the location map included below:



The property was rezoned from Limited Office (O-1) to Planned Development 022-15 on June 2, 2015, to allow for a Senior Apartment Complex. Following zoning, the preliminary plat was approved by the Planning and Zoning Commission on September 22, 2015. The applicant has since submitted development plans (site, landscape, tree survey and façade plans) for Staff's review. The applicant must receive approval for the tree mitigation plan prior to proceeding with

the remaining development plan items as changes to the mitigation plan could alter the required landscape plan. The remaining development plan items are tentatively scheduled for the Planning and Zoning Commission's consideration on October 27, 2015, contingent on the City Council's approval of the tree mitigation plan at their October 20, 2015, meeting. Following those approvals, the applicant will be required to submit civil engineering plans, a final plat, and building plans prior to receiving a building permit.

The applicant is proposing to remove seven Hackberry trees totaling in 93 caliper inches. Six of the trees are protected totaling in 83 caliper inches (Exhibit A – Tree Survey and Preservation/Mitigation Plan). The RDC classifies Hackberry as a protected tree when it is measured at least 11 caliper inches at a height of 4.5 feet above the ground. The applicant is preserving two protected trees totaling in 27 caliper inches, which brings the total mitigation required to 56 caliper inches. The applicant is proposing to mitigate all 56 caliper inches on site by planting an additional 15 trees (60 caliper inches) beyond the base landscaping requirements.

DISCUSSION

Per section 77-508. H of the Rowlett Development Code, "Tree preservation". The purpose of tree preservation is as follows:

1. Purpose. The purpose of this section is to encourage the preservation of long-established trees of sizes that, once removed, can be replaced only after many generations of tree growth; to preserve protected trees during construction; and to control the removal of protected trees. It is the intent of this section to achieve the following:
 - (a) Prohibit the indiscriminate clearing of trees from property;
 - (b) To the greatest extent possible, preserve and maintain protected trees so as to enhance the quality of development;
 - (c) Protect and increase the value of residential and commercial properties within the city by maintaining the city's current tree inventory;
 - (d) Maintain and enhance a positive image for the attraction of new business enterprises to the city;
 - (e) Protect healthy quality trees and promote the natural ecological environmental and aesthetic qualities of the city; and
 - (f) Help provide needed shaded areas in order to provide relief from the heat by reducing the ambient temperature.

The City Council shall deny a tree removal permit and associated tree survey and preservation plan if it is determined that:

1. Removal of the tree is not reasonably required in order to conduct anticipated activities;
2. A reasonable accommodation can be made to preserve the tree; or
3. The purpose and intent of this subchapter is not being met by the applicant.

The proposed tree removal is needed in order to conduct anticipated activities on the site and no reasonable accommodation could be made. To deny the removal will require the developer to substantially re-configure their proposed development. As such, Staff is in support of the subject tree removal and mitigation plan.

FISCAL IMPACT

N/A

RECOMMENDED ACTION

Staff recommends approval. As previously noted the Planning and Zoning Commission unanimously recommended approval of this item at their October 13, 2015 regular meeting.

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS, GRANTING APPROVAL OF A TREE SURVEY/PRESERVATION PLAN AND ACCOMPANYING TREE REMOVAL PERMIT FOR PROPERTY LOCATED AT 5500 OLD ROWLETT ROAD, FURTHER DESCRIBED AS A 5.50 +/- ACRES OF LAND LOCATED IN THE JOHN M. THOMAS SURVEY, ABSTRACT NO. 1478, CITY OF ROWLETT, DALLAS COUNTY, TEXAS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Rowlett and the governing body of the City of Rowlett, in compliance with the laws of the State of Texas and the ordinances of the City of Rowlett, have given the requisite notices by publication and otherwise, and where the governing body have legislative discretion and has concluded that this resolution is in the best interest of the City of Rowlett.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS:

Section 1: That the City Council of the City of Rowlett, Texas, hereby finds and determines that a proposed tree removal permit for property located at 5500 Old Rowlett Road is needed in order to conduct anticipated development activities on the site and no reasonable accommodation could be made.

Section 2: That the property located at 5500 Old Rowlett Road, and described as a 5.50 +/- acres of land located in the John M. Thomas Survey, Abstract No. 1478, City of Rowlett, Dallas County, Texas, be and is hereby granted approval of a Tree Survey / Preservation Plan (a copy of which is attached and incorporated herein as Exhibit "A") and accompanying Tree Removal Permit.

Section 3: That should any sentence, paragraph, subdivision, clause, phrase or section of this resolution be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this resolution as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal, or unconstitutional.

Section 4: That this resolution shall take effect immediately from and after its passage and the publication of the caption of said resolution as the law in such case provides.

ATTACHMENT

Exhibit A – Tree Mitigation Plan



City of Rowlett Staff Report

4000 Main Street
P.O. Box 99
Rowlett, TX 75080-0099
www.rowlett.com

AGENDA DATE: 10/20/15

AGENDA ITEM: 7D

TITLE

Consider action to approve a resolution for professional services with 720 Design Inc. in the amount of \$47,360 for Rowlett Public Library relocation planning and building design services and authorizing the City Manager to execute the necessary documents.

STAFF REPRESENTATIVE

Kathy Freiheit, Director of Library Services
Jim Grabenhorst, Director of Economic Development

SUMMARY

The purpose of this item is to approve a proposal for professional architectural, engineering and interior design services relating to relocation of the Rowlett Public Library from its current temporary location at 5702 Rowlett Road to leased space in the Village of Rowlett downtown development project.

BACKGROUND INFORMATION

On July 7, 2015, Council appointed a Library Visioning Task Force comprised of key stakeholders, citizens at large, Councilmembers, and City Staff. The Task Force is charged with making recommendations to Council on matters regarding the design, purposing and prioritization of space within an 11,700 square foot interim Library facility in the Village of Rowlett.

Following an organizational kick-off meeting on July 22, members of the Task Force toured four Metroplex libraries on August 8. In a follow-up meeting to the bus tour, members shared feedback and exchanged ideas about possibilities for design, furnishings and equipment at the Library's next location. A citizen survey, launched October 1 via Survey Monkey, is currently underway. Directed at both users and non-users of the Rowlett Library, the survey seeks public opinion about service priorities and expectations for a new facility.

DISCUSSION

As a next step, members of the Task Force will work with professional architects and designers to establish project goals, confirm a schedule, and set a plan for a "Sandbox" design charrette and subsequent meetings. The scope of work includes both planning and pre-design processes, as well as building design services as outlined in the attached proposal. Phase 1 and Phase 2 deliverables will culminate in a Design Development package which, pending Council approval, will be turned over to Catalyst Urban Development for their implementation into Construction Documents for the letting of bids.

720 Design is an architecture and interior design firm exclusively focused on the planning, programming and design of libraries. Maureen Arndt, Architect and 720 Design President, has completed over 80 library projects, not only locally but also across the United States. Maureen's experience in working with citizen groups, coupled with her specialized library design expertise makes her most qualified among those library architects and designers considered for this project. She is also sensitive to a need for flexible design and portability in moving the library in the future.

In December 2014, Freese & Nichols worked with City and Library staff to develop a conceptual bid package for relocation of the Library from 3900 Main Street to 5702 Rowlett Road. The cost for these services totaled \$37,700. By comparison, the 720 Design proposal is not only reasonable, but it also strengthens the added value of citizen engagement in the decision making process. Multiple collaborative meetings facilitated and led by design professionals will be essential to Task Force success in identifying and choosing among the many possibilities presented in this project.

FINANCIAL/BUDGET IMPLICATIONS

Funding in the amount of \$47,360 for Rowlett Public Library relocation design services is available in the Library Improvements project. Currently, funding for the relocation of the Rowlett Public Library from its current temporary location at 5702 Rowlett Road to leased space in the Village of Rowlett downtown development project is outlined in the chart below.

Budget Project Code and Account Number	Project Title	Resources
SP2089 3028003	Library Improvements (remaining dollars from FY2015 Capital Maintenance Budget)	\$124,359
SP2089 3028003	Library Improvements (new money from FY2016 Capital Maintenance Budget)	\$200,000
1015530	Rental Expense (originally for planned lease space in FY2015 - is available to be carried over into FY2016 via a budget amendment)	\$140,000
Total		\$464,359

Not currently included in the budget outlined above is Integral/Catalyst tenant improvement allowance of \$234,000.

RECOMMENDED ACTION

Approve a resolution accepting the proposal of 720 Design Inc. in the amount of \$47,360 for Rowlett Public Library relocation design services in the Library Improvements project.

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS, APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH 720 DESIGN INC. IN THE AMOUNT OF \$47,360 FOR PLANNING AND BUILDING DESIGN SERVICES FOR THE ROWLETT PUBLIC LIBRARY RELOCATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rowlett has appointed a Library Visioning Task Force charged with making recommendations on matters regarding the design, purposing and prioritization of space within an 11,700 square foot interim Library facility in the Village of Rowlett; and

WHEREAS, the Task Force now seeks professional architectural and interior design services in considering facility design possibilities appropriate for the Library and the Rowlett community; and

WHEREAS, City staff recommend approval of a proposal by 720 Design Inc. for said services;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS:

Section 1: That the City Council of the City of Rowlett does hereby accept the proposal of and award a contract to 720 Design Inc. in the amount of \$47,360 for planning and building design for the Rowlett Public Library relocation, a copy of which is attached hereto and incorporated herein as Exhibit "A."

Section 2: That the City Council of the City of Rowlett does hereby authorize the City Manager to execute the necessary documents, after City Attorney approval, and further authorizes the issuance of purchase orders to conform to this resolution.

Section 3: That this resolution shall become effective immediately upon its passage.

ATTACHMENT

Exhibit A – Rowlett Library Relocation and Design Services Proposal & Enclosure

PROPOSAL PRESENTED TO: City of Rowlett

Re: **Rowlett Public Library Relocation Design Services**

720 Design Inc. appreciates the opportunity to present this proposal for your consideration.

PROJECT GOALS AND OBJECTIVES:

This proposal is for 720 Design Inc. to provide seeking professional architectural, engineering and interior design services relating to a relocation of the Rowlett Public Library for an interim location. One of the project relocation goals is to draw a “Wow!” reaction from Rowlett Citizens.

We understand that the Library will lease newly constructed space as part of a Village of Rowlett downtown development project. The existing Library is currently housed in a 10,120 SF temporary facility. The leased space, at 11,700 SF, will be located in a mixed use, live/work development in the heart of the downtown area. The facility will be centrally located within walking distance to restaurants, shopping and the DART light rail transit plaza.

720 design will collaborate with a Library Visioning Task force comprised of key library stakeholders, citizens at large, City Council members and City staff. The group will work over the next six months to exchange ideas about 21st Century libraries and has formulated a list of considerations including:

- Create a “Wow” space that gets citizens of Rowlett excited about library services
- House a physical library materials collection which is currently at 90,000 items
- Specialized and possibility thematic service areas designed for adults, children, teens and programming
- Public computer access, Wi-Fi, Techno bars, online catalogs and self-service materials checkout
- Materials return areas to be coordinated with the RFID vendor and a centralized customer service area
- Study areas, reading areas and meeting spaces
- Staff work areas, a break room and supply storage
- Administrative and back-of-house work areas
- Consider noise control and dedicated quiet spaces
- Combination of old and new elements in a well-designed, aesthetically appealing, low maintenance and functionally efficient facility.
- Plan for flexibility and portability to future library spaces as much as possible

720 design understands that the Library Visioning Task Force has completed an organizational kick off meeting, a bus tour of Metroplex Libraries and synthesized tour feedback and lessons learned to be incorporated into the new Village Library. We understand that the library is crafting questions for a customer survey to solicit information from citizens of Rowlett related to the services, programs and expectations for the new Library.

SCOPE OF SERVICES:

Phase 1: Planning and Pre-design

Kick off Meeting

720 design will meet with key project stakeholders to set overall project goals, confirm project schedule, gather data generated to date by the task force and set a plan for the “Sandbox” design charette.

Library Staff Interviews

Staff interviews will take place early in the process to give everyone the opportunity to communicate their needs and wish list for future facilities. This will insure that we fully understand staff needs and desires. We will talk about space requirements down to the detail of what type of drawers and storage they will need at their desk and how books and people should move efficiently through the space.

Visioning Task Force Meeting #5 – “Sandbox” design charrette

At a “sandbox” charette, 720 design will give a short presentation showing library design ideas and possibilities from across the country (and including images from the Task Force tours) and the types of spaces and services they provide emphasizing trends. Following the presentation we will guide a discussion on what is appropriate and exciting for your library and your community. It is important to find not only what people love about the library but also what could draw in the rest of the community to become library fans. Images from the presentation will be posted on the walls and attendees given green and red dots or monopoly money to “vote” or “buy” trends and ideas that they feel are most important to the City of Rowlett.

Optional Community Leader Interviews

If desired, 720 design can facilitate interviews with City Administration and other project stakeholders, will community leaders to express their priorities. Interviews will continue the communication throughout the process building our base of knowledge through discussions with (including but not limited to) city departments, IT professionals, school representatives, business leaders, neighboring libraries, home school organizations, chamber of commerce, economic development officials, Library Foundation Members and Friends groups.

Visioning Task Force Meeting #6 – Synthesize Findings into Library Space Program and set priorities

This meeting will include a presentation and discussion of the preliminary program “wish list”. Priorities will be set to identify “out of the box” solutions like compact shelving or a “transformer” teen area or spaces that can be multi-use (utilizing a glass mall wall at the program room to allow access or overflow). The result of this meeting will be a detailed building space program that reflects the priorities, needs and available size of the Village Library.

Collaborate/Kick Off Meeting with Catalyst Urban Development

Visioning Task Force Meeting #7 – Finalize Findings-Develop Space Program into adjacency Diagram

720 design will transform the detailed space information into a block diagram showing adjacencies of library functional spaces within the library footprint. “Paper dolls” will be utilized to facilitate a design charette for the final approved library interior adjacencies.

Staff Meeting for Furniture Test Fit

A furniture test fit is a critical step in the functional and aesthetic design of the library. The furniture and shelving shape the space, create circulation paths and allow or impede staff visibility. Done right, the library staff will have full visual control over the library from the centralized service desk, library users will intuitively understand where to go for services and books and materials will move efficiently through the space. It’s in this step that we will confirm the program, begin to shape retail, browsing and learning niches that make the library a special place.

The library will provide an existing furniture inventory and 720 design will work with the library to determine and plan for what will be used in the Village Library space.

Collaboration Meeting with Catalyst Urban Development

Develop Furniture Test Fit into Furniture Floor Plan

Comments from the staff furniture test fit will be revised and updated into a true library floor plan with furniture for presentation to the City Council.

Date TBD Council Work session Presentation on Task Force Recommendations

Date TBD Council Resolution/Approvals

Phase 1 Deliverables:

- Building Space Program and Narratives
- Executive Summary with priority list
- Adjacency Diagram and Furniture Floor Plan

Phase 2: Building Design

Schematic Design Process

720 design will lead 2 Meetings to confirm final layout of the floor plan, ceiling plan and schematic development. Coordination with Catalyst Urban Development to confirm structural requirements for library stack design and power/data infrastructure locations.

Concepts for thematic areas will be presented at this phase including ideas for the children's and teen areas. These concepts will be designed for portability to future library spaces.

Design Development Process

720 design will lead (2) Meetings to select interior finishes (carpet, paint, wall covering, ceiling tiles, light fixtures, laminates). Design library service desk (consider utilizing furniture so it can be moved and reconfigured in your next library) and other millwork required for library functionality.

Turn over Design Development Package to Catalyst Urban Development for implementation into Construction Documents and Bidding.

Phase 2 Deliverables:

- Furniture Floor Plan
- Finish Selection Schedule
- Floor and Wall Finish Plans
- Elevations and details of Custom Millwork/Service Desk and End Panels
- Reflected Ceiling Plan
- Floor plan mark up for power/data to be implemented by Catalyst Urban Development
- Schedule of existing furniture to be reused in the new space to be provided by the library staff
- Thematic design concepts

Optional Phase 3: Furniture Design and Bidding

Furniture selection (3 Meetings for FFE) will begin in this phase for all new furniture to be purchased to supplement the existing. These will include 21st century seating, dry erase boards, technology seats, mobile shelving and displays. 720 design will present cut sheets at this meeting to establish concepts and style. Products selected will be available on existing government contracts for purchasing.

Furniture samples will be brought to the library for "test sits" and selection of new furniture and finishes/fabrics.

A final furniture coordination meeting will take place with the library and city purchasing department to confirm all selections, schedules and bidding process. Furniture will be purchased through existing purchase agreements (TxMas, TCPN, Buy Board or similar).

- Furniture Floor Plan reflection selections with tags corresponding to bid documents

Rowlett Public Library
Request for Qualifications
Library Relocation Design Services
October 2, 2015



- Furniture selections, specifications for new furniture required for the space formatted for bidding or purchase from a pre-negotiated contract (TxMas, BuyBoard, TCPN etc)
- Schedule of existing furniture to be reused in the new space to be provided by the library staff
- Furniture Punch List

Other Optional services to be provided upon request:

- Review cost estimates provided by Catalyst Urban Development
- 50% and 90% Construction Document Review comments.
- Review of shop drawings related to finishes during construction.
- Answer requests for information related to the interior finish out during construction.
- Provide one construction punch list.

KEY PERSONNEL:

Maureen Arndt shall serve as Project Manager, providing day-to-day client contact and project management.

Jill Pickett shall serve as Project Captain.

COMPENSATION:

Our lump sum fee for the scope of work as defined above will be:

Phase 1 Planning and Pre-design:	\$18,880
Phase 2 Building Design:	\$28,480

OPTIONAL SERVICES:

Furniture Design and Bidding:	\$12,800
Library Best Practices Review, Cost Estimate Reviews, Attend Construction Progress Meeting, Assistance with shop drawing or RFI's, Punch List up to 40 hours to be billed hourly as needed.	Not to exceed \$6,400
Additional Project Stakeholder/Community Leader Meetings:	\$1280/day

HOURLY RATES:

Project Manager:	\$160/hour
Project Captain:	\$80/hour

Reimbursable Expenses: Local travel for meetings listed above are included in compensation. Printing will be billed on a cost plus 10% rate.

Change of Service: Services that are required of 720 Design Inc. that are not defined in the scope of work above shall be considered a change of service. Prior approval from the Owner will be received before any additional services are executed.

SCHEDULE:

The schedule will be developed in conjunction with the owner for this project.

All meetings and presentations as itemized above shall take place at the Rowlett Public Library or City Hall unless specified otherwise.

Submitted by:

Approved by:

Maureen Arndt, AIA, IIDA 10-1-15
President
720 design Inc.

City of Rowlett Date

Enclosures: General Conditions

Rowlett Public Library
Request for Qualifications
Library Relocation Design Services
October 2, 2015





LAWS/REGULATIONS - This Agreement is to be governed by the law of the State of Texas. The Owner and the Architect are each bound to a policy of non-discrimination and equal employment opportunity. Owner and Architect are committed to complying with Executive Order 11246, as amended; Title VII of the Civil Rights Act of 1964; the Civil Rights Act of 1991; Section 503 of the Rehabilitation Act of 1973; Section 402 of the Vietnam Era Veterans Readjustment Assistant Act of 1974; the Americans with Disabilities Act of 1990; the Age Discrimination in Employment Act of 1967; the Equal Pay Act of 1963 and any other applicable local, state or federal statutes or regulations.

CONFIDENTIALITY - Architect agrees to keep confidential and not to disclose to any person or entity, other than the our employees, subconsultants and the general contractor and subcontractors, if appropriate, any data and information not previously known to and generated by us or furnished to us and marked CONFIDENTIAL by the Owner. These provisions shall not apply to information in whatever form that comes into the public domain, nor shall it restrict Architect from giving notices required by law or complying with an order to provide information or data when such order is issued by a court, administrative agency or other authority with proper jurisdiction, or if it is reasonably necessary for Architect to defend itself from any suit or claim.

STANDARDS OF PERFORMANCE - Architect agrees to use Architect's best efforts, skill, judgment, and abilities so as to perform Architect's Services in an expeditious and timely manner consistent with professional standards of care and the orderly progress of the Project. Architect shall at all times provide sufficient personnel to accomplish Architect's Services in a timely manner. Architect shall manage its services, administer the Project and coordinate other professional services as necessary for the complete performance of Architect's obligations under this Agreement. Architect agrees to perform Architect's Services in compliance with all applicable national, federal, state, municipal, and State of Texas laws, regulations, codes, ordinances, orders and with those of any other body having jurisdiction over the Project. Architect's Services shall be reasonably accurate and free from material errors or omissions, to the best of their information, knowledge and belief. Architect shall promptly correct any known or discovered error, omission, or other defect in the plans, drawings, specifications, or other services provided by Architect without any additional cost or expense to Owner.

INSURANCE – Architect shall maintain in full force and effect a policy of insurance for bodily injury, death and property damage insuring against all claims, demands or actions relating to the performance required pursuant to this Agreement with a minimum combined single limit of not less than \$500,000 per occurrence for injury to persons (including death), and for property damage. Throughout the duration of this Agreement, Architect shall keep and maintain in full force and effect an errors and omissions policy and a policy of comprehensive general liability (public) insurance in at least the foregoing amount. Architect shall further maintain excess/umbrella coverage in an amount of at least \$1 million and shall further keep and maintain in full force and effect policies of automobile liability insurance covering any vehicles owned and/or operated by Architect, its officers, agents, and employees, and used in the performance of this Agreement in at least the statutory minimum amounts and a policy of Worker's Compensation Insurance covering all employees involved in the provision of services under this Agreement. The Owner shall be designated as a named insured on each such policy of insurance, save and except the automobile liability and worker's compensation policies, and each such policies shall contain a provision that requires notice to the Owner at least ten (10) days in advance of any termination of coverage or any term or provision contained within the policy(ies). The Owner shall be provided with copies of certificates of insurance which set forth the foregoing requirements prior to the commencement of any work hereunder or the provision of any services. The fees for such insurance will be at the expense of the Architect.



Architect's services, as limited by the Owner, are performed with the usual thoroughness and competence of the Architecture and engineering professions in Texas. No warranty or other representation, either expressed or implied, is included or intended in Architect's proposals, contracts, reports, designs, and other services including, without limitation, warranties of fitness or merchantability which are hereby disclaimed. In retaining Architect's services, the Owner expressly agrees that in all cases, Architect's liability shall be limited solely to its negligent acts, errors or omissions. The Architect shall hold Owner, its officers and employees harmless and free from any loss, damage or expense arising from the negligent or intentional acts or omission of the Architect, its employees, agents, consultants and subcontractors.

CONTINGENT ADDITIONAL SERVICES - Contingent additional services are services required by circumstances beyond our control. We will notify the owner in writing prior to commencing such services. If the owner indicates in writing that all or part of such contingent additional services is not required, we shall have no obligation to provide those services.

HAZARDOUS MATERIALS - Unless otherwise provided in this Agreement, Architect and Architect's consultants shall have no responsibility for the discovery, presence, handling, removal or disposal of or exposure of persons to hazardous materials in any form at the Project site, including but not limited to asbestos, asbestos products, polychlorinated biphenyl (PCB) or other toxic substances.

ACCESS TO SITE - Unless otherwise stated, Architect will have access to the site for activities necessary for the performance of the services. Architect will take precautions to minimize damage due to these activities, but has not included in the fee the cost of restoration of any resulting damage.

EXCLUDED SERVICES - Architect has not been retained or compensated for and shall not have control or charge of and shall not be responsible for construction means, methods, techniques, sequences or procedures, or for safety precautions and programs in connection with the work of any Contractor or Subcontractor or any other persons performing work, or for any acts or omissions of any of them, or for the failure of any of them to carry out work in accordance with their contract documents. Omitted services include, but are not limited to, shoring, scaffolding, underpinning, temporary retainment of excavations and any erection methods and temporary bracing.

PROJECT SCHEDULE - Since extensions of time inevitably require additional time and input on Architect's part, we carefully monitor each of our projects and notify our Owners of any unforeseen changes in work scope or schedule. If the basic services covered in the authorized proposal have not been completed within the date indicated therein, through no fault of our own, extension of our services beyond that time shall be compensated on a time and material basis and any maximum cost provision shall be considered expired.

OWNERSHIP OF DOCUMENTS - Upon completion or termination of the Project as herein provided, the original set of drawings, specifications and computer files, as well as all the rights attributable thereto, including the copyright to such drawings and specifications, shall become the property of the Owner, whether the project for which they are prepared is executed or not. The Consultant shall deliver the original drawings, specifications and computer files to the Owner. Owner shall have an irrevocable, paid-up, perpetual license and right, which shall survive the termination of this Agreement, to use the Design Documents and the ideas and designs contained in them for any purpose, with or without participation of the Architect.

It is agreed and understood by the Owner that the Consultant does not hereby convey any rights to any



information contained in the drawings and specifications if such information is not proprietary with the Consultant.

Under no circumstances shall the transfer of ownership of the drawings and specifications be deemed to be a sale of a product by the Consultant, and the Consultant makes no warranties, express or implied, in consenting to such transfer of ownership.

The Consultant shall be permitted to retain copies, including reproducible copies of drawings and specifications, for information and reference in connection with the Consultant's Services on the Project.

The drawings and specifications are not suitable for reuse by the Owner on any other project or for additions or extensions to this Project without appropriate professional review and adaptation. Any reuse or adaptation without the Consultant's professional involvement will be at the Owner's sole risk and without liability to the consultant. If the drawings and specifications are to be used for reuse or adaptation without the Consultant's professional involvement, Owner hereby agrees to remove the Consultant's name, professional seal, title block and other means of identification from the drawings and specifications prior to such use.

SUSPENSION OR TERMINATION OF SERVICES – This Agreement is terminable by Owner with or without cause on fifteen (15) days' written notice. If termination is without cause, Architect shall be reimbursed for work performed to the date of termination. If the Owner fails to make any payment due Architect on account of its services and expenses within thirty (30) days after the date of the statement, then Architect may, after giving (7) days written notice to the Owner, suspend services until all amounts due on services and expenses have been paid in full. Further, Architect shall have the right to withhold all drawings, specifications and other instruments of service as of the date services are suspended. In the event that the Owner requests termination of the services prior to completion of a report, Architect reserves the right to complete such investigations and analyses as are necessary to protect its professional reputation, or to complete appropriate records of the services performed to date.

DISPUTE RESOLUTION - In any effort to resolve any conflicts that arise during the design or construction of the project or following the completion of the project, the Owner and Architect agree that all disputes between them arising out of or relating to this Agreement shall be submitted to nonbinding mediation unless the parties mutually agree otherwise.

IMMUNITY - It is expressly understood and agreed that in the execution of this Agreement, the Owner does not waive, nor shall be deemed hereby to waive, any immunity or defense that would otherwise be available to or against claims arising in the exercise of governmental functions relating hereto or otherwise. The terms and provisions of this Agreement are subject to the foregoing reservation of immunity. By entering into this Agreement, the Owner does not create any obligations express or implied other than those set forth herein, and this Agreement shall not create any rights in any parties not signatory hereto.

BILLING - Statements are issued when appropriate and, provided Architect is not in default, shall be payable to Architect Company (Architect) within thirty (30) days of Owner's receipt, whenever issued, unless otherwise agreed. Interest at the lawful rate shall be payable on any amounts not paid within 30 days. All payments thereafter shall be applied first to accrued interest on the fees and reimbursables and then to the principal unpaid amount.



Records of Reimbursable Expenses, of expenses pertaining to a Change in Services or Additional Services, and of services performed on the basis of hourly rates or a multiple of Direct Personnel Expense shall be available to the Owner or the Owner's authorized representative in the office of the Architect at mutually convenient times. Expenses incurred by the Architect in furnishing the Owner or the Owner's authorized representative with copies of such Records shall be a Change in Services or Additional Service."

REIMBURSABLE EXPENSES - Reimbursable expenses are in addition to the compensation for personnel time and include actual expenditures made in the interest of the job, such as those for transportation, mileage, living expenses in connection with out-of-town travel, fees for any government approvals needed for the job, expenses for reproductions (excluding reproductions for use in our office or consultants' offices), expense of postage and handling of drawings, specifications and other documents, expense of computer-aided design/drafting (CAD) and data processing equipment, expense of any renderings or models, and any similar expenses made in the interest of the job. The above expenses shall be reimbursable at 1.1 times actual cost.

ADDITIONAL CONSULTANTS - Fees for services of additional consultants to be retained under subcontract to ARCHITECT when required, and when authorized by the Owner, will be billed to the Owner at 1.15 times such consultants' net billings to Architect, unless otherwise agreed.

ASSIGNMENT - Neither party to this Agreement shall transfer, sublet or assign any rights under or interest in this Agreement (including but not limited to monies that are due to monies that may be due) without the prior written consent of the other party.

PROFESSIONAL CREDIT - All written official documents drawings and media reference must specifically credit 720 Design Inc.

NO WAIVER - A delay or omission by either party in exercising any right or power under the Agreement shall not be construed as a waiver of that right or power. A waiver by either party of any term or condition of the Agreement shall not be construed as a waiver of any subsequent breach of that term or condition or of any other term or condition of the Agreement.

SEVERABILITY - If any provision of this Agreement is determined to be invalid or unenforceable in any respect, that determination shall not affect any other provision of this Agreement which shall be interpreted as if the invalid or unenforceable provision had not been included.

INDEPENDENT CONTRACTOR - Architect recognizes that Architect is engaged as an independent contractor and acknowledges that Owner shall have no responsibility to provide Architect or its employees with any benefits normally associated with employee status. Architect will neither hold itself out as nor claim to be an officer, partner, employee or agent of Owner.

TIME LIMIT

Agreement or proposal is subject to re-negotiation if not accepted within 60 days.



City of Rowlett
Staff Report

4000 Main Street
P.O. Box 99
Rowlett, TX 75080-0099
www.rowlett.com

AGENDA DATE: 10/20/15

AGENDA ITEM: 7E

TITLE

Consider action to approve a resolution authorizing the City Manager to enter into an interlocal agreement with Dallas County for Household Hazardous Waste for FY2016.

STAFF REPRESENTATIVE

Chuck Dumas, Environmental Services Manager

SUMMARY

The City of Rowlett has maintained an interlocal agreement with Dallas County for the disposal of Household Hazardous Waste for over 20 years. The current interlocal agreement expired on September 30, 2015. This new agreement will continue services for FY2016

BACKGROUND INFORMATION

The City of Rowlett has maintained an interlocal agreement with Dallas County for the disposal of Household Hazardous Waste for over 20 years. This is a service for Rowlett residents whereby they are afforded free disposal of certain hazardous wastes, provided they travel to the drop-off facility at 11234 Plano Road in Dallas.

DISCUSSION

The City of Rowlett is a member of the Dallas County Household Hazardous Waste Network. A disposal site is operated by Dallas County and is funded by the member cities. Rowlett residents have access to the site for disposal of household hazardous waste such as pesticides, paint, oil, household chemicals and other materials not allowed in normal garbage pickups.

The collection facility is located at 11234 Plano Road in Dallas, Texas and the hours of operation are every Tuesday from 9:00 a.m. to 7:30 p.m., Wednesdays and Thursdays from 8:30 a.m. to 5:00 p.m. and the second and fourth Saturdays from 9:00 a.m. to 3:00 p.m.

This service has averaged 693 visits per year over the past five years. Use of the service by Rowlett citizens since FY2011 is as follows:

Number of Visits to Household Hazard Waste Facility by Rowlett Residents by Fiscal Year	
Year	Visits
2011	575
2012	679
2013	642

Number of Visits to Household Hazard Waste Facility by Rowlett Residents by Fiscal Year	
Year	Visits
2014	741
2015	828
Average for FY2011-FY2015	693

As it can be seen in the table above, the amount of visits by Rowlett citizens to the Household Hazardous Waste Facility has increased annually over the past five years. In the last year, the average number of visits has risen from 659 visits (4-year average FY2011-FY2014) to 693, a gain of 5.2 percent. While it is difficult to ascertain as to why there is such an increase, one may assume that the increased visibility of the program, population growth, enhanced environmental awareness and education, homes entering life-cycle remodels resulting in supplies and materials accumulating in yards/garages, or any number of other reasons all combine to give support to the growth in activity. Staff does anticipate that population growth within the City will contribute to additional increases in activity in the future.

FINANCIAL/BUDGET IMPLICATIONS

The cost of the program is based on a combination of the amount of use by Rowlett residents and yearly fixed administrative fees set by Dallas County Household Hazardous Waste. Costs for the service is funded from account number 6017060 6409, which has \$36,032 dedicated for this use for FY2016.

Dallas County Household Hazardous Waste fees will increase approximately three percent over the previous year's rates. The total cost of the program is earmarked as fixed cost fees to support staffing and projected support costs. The remainder of the fees budgeted for the programs are variable cost fees based on the number of visits by Rowlett Citizens. The variable cost amount is according to actual use and is related to disposal charges for items and the total amount by volume. Budgeted amounts for the program include fixed cost and variable fees.

The City of Rowlett's share of cost for fixed program participation in FY2016 will be \$22,312. This amount of money is part of the total planned expenditures of \$36,032 for FY2016.

Budget Account Number	Account Title	Budget Amount	Proposed Amount
6017060 6409	Haz Mat Services	\$36,032	\$36,032
Total		\$36,032	\$36,032

RECOMMENDED ACTION

Staff recommends approval of a resolution authorizing the City Manager to enter into an interlocal agreement with Dallas County for Household Hazardous Waste for FY2016.

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS, APPROVING AN INTERLOCAL AGREEMENT WITH DALLAS COUNTY FOR CONTINUED PARTICIPATION IN THE HOUSEHOLD HAZARDOUS WASTE NETWORK FOR FISCAL YEAR 2016, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rowlett has determined that Household Hazardous Waste collection services are necessary in the City of Rowlett; and

WHEREAS, the City Council finds that it is in the best interest of the public to provide these services by entering into an interlocal agreement with Dallas County Hazardous Waste Network.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS:

Section 1: That the City Council of the City of Rowlett hereby approves an interlocal agreement with Dallas County for participation in the Household Hazardous Waste network and authorizes the City Manager to execute the interlocal agreement as provided for herein, a copy of which is attached hereto and incorporated herein as Exhibit A.

Section 2: That this resolution shall become effective immediately.

ATTACHMENTS

Exhibit A – Dallas County Household Hazardous Waste Agreement

Exhibit B – Dallas County Household Hazardous Waste Budget Summary

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

**AMENDMENT NO. 3
TO THE HOUSEHOLD HAZARDOUS WASTE INTERLOCAL AGREEMENT
(The "Agreement")
BETWEEN
DALLAS COUNTY
AND
CITY OF ROWLETT
(The "City")
A MEMBER CITY OF
THE DALLAS AREA HOUSEHOLD HAZARDOUS WASTE NETWORK**

WHEREAS, on June 23, 2015, the Dallas County Commissioners Court was briefed on a request from the cities of the Dallas Area Household Hazardous Waste Network to renew and revise the effective term and specify new fiscal year budgets for the Household Hazardous Waste Program Interlocal Agreement ("Agreement") that permits four additional one-year renewals for a five-year total contract term and was authorized by Court Order 2012-1223; and

WHEREAS, Amendment 2, which was authorized by Court Order 2014-0999 to renew and extended the FY2014 agreement through FY2015, will expire on September 30, 2015; and

WHEREAS, the proposed Amendment No. 3, along with the attachment, will serve to continue the Household Hazardous Waste Program through fiscal year 2016, while updating overall program budget amounts and individual city budget limits for the new fiscal year; and

WHEREAS, proposed Amendment No. 3 contains no other changes in the basic terms and conditions of the Agreement and incurs no cost to Dallas County;

NOW THEREFORE, by execution of this Amendment No. 3, the Agreement is amended hereby with respect to the items and features described in the Articles below.

**I.
PURPOSE**

The purpose of this Amendment is to amend the effective term and fiscal year budget of the Agreement without change to the basic terms and provisions. No other sections, provisions, clauses or conditions of the Agreement are waived, deleted or changed hereby, and they shall remain in full force and effect throughout the term of the Agreement and any duly authorized amendments.

**II.
AMENDED PROVISIONS**

A. The new term of the Agreement shall be October 1, 2015, through September 30, 2016.

B. The language contained in Paragraph 1, *Section IV. City Responsibilities* shall be deleted in its entirety and replaced with the following language:

1. "A sum not to exceed \$ 36,032.00 for disposal, setup, operational, capital and transportation costs for HHW collection for residents of the City during the period from October 1, 2015 through September 30, 2016.
 - a. Collection, setup, and disposal costs will be paid after-the-fact, based on actual usage by the City at events and at the collection center.
 - b. Operational and capital costs shall be paid quarterly in advance.
 - c. In the event of early withdrawal, the operational and capital costs will not be pro-rated for partial quarter participation but will become immediately due and payable in full."

C. The language contained in Exhibit C2015 of the Agreement entitled *FY2015 HHW Program Budget Summary* shall be deleted in its entirety and shall be replaced with the attached Exhibit C2016 entitled *FY2016 HHW Program Budget Summary*.

IN WITNESS WHEREOF, by their signatures below, the duly authorized representatives of Dallas County and **City of Rowlett**, a member city of the Dallas Area Household Hazardous Waste Network, do hereby agree and append this Amendment No. 3 to the Agreement.

EXECUTED THIS the _____ day of _____, 2015.

DALLAS COUNTY:

CITY OF ROWLETT:

BY: Clay Lewis Jenkins
County Judge

BY:
TITLE:

APPROVED AS TO FORM:*
Susan Hawk
District Attorney

BY: Frank Waite
Assistant District Attorney

* By law, the Dallas County District Attorney's Office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contract or legal document on behalf of other parties. Our review of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval, and should seek review and approval by their own respective attorney(s).

Exhibit C2016

FY2016 HHW PROGRAM BUDGET SUMMARY

This exhibit summarizes the total program funding for FY2016 as approved by the Dallas Area Household Hazardous Waste Network at its regular meeting on May 13, 2015, and replaces the language contained in Amendment 2, Exhibit C2015 of the Household Hazardous Waste Program Interlocal Agreement that was authorized by Court Order 2012-1223.

Fixed Costs include personnel expense, operating costs, and capital budget, which are shared by the Network cities based on single-family household projections published by North Central Texas Council of Governments.

- Personnel Expense includes all HHW staff salaries and fringe.
- Operating Expense includes supplies, equipment, advertising, public education, volunteer support, staff development, printing, postage, facility maintenance, utilities, and all other direct programming costs.
- Capital Expense includes building repairs, equipment repair or replacement, mechanical upgrades, and expansion projects.

Variable costs include estimated direct costs for collection and disposal of hazardous household wastes, which vary according to actual usage and are indicated in the budget summary for planning purposes only. ***Funding for actual collection, contract labor, and disposal costs will be collected from the cities after the fact, on an as-used basis.***

- Collection/Mobilization/Disposal Budget includes estimated costs for staging of events, recycling services, waste containers, waste transportation, and disposal.
- Contract Labor Expense is for part-time, seasonal labor provided by the disposal vendor.

Budget adjustments made to the Operational Budget during the term of the agreement shall not result in a City Funding amount that exceeds the approved budget total shown herein. The County may make line item transfers within the operating budget when these transfers do not exceed \$5,000. Budget adjustments in excess of \$5,000 must be approved by the HHW Network.

BUDGET SECTION	CITY FUNDING
FIXED COSTS (OPERATIONAL BUDGET)	
Personnel Costs	\$ 417,020
Operating Costs	\$ 202,475
Capital Expense	\$ 93,000
Sub-Total	\$ 712,495
ESTIMATED VARIABLE COSTS (COLLECTION / LABOR / DISPOSAL BUDGET)	\$ 912,000
TOTAL PROGRAM BUDGET	\$1,624,495

AGENDA DATE: 10/20/15

AGENDA ITEM: 7F

TITLE

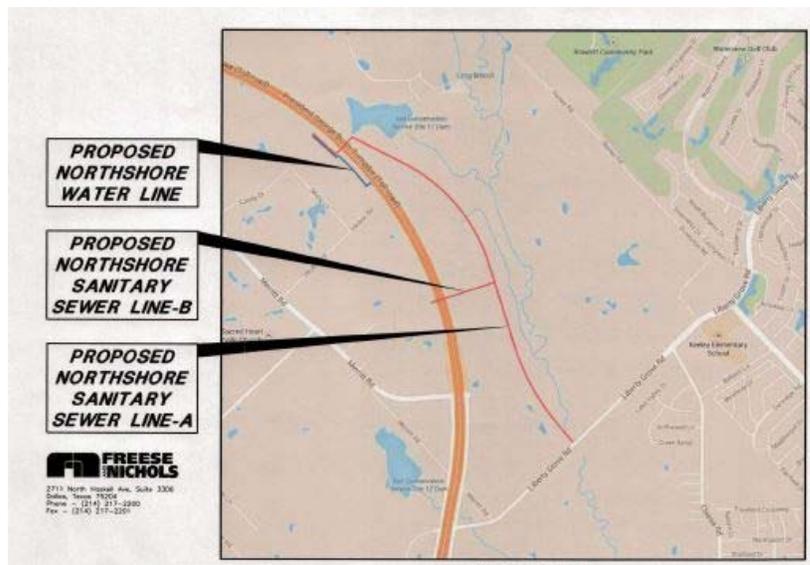
Consider action to approve a resolution authorizing the final acceptance and release of retainage for the North Shore Sanitary Sewer Project (SS2103) in the amount of \$157,077.99 to Dowager Utility Construction, LTD and authorize the Mayor to execute the necessary documents for said services.

STAFF REPRESENTATIVE

Timothy Rogers, Director of Public Works
Walter Allison, City Engineer

SUMMARY

This project consists of the installation of approximately 10,943 linear feet of sanitary sewer main ranging from 12 inch to 21 inch in size, approximately 1,336 linear feet of 8-inch water main and associated construction measures beginning near Liberty Grove at the South and generally following Muddy Creek to a point North and then West under President George Bush Turnpike (PGBT) to serve the proposed Huffines Development.



BACKGROUND INFORMATION

On December 2, 2014, City Council adopted a resolution awarding the base bid to Dowager Utility Construction, LTD in the amount of \$1,491,698.76 for the base bid plus early completion bonus of up to \$25,000.00 plus a ten percent contingency of \$149,169.88, resulting in a total bid of \$1,665,868.64 for the North Shore Sanitary Sewer Project and authorized the Mayor to execute the Standard Public Works Construction Contract for said services.

DISCUSSION

Dowager Utility Construction, LTD has satisfactorily completed the project as designed in accordance with the contract plans and specifications. Four change orders were issued on this project as follows:

CHANGE ORDER #	REASON FOR CHANGE	CHANGE ORDER AMOUNT
1	Adjustment for Manholes	\$17,400.00
2	Spillway Slope Modifications	\$48,470.11
3	Addition of 52 calendar days due to rain event	No Cost
4	Grade adjustments for additional manholes and quantity increase based on construction site conditions	\$13,211.00
Total		\$79,081.11

Based on the approved four change orders, this increased the total construction amount to \$1,570,779.84. Staff has inspected the construction ensuring compliance with the provisions of the contract and recommends acceptance of such improvements with a final acceptance and release of retainage in the amount of \$157,077.99.

FINANCIAL/BUDGET IMPLICATIONS

Funding in the amount of \$157,077.99 is available in the North Shore Sanitary Sewer Project, account code 5208102 6701, Project Code SS2103.

Account #/Project Code	Project Title	YTD Project Balance	Actual Amount
5208102 6701 / SS2103	North Shore Sanitary Sewer	\$250,000.00	\$157,077.99
Total		\$250,000.00	\$157,077.99

RECOMMENDED ACTION

Staff recommends City Council approve a resolution authorizing the final acceptance and release of retainage for the North Shore Sanitary Sewer Project in the amount of \$157,077.99 to Dowager Utility Construction, LTD and authorize the Mayor to execute the necessary documents for said services.

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS, AUTHORIZING FINAL ACCEPTANCE OF AND RELEASE OF RETAINAGE FOR THE NORTH SHORE SANITARY SEWER PROJECT IN THE AMOUNT OF \$157,077.99 TO DOWAGER UTILITY CONSTRUCTION, LTD; AUTHORIZING THE MAYOR TO EXECUTE THE NECESSARY DOCUMENTS FOR SAID SERVICES PURSUANT TO APPROVAL; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council adopted Resolution Number RES-122-14 accepting the bid of and awarding a contract to Dowager Utility Construction, LTD in the amount of \$1,491,698.76 for the base bid plus early completion bonus of up to \$25,000.00 plus a ten percent contingency

of \$149,169.88, resulting in a total bid of \$1,665,868.64 for the North Shore Sanitary Sewer Project; and

WHEREAS, City staff has inspected the construction ensuring compliance with the provisions of the contract and recommends acceptance of such improvements as well as the release of retainage.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS:

Section 1: That the City Council of the City of Rowlett does hereby accept the completion of the North Shore Sanitary Sewer Project and approves the release of retainage to Dowager Utility Construction, LTD in the amount \$157,077.99

Section 2: That the Council hereby authorizes the Mayor to execute the necessary documents to conform to this resolution.

Section 3: That this resolution shall become effective immediately upon its passage.

ATTACHMENT

Exhibit A – Final Payment Request and Affidavit of Bills Paid



PAYMENT REQUEST (4.51)

PROJECT:	<u>Northshore Sanitary Sewer Main</u>	PROJECT NUMBER
OWNER:	<u>City of Rowlett</u>	<u>Bid No. 2015-01</u>
CONTRACTOR:	<u>Dowager Utility Construction, Ltd</u>	<u>SS No. 2103</u>
ENGINEER:	<u>Freese and Nichols, Inc,</u>	

PAYMENT PERIOD FROM: _____ TO _____ ESTIMATE NO.: FINAL

SUMMARY OF PAYMENT ESTIMATE VALUES FROM ATTACHED TABULATIONS

Original Contract Amount	\$ 1,491,698.76
Approved Change Orders	\$ 79,081.11
Current Contract Amount	\$ 1,570,779.87
Total Value of Original Contract Performed (Attachment "A" consisting of __ pages)	\$ 1,491,698.76
Extra Work on Approved Change Orders (Attachment "B" consisting of __ pages)	\$ 79,081.11
Materials on Hand (Attachment "C" consisting of __ pages)	\$ -
Total Value of Work to Date	\$ 1,570,779.87
Less Amount Retained at 10%	
Net Amount Earned on Contract	\$ 1,570,779.87
Less Amount of Previous Payments	\$ 1,413,701.88
BALANCE DUE THIS STATEMENT	\$ 157,077.99
Percentage of Contract Paid to Date	88.00%

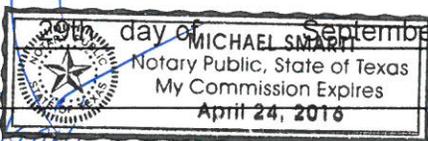
The undersigned Contractor certifies that all work, including materials on hand, covered by this Periodical Payment has been completed and delivered and stored in accordance with the Contract Documents, that all amounts have been paid by him for work, materials, and equipment for which previous Periodical Payments were issued and received from the Owner, and that the current payment shown herein is now due.

Contractor: Dowager Utility Construction, Ltd. By [Signature]

Date: 9/29/15

Subscribed and sworn to before me this 29th day of September, 2015

Notary Public: [Signature]
My Commission expires: 04/24/2016



Recommended for Payment by
FREESE AND NICHOLS, INC.

By [Signature] 9/30/2015
Date

Approved for Payment by
[OWNER]

By [Signature] 10/1/15
Date

Approved for Payment by
[OWNER]

By [Signature] 10/8/15
Date

Approved for Payment by
[OWNER]

By _____
Date

[Signature] 10/8/15

ATTACHMENT "A"
PAYMENT REQUEST
TABULATION OF VALUES FOR ORIGINAL CONTRACT WORK PERFORMED

PROJECT: Northshore Sanitary Sewer Main
 OWNER: City of Rowlett
 CONTRACTOR: Dowager Utility Construction, Ltd.
 ENGINEER: Freese and Nichols, Inc.

PROJECT NUMBER
 Bid No. 2015-01
 SS No. 2103
 0

PAYMENT PERIOD FROM: _____ TO _____ ESTIMATE NO.: FINAL

ITEM NO.	DESCRIPTION OF ITEM	QUANTITY ORIGINAL ESTIMATE	UNIT	UNIT PRICE	TOTAL CONTRACT AMOUNT	QUANTITY THIS ESTIMATE	WORK COMPLETED FROM PREVIOUS ESTIMATE	BALANCE OF MATERIALS ON HAND	TOTAL VALUE OF WORK COMPLETED	% OF WORK COMPLETE
A-1	21" PVC WW Pipe (ASTM F679 - PS46)	1,613.00	LF	\$78.00	\$125,814.00	(10.00)	1,623.00		125,814.00	100%
A-2	21" PVC WW Pipe (ASTM F679 - PS115)	2,278.00	LF	\$86.00	\$195,908.00		2,278.00		195,908.00	100%
A-3	18" PVC WW Pipe (ASTM F679 -PS46)	2,872.00	LF	\$64.00	\$183,808.00	(136.00)	3,008.00		183,808.00	100%
A-4	18" PVC WW Pipe (ASTM F679 - PS115)	2,427.00	LF	\$72.00	\$174,744.00	37.00	2,390.00		174,744.00	100%
A-5	12" PVC WW Pipe (ASTM D3034 - SDR26)	279.00	LF	\$56.00	\$15,624.00	8.00	271.00		15,624.00	100%
A-6	36" Steel Casing by Bore	388.00	LF	\$605.00	\$234,740.00	(2.00)	390.00		234,740.00	100%
A-7	5' Diameter MH (0' - 6' depth)	8.00	EA	\$5,400.00	\$43,200.00		8.00		43,200.00	100%
A-8	5' Diameter MH w/sealed lid (0' - 6' depth)	13.00	EA	\$5,600.00	\$72,800.00		13.00		72,800.00	100%
A-9	5' Diameter MH w/sealed lid & vent (0' - 6' depth)	4.00	EA	\$6,400.00	\$25,600.00	(1.00)	5.00		25,600.00	100%
A-10	5' Diameter MH (> 6' depth)	155.40	VF	\$200.00	\$31,080.00	7.66	147.74		31,080.00	100%
A-11	Connection to Existing Sanitary Sewer Main	1.00	LS	\$8,000.00	\$8,000.00		1.00		8,000.00	100%
A-12	Flowable Fill Encasement	48.00	LF	\$40.00	\$1,920.00		48.00		1,920.00	100%
A-13	Flexbase Pavement Replacement	445.00	SY	\$20.00	\$8,900.00		445.00		8,900.00	100%
A-14	Erosion Control Matting	150.00	SY	\$10.00	\$1,500.00		150.00		1,500.00	100%
A-15	Trench Safety	9,081.00	LF	\$1.00	\$9,081.00	(19.00)	9,100.00		9,081.00	100%
A-16	Traffic Control Plan	1.00	LS	\$1,000.00	\$1,000.00		1.00		1,000.00	100%
A-17	Storm Water Pollution Prevention Plan	1.00	LS	\$10,000.00	\$10,000.00		1.00		10,000.00	100%
A-18	Mobilization	1.00	LS	\$50,000.00	\$50,000.00		1.00		50,000.00	100%
A2-1	Seeding	50,310.00	SY	\$0.40	\$20,124.00		50,310.00		20,124.00	100%
B-1	10" PVC WW Pipe (ASTM D3034 - SDR35)	1,474.00	LF	\$38.00	\$56,012.00		1,474.00		56,012.00	100%
B-2	24" Steel Casing by Bore	270.00	LF	\$390.00	\$105,300.00		270.00		105,300.00	100%
B-3	5' Diameter MH (0' - 6' depth)	4.00	EA	\$5,400.00	\$21,600.00		4.00		21,600.00	100%
B-4	5' Diameter MH (> 6' depth)	12.90	VF	\$200.00	\$2,580.00	(3.71)	16.61		2,580.00	100%
B-5	Trench Safety	1,204.00	LF	\$1.00	\$1,204.00		1,204.00		1,204.00	100%
B-6	Traffic Control Plan	1.00	LS	\$100.00	\$100.00		1.00		100.00	100%
B-7	Storm Water Pollution Prevention Plan	1.00	LS	\$500.00	\$500.00		1.00		500.00	100%
B-8	Mobilization	1.00	LS	\$6,000.00	\$6,000.00		1.00		6,000.00	100%
B2-1	Seeding	6,284.00	SY	\$0.60	\$3,770.40		6,284.00		3,770.40	100%
C-1	8" PVC Water Pipe (AWWA C900 DR-18)	1,336.00	LF	\$46.00	\$61,456.00		1,336.00		61,456.00	100%
C-2	8" Gate Valve	1.00	EA	\$1,200.00	\$1,200.00		1.00		1,200.00	100%
C-3	2" Combination Air Valve	1.00	EA	\$8,000.00	\$8,000.00		1.00		8,000.00	100%
C-4	6" Blow-off Valve	1.00	EA	\$4,000.00	\$4,000.00		1.00		4,000.00	100%
C-5	Trench Safety	1,336.00	LF	\$0.01	\$13.36		1,336.00		13.36	100%
C-6	Traffic Control Plan	1.00	LS	\$100.00	\$100.00		1.00		100.00	100%
C-7	Storm Water Pollution Prevention Plan	1.00	LS	\$500.00	\$500.00		1.00		500.00	100%
C-8	Mobilization	1.00	LS	\$3,000.00	\$3,000.00		1.00		3,000.00	100%
C2-1	Seeding	2,520.00	SY	\$1.00	\$2,520.00		2,520.00		2,520.00	100%
TOTAL FOR PAGE / PROJECT					\$1,491,698.76				\$1,491,698.76	100%

TABULATION OF VALUES FOR APPROVED CHANGE ORDERS

PROJECT: Northshore Sanitary Sewer Main
 OWNER: City of Rowlett
 CONTRACTOR: Dowager Utility Construction, Ltd.
 ENGINEER: Freese and Nichols, Inc.

PROJECT NUMBER
 Bid No. 2015-01
 SS No. 2103
 0

PAYMENT PERIOD FROM: _____ TO _____

ESTIMATE NO.: FINAL

ITEM NO.	DESCRIPTION OF ITEM	QUANTITY ORIGINAL ESTIMATE	UNIT OF MEASURE	UNIT PRICE	TOTAL CONTRACT AMOUNT	QUANTITY THIS ESTIMATE	WORK COMPLETED FROM PREVIOUS ESTIMATE	BALANCE OF MATERIALS ON HAND	TOTAL VALUE OF WORK COMPLETED	% OF WORK COMPLETE
A10	CO#1 - 5' Diamter Manhole (>6' Depth)	75.00	VF	\$200.00	\$15,000.00		75.00		\$15,000.00	100%
B4	CO#1 - 5' Diamter Manhole (>6' Depth)	12.00	VF	\$200.00	\$2,400.00		12.00		\$2,400.00	100%
	CO#2 - Spillway Slope Modifications	1.00	LS	\$48,470.11	\$48,470.11		1.00		\$48,470.11	100%
	CO#3 - Final Quantities	1.00	LS	\$13,211.00	\$13,211.00	1.00			\$13,211.00	100%
TOTAL FOR PAGE / PROJECT					\$79,081.11				\$79,081.11	100%

ATTACHMENT "D"
PROJECT SUMMARY

PROJECT:	<u>Northshore Sanitary Sewer Main</u>	PROJECT NUMBER
OWNER:	<u>City of Rowlett</u>	<u>Bid No. 2015-01</u>
CONTRACTOR:	<u>Dowager Utility Construction, Ltd</u>	<u>SS No. 2103</u>
ENGINEER:	<u>Freese and Nichols, Inc,</u>	<u></u>

PAYMENT PERIOD FROM: _____ **TO** _____ **ESTIMATE NO.:** FINAL

CONTRACT TIME SUMMARY

Date of Notice to Proceed	<u>2/2/2015</u>	
Original Contract Duration	<u>180</u>	Days
Original Date of Contract Substantial Completion	<u>6/2/2015</u>	
Original Date of Contract Final Completion	<u>7/2/2015</u>	
Approved Time Extensions	<u>52</u>	Days
Current Contract Duration	<u>230</u>	Days
Current Date of Contract Substantial Completion	<u>8/21/2015</u>	
Current Date of Contract Final Completion	<u>9/21/2015</u>	
Days Charged to Project to Date	<u>220</u>	Days
Days Remaining in Contract	<u>10</u>	Days
Percent of Current Project Duration	<u>96</u>	%
Current Scheduled Completion Date	<u>9/21/2015</u>	
Project is (Ahead/Behind) Schedule	<u></u>	

CONTRACT COST SUMMARY

Original Contract Amount	<u>\$ 1,491,698.76</u>	
Approved Change Orders	<u>\$ 79,081.11</u>	
Current Contract Amount	<u>\$ 1,570,779.87</u>	
Contract Earnings to Date on Original Contract	<u>\$ 1,491,698.76</u>	
Earnings on Approve Change Orders	<u>\$ 79,081.11</u>	
Materials on Hand	<u>\$ -</u>	
Total Current Project Amount Earned	<u>\$ 1,570,779.87</u>	
Percent of Contract Earned to Date	<u></u>	%
Retainage	<u>\$ 157,077.99</u>	
Amount Paid to Date	<u>\$ 1,381,656.12</u>	
Percent of Contract Paid to Date	<u>88</u>	%



CONTRACTOR'S AFFIDAVIT OF PAYMENT OF DEBTS AND CLAIMS

(4. /)

PROJECT: Northshore Sanitary Sewer Main PROJECT NUMBER: _____
 OWNER: City of Rowlett _____
 CONTRACTOR: Dowager Utility Construction, Ltd _____
 ENGINEER: Freese & Nichols, Inc. _____

The Contractor, in accordance with the Contract Documents, hereby certifies that, except as listed below, all obligations for all materials and equipment furnished, for all work labor, and services performed, and for all known indebtedness and claims against the Contractor for damages arising in any manner in connection with the performance of the Contract referenced above for which the Owner or his property might in any way be held responsible have been paid in full or have otherwise been satisfied in full.

EXCEPTIONS: (If none, write "NONE". The Contractor shall furnish a bond, acceptable to the Owner, for each exception.)

NONE

CONTRACTOR Dowager Utility Construction, Ltd
 BY [Signature]
 TITLE Adrian Smartt, Manager



Subscribed and sworn to before me this 29th day of SEPTEMBER, 2015.

Notary Public: [Signature]
 My Commission Expires: 3/9/16



CONTRACTOR'S AFFIDAVIT OF RELEASE OF LIENS

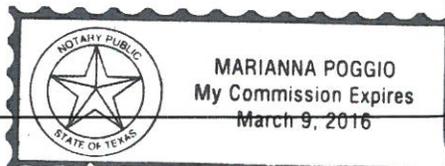
(4. /)

PROJECT: Northshore Sanitary Sewer Main PROJECT NUMBER: _____
 OWNER: City of Rowlett _____
 CONTRACTOR: Dowager Utility Construction, Ltd _____
 ENGINEER: Freese & Nichols, Inc. _____

The Contractor, in accordance with the Contract Documents, and in consideration for the full and final payment to the Contractor for all services in connection with the project, does hereby waive and release any and all liens, or any and all claims to liens which the Contractor may have on or affecting the project as a result of its contract(s) for the Project or for performing labor and/or furnishing materials in any way connected with the construction of any aspect of the project. The Contractor further certifies and warrants that all subcontractors of labor and/or materials for the Project, except as listed below, have been paid in full for all labor and/or materials supplied to, for, through or at the direct or indirect request of the Contractor prior to, through and including the date of this affidavit.

EXCEPTIONS: (If none, write "NONE@. The Contractor shall furnish a bond, acceptable to the Owner, for each exception.)

NONE



CONTRACTOR Dowager Utility Construction, Ltd

By [Signature]

Title Adrian Smartt, Manager

Subscribed and sworn to before me this 29th day of SEPTEMBER, 2012

Notary Public: [Signature]

My Commission Expires: 3/9/16



CONSENT OF SURETY COMPANY TO FINAL PAYMENT (4.86 /)

PROJECT:	<u>Northshore Sanitary Sewer Main</u>	PROJECT NUMBER:	
OWNER:	<u>City of Rowlett</u>		<u>Bid No. 2015-01</u>
CONTRACTOR:	<u>Dowager Utility Construction, Ltd.</u>		<u>SS No. 2103</u>
ENGINEER:	<u>Freese & Nichols, Inc.</u>		

The Surety Company, on bond of the Contractor listed above for the referenced project, in accordance with the Contract Documents, hereby approves final payment to the Contractor, and agrees that final payment to the Contractor shall not relieve the Surety Company of any of its obligations to the Owner under the terms of the Contract and as set forth in said Surety Company's bond.

In witness whereof, the Surety Company has hereunto set its hand this 29th day of September 2015.

Employers Mutual Casualty Company
Surety Company

By Clark & Mell
Authorized Representative

Title Attorney-In-Fact

Address:
P.O. Box 712, Des Moines, IA 50306

Attach Power of Attorney



P.O. Box 712 • Des Moines, IA 50306-0712

No. B22037

CERTIFICATE OF AUTHORITY INDIVIDUAL ATTORNEY-IN-FACT

KNOW ALL MEN BY THESE PRESENTS, that:

- 1. Employers Mutual Casualty Company, an Iowa Corporation
2. EMCASCO Insurance Company, an Iowa Corporation
3. Union Insurance Company of Providence, an Iowa Corporation
4. Illinois EMCASCO Insurance Company, an Iowa Corporation
5. Dakota Fire Insurance Company, a North Dakota Corporation
6. EMC Property & Casualty Company, an Iowa Corporation
7. Hamilton Mutual Insurance Company, an Iowa Corporation

hereinafter referred to severally as "Company" and collectively as "Companies", each does, by these presents, make, constitute and appoint: SHANNON LEWIS, CHARLES K. MILLER, STEVE RICKENBACHER, DAVID C. OXFORD, CLINTON NORRIS, SHERREL M. BREAZEALE, SOPHINIE HUNTER, STEVEN J. ZINECKER, PEGGY G. HOGAN, SHERI R. ALLEN, BRET TOMLINSON, MARY BARTON, ANN MACOMBER

its true and lawful attorney-in-fact, with full power and authority conferred to sign, seal, and execute its lawful bonds, undertakings, and other obligatory instruments of a similar nature as follows:

ANY AND ALL BONDS

and to bind each Company thereby as fully and to the same extent as if such instruments were signed by the duly authorized officers of each such Company, and all of the acts of said attorney pursuant to the authority hereby given are hereby ratified and confirmed.

The authority hereby granted shall expire APRIL 1, 2017 unless sooner revoked.

AUTHORITY FOR POWER OF ATTORNEY

This Power-of-Attorney is made and executed pursuant to and by the authority of the following resolution of the Boards of Directors of each of the Companies at a regularly scheduled meeting of each company duly called and held in 1999:

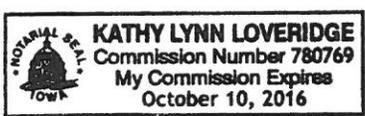
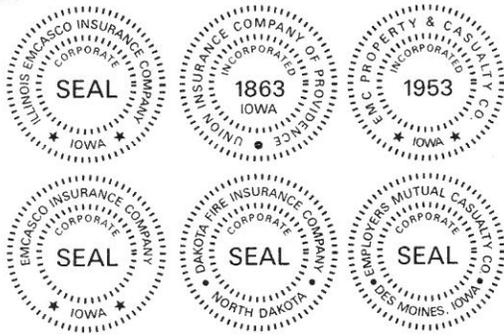
RESOLVED: The President and Chief Executive Officer, any Vice President, the Treasurer and the Secretary of Employers Mutual Casualty Company shall have power and authority to (1) appoint attorneys-in-fact and authorize them to execute on behalf of each Company and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof; and (2) to remove any such attorney-in-fact at any time and revoke the power and authority given to him or her.

IN WITNESS THEREOF, the Companies have caused these presents to be signed for each by their officers as shown, and the Corporate seals to be hereto affixed this

24th day of SEPTEMBER, 2014

Signatures of Bruce G. Kelley (Chairman) and Michael Freil (Assistant Vice President) with their titles.

Seals



On this 24th day of SEPTEMBER AD 2014 before me a Notary Public in and for the State of Iowa, personally appeared Bruce G. Kelley and Michael Freil, who, being by me duly sworn, did say that they are, and are known to me to be the Chairman, President, Vice Chairman and CEO, and/or Assistant Vice President/Assistant Secretary, respectively, of each of The Companies above; that the seals affixed to this instrument are the seals of said corporations; that said instrument was signed and sealed on behalf of each of the Companies by authority of their respective Boards of Directors; and that the said Bruce G. Kelley and Michael Freil, as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of each of the Companies. My Commission Expires October 10, 2016.

Signature of Notary Public Kathy Lynn Loveridge.

CERTIFICATE

I, James D. Clough, Vice President of the Companies, do hereby certify that the foregoing resolution of the Boards of Directors by each of the Companies, and this Power of Attorney issued pursuant thereto on SEPTEMBER 24, 2014 on behalf of: SHANNON LEWIS, CHARLES K. MILLER, STEVE RICKENBACHER, DAVID C. OXFORD, CLINTON NORRIS, SHERREL M. BREAZEALE, SOPHINIE HUNTER, STEVEN J. ZINECKER, PEGGY G. HOGAN, SHERI R. ALLEN, BRET TOMLINSON, MARY BARTON, ANN MACOMBER

are true and correct and are still in full force and effect.

In Testimony Whereof I have subscribed my name and affixed the facsimile seal of each Company this 29th day of September, 2015

Signature of James D. Clough, Vice President



City of Rowlett
Staff Report

4000 Main Street
P.O. Box 99
Rowlett, TX 75080-0099
www.rowlett.com

AGENDA DATE: 10/20/15

AGENDA ITEM: 7G

TITLE

Consider action to approve a resolution accepting the bid of and awarding a contract to Waterton Construction Group in the amount of \$77,322.74 for the installation of a masonry wall and fencing for the Westside Lift Station and authorize the Mayor to execute the necessary documents for said services.

STAFF REPRESENTATIVE

Tim Rogers, Director of Public Works
Robbin Webber, Assistant Director of Public Works

SUMMARY

This project consists of installing a screen wall, security fence and gates at Westside Lift Station as one of the final phases of this project.

BACKGROUND INFORMATION

This is the final phase of the Westside Lift Station Rehabilitation Project. Installation of the masonry wall, fencing and gates provide security for the lift station as required by TECQ.

A request for quotes for the Westside Lift Station screening wall and fencing was advertised on July 28, 2015. Bids were received on August 4, 2015 from two (2) bidders. One of the bids was incomplete and disqualified. The only remaining low qualified bid was \$96,313.00.

DISCUSSION

Based on the number of bidders and the value of the proposed project, staff decided that it would be in the best interest of City to rebid the project to ensure a competitive bid process.

Notice to bidders was published in the *Rowlett Lakeshore Times* on September 17 and 24, 2015. Sealed bids were received in the Purchasing Office until October 2, 2015, and then publicly opened and read aloud in the Annex Conference Room in accordance with Texas Local Government Code.

Bids were received from 5 bidders. The estimated totals based on estimated quantities range from \$77,322.74 to \$128,097.50. The Public Works Construction Project contract as written by the City Attorney will be utilized for this project. The low bidder was Waterton Construction Group.



Rebidding the project saved the City of Rowlett \$18,990.26.

FINANCIAL/BUDGET IMPLICATIONS

Funding in the amount of \$77,322.74 is available in Capital Improvement Plan budget for Westside Lift Station Rehabilitation (Project SS1158), account number 5268102 6701.

Account number / Project Code	Project Title	YTD Project Balance	Actual Amount
5268102 6701 / SS1158	Westside Lift Station Rehabilitation	\$133,704	\$77,322.74
Total		\$133,704	\$77,322.74

RECOMMENDED ACTION

City staff recommends that the City Council approve a resolution accepting the bid of and awarding a contract to Waterton Construction in the amount of \$77,322.74 for the installation of a masonry wall and fencing for the Westside Lift Station and authorize the Mayor to execute the necessary documents for said services.

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS, ACCEPTING THE BID OF AND AWARDING A CONTRACT TO WATERTON CONSTRUCTION GROUP IN THE AMOUNT OF \$77,322.74 FOR THE INSTALLATION OF A MASONRY WALL AND FENCING FOR THE WESTSIDE LIFT STATION; AUTHORIZING THE MAYOR TO EXECUTE

THE CONTRACT ON THE CITY'S BEHALF; AUTHORIZING THE ISSUANCE OF PURCHASE ORDERS PURSUANT TO APPROVAL; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is necessary to construct a masonry wall and fencing for the Westside Lift Station for the Wastewater Division of the Public Works Department and the City of Rowlett; and

WHEREAS, the Purchasing Division has taken sealed bids as per bid #2015-88 and is recommending award to the lowest qualified bid meeting specifications; and

WHEREAS, City staff recommends that the contract be awarded to Waterton Construction Group in the amount of \$77,322.74; and

WHEREAS, the City Council of the City of Rowlett, Texas desire to accept said bid and award such contract to Waterton Construction Group.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS:

Section 1: That the City Council of the City of Rowlett does hereby accept the bid of and award a contract to Waterton Construction Group in the amount of \$77,322.74 for the installation of a masonry wall and fencing for the Westside Lift Station.

Section 2: That the Council hereby authorizes the Mayor to execute the necessary documents on the City's behalf, after City Attorney approval, and authorizes the issuance of purchase orders to conform to this resolution

Section 3: That this resolution shall become effective immediately upon its passage.

ATTACHMENT

Exhibit A – Bid Tabulation

City of Rowlett
2015-88 Westside Lift Station Screening Wall & Fence Project
 972-412-6198 Fax 972-412-6144
 10/5/2015

Bid Bond Acknowledge Addenda 1 & 2			Dake Construction R. Scott Lewis 817-303-7111 Yes Yes	GRod Construction Guillermo Rodriguez 682-518-4145 Yes Yes	PDQ Fence Co. Charles Beatty 972-524-5471 No No 2 only			
Item	Quantity	Description	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1.	115	8' Height, Single Panel Brick Screening Wall (per City of Rowlett standard detail sheet) complete and in place	\$450.00	\$51,750.00	\$500.00	\$57,500.00		\$0.00
2.	6	9' Height, Primary Columns (24" X 24"), (per City of Rowlett standard detail sheet)	\$3,300.00	\$19,800.00	\$2,500.00	\$15,000.00		\$0.00
3.	455	Provide and install concrete mow stripes - complete & in place	\$8.50	\$3,867.50	\$8.00	\$3,640.00		\$0.00
4.	340	8' Height Wrought Iron Fence, Commercial grade, complete and in place	\$97.00	\$32,980.00	\$75.00	\$25,500.00	\$79.94	\$27,179.60
5.	1	8' Height Manual Wrought Iron Slide Gate, 12' Commercial Grade (North Side)	\$8,700.00	\$8,700.00	\$6,300.00	\$6,300.00	\$7,366.00	\$7,366.00
6.	1	8' Height Manual Wrought Iron Slide Gate, 20' Commercial Grade	\$11,000.00	\$11,000.00	\$9,300.00	\$9,300.00	\$9,988.00	\$9,988.00
TOTAL				\$128,097.50		\$117,240.00		Incomplete
		Alternate Bid Items:						
1a.	1	8' Height Electrical Slide Gate 20', including conduit, wiring, and connection, complete and in place, commercial grade	\$13,800.00	\$13,800.00	\$19,000.00	\$19,000.00	\$10,418.00	\$10,418.00
							Gate & opener only, conduit & electrical by others.	
2a.	340	8' Height Chain Link and one strand of barbwire across the top, complete and in place, Commercial grade	\$33.00	\$11,220.00	\$25.00	\$8,500.00	\$19.75	\$6,715.00
Comments:								

City of Rowlett
2015-88 Westside Lift Station Screening Wall & Fence Project
 972-412-6198 Fax 972-412-6144
 10/5/2015

Item	Quantity	Description	Unit Price	Total Price	Unit Price	Total Price
Bid Bond Acknowledge Addenda 1 & 2			Ratliff Hardscape Ltd. Booder McWhorter 972-436-2508 Yes No 1 only		Waterton Construction Group Michael Moore 469-446-7985 Yes <u>Yes</u>	
1.	115	8' Height, Single Panel Brick Screening Wall (per City of Rowlett standard detail sheet) complete and in place	\$172.80	\$19,872.00	\$95.3700	\$10,967.55
2.	6	9' Height, Primary Columns (24" X 24"), (per City of Rowlett standard detail sheet)	\$2,434.50	\$14,607.00	\$2,324.8400	\$13,949.04
3.	455	Provide and install concrete mow stripes - complete & in place	\$7.50	\$3,412.50	\$4.93	\$2,243.15
4.	340	8' Height Wrought Iron Fence, Commercial grade, complete and in place	\$67.50	\$22,950.00	\$89.70	\$30,498.00
5.	1	8' Height Manual Wrought Iron Slide Gate, 12' Commercial Grade (North Side)	\$9,750.00	\$9,750.00	\$8,395.0000	\$8,395.00
6.	1	8' Height Manual Wrought Iron Slide Gate, 20' Commercial Grade	\$12,750.00	\$12,750.00	\$11,270.0000	\$11,270.00
TOTAL				\$83,341.50		\$77,322.74
Alternate Bid Items:						
1a.	1	8' Height Electrical Slide Gate 20', including conduit, wiring, and connection, complete and in place, commercial grade	\$39,825.00	\$39,825.00	\$23,172.50	\$23,172.50
2a.	340	8' Height Chain Link and one strand of barbwire across the top, complete and in place, Commercial grade	\$48.00	\$16,320.00	\$24.15	\$8,211.00
		Comments:	Ameristar does not offer 8' tall Montage Plus in a 2-rail design as specified. Fence is quoted with the specified product, but in a 3 rail design per attached shop drawings. *Gate Automation is quoted w/the following: 1/2 hp chain-drive operator, AK-11 keypad for ingress, Automatic exit loop for egress, indise & outside safety loops, manual chain release w/fire box & Knox padlock for emergency access. *Electrical required for installation *Chain link quoted is for a standard 3 wire top. There are no standard fittings for a single strand of barbed wire.			



City of Rowlett
Staff Report

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

AGENDA DATE: 10/20/15

AGENDA ITEM: 8A

TITLE

Conduct a public hearing and take action on a request for a Special Use Permit to allow an accessory structure that does not meet the height and side setback requirements of Section 77-303 of the Rowlett Development Code for property located at 4810 Scenic Drive. (SUP26-2015)

STAFF REPRESENTATIVE

Garrett Langford, AICP, Principal Planner

SUMMARY

The applicants, Darrell and Barbara Hollowell, are requesting a Special Use Permit (SUP) to construct a 720 square-foot accessory structure on their property at 4810 Scenic Drive (Attachment 1 – Location Map). An SUP is needed as the applicants' proposal will not meet the size, setback and height requirements in Section 77-303 of the Rowlett Development Code (RDC).

The Planning and Zoning Commission voted unanimously to recommend approval of this item at their October 13, 2015, meeting. The video of this meeting can be viewed online at the following link: <http://www.ci.rowlett.tx.us/index.aspx?NID=397>.

BACKGROUND INFORMATION

The subject property at 4810 Scenic Drive is a 1.09 acre lot zoned Single Family 10 (SF10). The subject property currently has a 1,464 square-foot single-family home. The applicants are proposing to construct an accessory structure that they will use to store home and yard equipment and to use it as a workshop. (Attachment 2 – Applicant's Statement).

The applicants are proposing to build a 24-foot by 30-foot detached garage located 12 feet from the side property line to the south and 40 feet from the front property line (Attachment 3 – Site Plan). This location will place the storage building closer to the street than the house which is 85 feet from the front property line. The applicants are proposing to place the structure in the front yard to avoid the cost of building a retaining wall due to the steeper terrain of the rear yard.

The exterior of the proposed structure will consist of cementitious fiberboard that will match the color that is on the house. Additionally, the structure will have a pitched roof with shingles matching the house. The structure will not exceed the height of the house. The accessory structure will have an overhead door facing to the north (Attachment 4 – Building Exterior).

The RDC allows accessory structures to be located in the front yard provided that they meet the same setback requirements of the house and do not exceed the maximum size of 500 square feet and the maximum height of seven feet. The front setback for the subject property is 25 feet

and the side yard setback is 18 feet (10% of the lot width). The table below shows what is required versus what is being proposed. The proposed structure meets the material and lot coverage requirements, but it will exceed the maximum size of 500 square feet, the maximum height of seven feet and will encroach into the side yard setback.

<i>Use standard</i>	<i>Regulation</i>	<i>Proposed Structure</i>
<i>Max. size</i>	<i>500 square feet</i>	<i>720 square feet</i>
<i>Max height</i>	<i>7 feet</i>	<i>14 feet</i>
<i>Min. side yard setback</i>	<i>18 feet</i>	<i>12 feet</i>
<i>Max Lot Coverage</i>	<i>45%</i>	<i>8%</i>

The lot coverage was calculated by including all existing structures and impervious surfaces with the proposed structure.

DISCUSSION

The RDC permits an accessory structure that does not meet the before-mentioned requirements with the approval of a Special Use Permit. The approval criteria for an SUP are outlined in Section 77-206 of the RDC. City Council should consider the request based on these approval criteria as detailed below. Staff has added additional commentary in bold italics beneath each point of consideration where applicable.

Section 77-206.D. Approval Criteria. Recommendations and decisions on Special Use Permits shall be based on consideration of the following criteria:

1. The proposed Special Use Permit is consistent with the Comprehensive Plan and other infrastructure-related plans, all applicable provisions of this Code, and applicable state and federal regulations;

The subject property is not located within one of the 13 opportunity areas in the Realize Rowlett 2020 Comprehensive Plan. However, the Guiding Principles in the Plan should be considered in decisions about zoning. The most relevant principle to this zoning request is the principle of “value existing neighborhoods.” The applicant is proposing to build a quality structure with high quality materials that match the design and color of the house making it consistent with the subject property. Given the design and quality of the proposed structure, it is Staff’s opinion that the request would not deter the value of the surrounding properties.

2. The proposed Special Use Permit is consistent with the purpose and intent of the zoning district in which it is located;

Accessory buildings are allowed in residential zoning districts provided they meet the requirements previously mentioned. As it was indicated previously, the proposed structure does not meet height, size or setback requirements. While the proposed structure exceeds the size requirements, it does not come close to exceeding the lot

coverage requirements. The property is slightly larger than one acre making it appropriate for a 720 square-foot accessory structure.

The height of the proposed structure will exceed the maximum size height for an accessory structure located in the front yard. However, the design and size of the structure is more akin to a detached garage. The 14-foot high structure will match the height of the house which is an appropriate height for a detached garage.

The applicant is requesting a 12-ft side yard setback instead of 18-ft side yard setback in order to avoid damaging an existing tree located to the north of the proposed structure.

3. Whether the proposed Special Use Permit meets the challenge of some changing condition, trend, or fact;

The applicants are requesting a Special Use Permit to construct an accessory structure that does not meet the before mentioned requirements.

4. Whether the proposed Special Use Permit will protect or enhance the health, safety, morals, or general welfare of the public;

The proposal should not negatively affect the health, safety, morals or general welfare of the public. The proposed structure will have some screening from Scenic Drive as the proposed structure is located behind a mature pecan tree and recently planted shrubs. Additionally, the exterior materials and color of the proposed structure will match that of the existing the home.

5. Whether the municipality and other service providers will be able to provide sufficient transportation and utility facilities and services to the subject property, while maintaining sufficient levels of service to existing development;

Adequate utilities, access roads and drainage facilities are being provided for the subject property. This SUP will not increase any demands on utilities.

6. Whether the proposed Special Use Permit is consistent with or will have significant adverse impacts on other property in the vicinity of the subject tract; and

The proposed structure will be constructed with materials that are consistent and compatible with the house on the property. Additionally, the proposed structure will have some screening with the landscaping located along the front of the property. The size of structure is not out of proportion with the size of the property which is over an acre. The design, color and quality of the proposed structure will match that of the existing house making it less intrusive. Therefore, it is Staff's opinion that the

proposed structure will not have any significant adverse impact on the adjacent properties.

7. The suitability of the subject property for the existing zoning and the proposed use sought by the Special Use Permit;

An accessory structure is a permitted use in the SF10 zoning district. In Staff's opinion, the proposed design and compatibility of the proposed structure with the house make the request suitable for this property.

It is Staff's opinion that the request meets the criteria outlined in the RDC for a Special Use Permit. The request is not expected to have an adverse impact on adjacent properties. The design and quality of the proposed structure will make it compatible with the house and surrounding structures.

Public Notice

On September 17, 2015, a total of 14 notices were mailed to property owners within 200 feet and a total of 37 courtesy notices were mailed to property owners within 500 feet. As of October 9, 2015, two public notices were received in favor of the request while none were received in opposition. Two response from the 500-ft courtesy notices was received in favor of the request while two were received in opposition. The responses are available in Attachment 6 – Returned Public Notices.

Staff published the Legal Notice in the Rowlett Lakeshore Times on September 17, 2015, and placed a zoning sign on the subject property on September 15, 2015, in accordance with the Rowlett Development Code.

FISCAL IMPACT/BUDGET IMPLICATIONS

N/A

RECOMMENDED ACTION

Staff recommends approval the request.

ORDINANCE

AN ORDINANCE OF THE CITY OF ROWLETT, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE, PLAN AND MAP OF THE CITY OF ROWLETT, TEXAS, AS HERETOFORE AMENDED, BY GRANTING A SPECIAL USE PERMIT FOR PROPERTY LOCATED AT 4810 SCENIC DRIVE BEING FURTHER DESCRIBED AS A 1.09 +/- ACRE TRACT OF LAND IN THE WHITAKER CRABTREE SURVEY, ABSTRACT 60, TRACT 1, CITY OF ROWLETT, ROCKWALL COUNTY, TEXAS, TO AUTHORIZE THE CONSTRUCTION OF AN ACCESSORY BUILDING; PROVIDING DEVELOPMENT AND USE STANDARDS; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO

**EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE;
AND, PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the Planning and Zoning Commission of the City of Rowlett and the governing body of the City of Rowlett, in compliance with state laws with reference to amending the Comprehensive Zoning Ordinance, have given the requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners and interested persons generally, the governing body of the City of Rowlett is of the opinion that said zoning ordinance and map should be amended as provided herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS:

Section 1. That the Comprehensive Zoning Ordinance, Plan and Map of the City of Rowlett, Texas, heretofore duly passed by the governing body of the City of Rowlett, as heretofore amended, be and the same are hereby amended by granting a Special Use Permit for property located at 4810 Scenic Drive, being further described as being a 1.09 +/- acre of land in the Whitaker Crabtree Survey, Abstract 60, Tract 1, City of Rowlett, Rockwall County, Texas, ("Property"), said property being zoned as Single Family Residential District – SF-10, to authorize the construction of construction an accessory building under the conditions set forth herein.

Section 2. That an accessory structure be and is hereby authorized to be constructed on the Property under the following terms and conditions:

1. The dimensions of the accessory structure shall be approximately 24 feet wide by 30 feet in length (720 square feet) with a maximum height of 14 feet;
2. Exterior materials consistent with the primary dwelling shall be used. Metal shall not be used as an exterior material;
3. The accessory structure shall be constructed on the Property in the dimensions and location set forth in Exhibit "A," attached hereto and incorporated herein, notwithstanding required lot and rear yard coverage requirements imposed by the Development Code, and may encroach into the required side yard setback as shown in Exhibit "A" such that the side yard setback applicable to the accessory structure shall be not less than 12 feet.
4. The Property and the accessory structure shall be used only in the manner and for the purposes provided herein and by the ordinances of the City of Rowlett, Texas, as heretofore amended, and as amended herein. Except as otherwise expressly provided for in this Ordinance, the development, use and occupancy of the Property and the accessory structure shall conform to the standards and regulations set forth in the SF-10 District and the regulations pertaining to accessory structures in residential districts of the Rowlett Development Code (Chapter 77 of the Code of Ordinances of the City of Rowlett, Texas), and the Code of Ordinances of the City of Rowlett, Texas, as amended; and
5. The authorization contained in this Ordinance is not intended and shall not be construed to approve any development plan of any kind, including but not limited to a

site plan, landscaping plan, façade plan, or other plan, nor to grant any permit of any kind, otherwise required by existing ordinances of the City.

Section 3. That all provisions of the ordinances of the City of Rowlett in conflict with the provisions of this ordinance as applicable to the Property be and the same are hereby repealed and all other provisions of the ordinances of the City of Rowlett not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 4. That an offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

Section 5. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

Section 6. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Rowlett, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand (\$2,000.00) Dollars for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

Section 7. This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

ATTACHMENTS

Exhibit A – Site Plan

Attachment 1 – Location Map

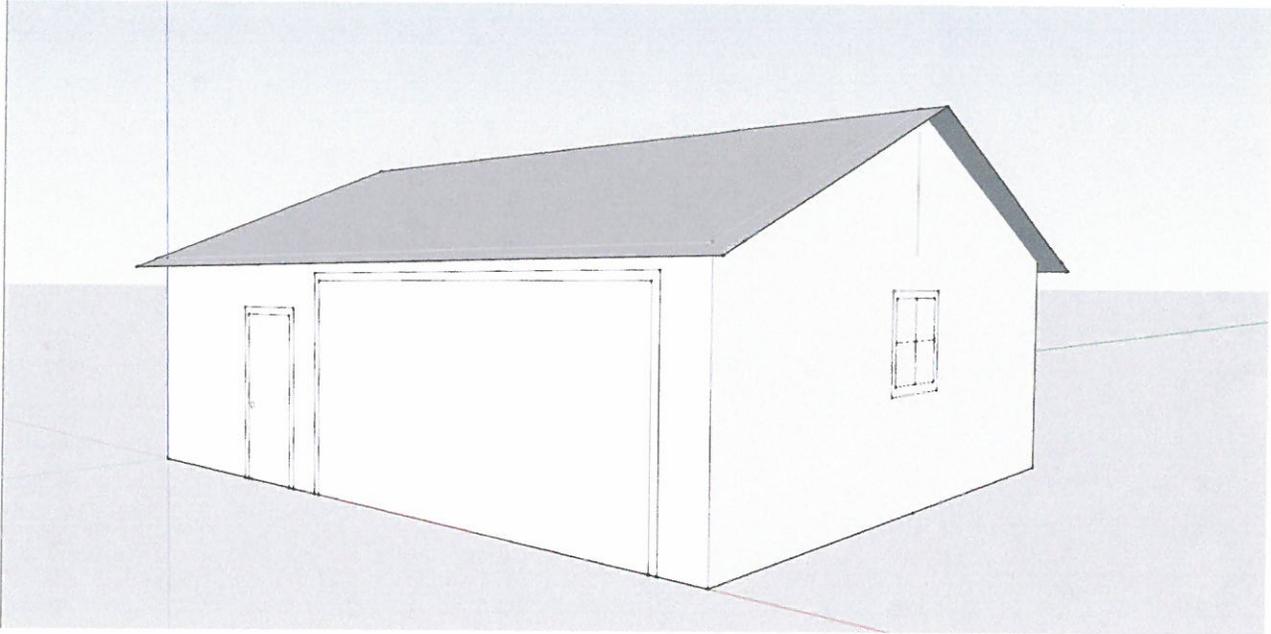
Attachment 2 – Applicant’s Statement

Attachment 3 – Site Plan

Attachment 4 – Building Elevations

Attachment 5 – Site Photos

Attachment 6 – Returned Public Notices



30' (w/ door and garage door) x 24' (with window facing west/street)

EXHIBIT A – Concept Plan

**WILLIAM CRABTREE SURVEY, ABSTRACT NO. 60
ROCKWALL COUNTY, TEXAS
AUGUST 25, 2015
DARRELL HOLLOWELL – 4810 SCENIC DRIVE
(214) 616-0296
720 SQ FT PROPOSED ACCESSORY BLDG**

Location Map: 4810 Scenic Drive





August 25, 2015

City of Rowlett

STATEMENT OF INTENT AND PURPOSE: Minor SUP Accessory Building

To whom it may concern:

Our property requires an Accessory Building to house equipment and materials related to upkeep and property maintenance - for example, tractor and 3-point related attachments, workshop, etc.

Our property is quite unique. The house was built in 1950 and pre-dates not only the neighborhoods surrounding it, but also the incorporation of the city of Rowlett. Due to the size of the property and the additional adjacent takeline property, the equipment needs are more than your typically standard lot. We are not part of a subdivision, but we are conscious of maintaining a visually pleasing estate. We are currently having to leave equipment, accessories, and materials exposed to the weather. It would be of great benefit to preserve the value of our investments to properly house them in an appropriately sized accessory building. This will also improve the organization and beautification of the estate.

The proposed location of the accessory building sits well behind the neighbor's front building line and is situated to the side our existing home – this space is largely unused - and will not impede the waterfront sightlines for our neighbor. There will be appropriate landscaping to screen the accessory building from the street. The facade of the accessory building will closely match our existing home (shingled roof, siding/treatment matching in color, with matching roof pitch not exceeding the height of existing home) nestled within our mature pecan trees.

We've attached a Tuff Shed "standard ranch garage" drawing and sketch-up design of what we have in mind – 24x30 ft building with a maximum height roof peak of 14 feet, 5/12 roof pitch, shingled, and eaves on all sides (mirroring our home) – this is stick built and not a prefab metal building, and intended to match the style of our home. This will not be used for living quarters or any commercial uses.

If you should have any questions, please do not hesitate to contact us.

Warmest Regards,
The Hollowells

Exhibit B - Intent & Purpose

WILLIAM CRABTREE SURVEY, ABSTRACT NO. 60
ROCKWALL COUNTY, TEXAS
AUGUST 25, 2015
DARRELL HOLLOWELL – 4810 SCENIC DRIVE
(214) 616-0296
720 SQ FT PROPOSED ACCESSORY BLDG



From front easement



12 feet from south property line and 40 feet from west property line

EXHIBIT A – PROJECT SITE PHOTOS

**WILLIAM CRABTREE SURVEY, ABSTRACT NO. 60
ROCKWALL COUNTY, TEXAS
AUGUST 25, 2015
DARRELL HOLLOWELL – 4810 SCENIC DRIVE
(214) 616-0296
720 SQ FT PROPOSED ACCESSORY BLDG**



Facing South – the poles are to approximate the 24x30 accessory building



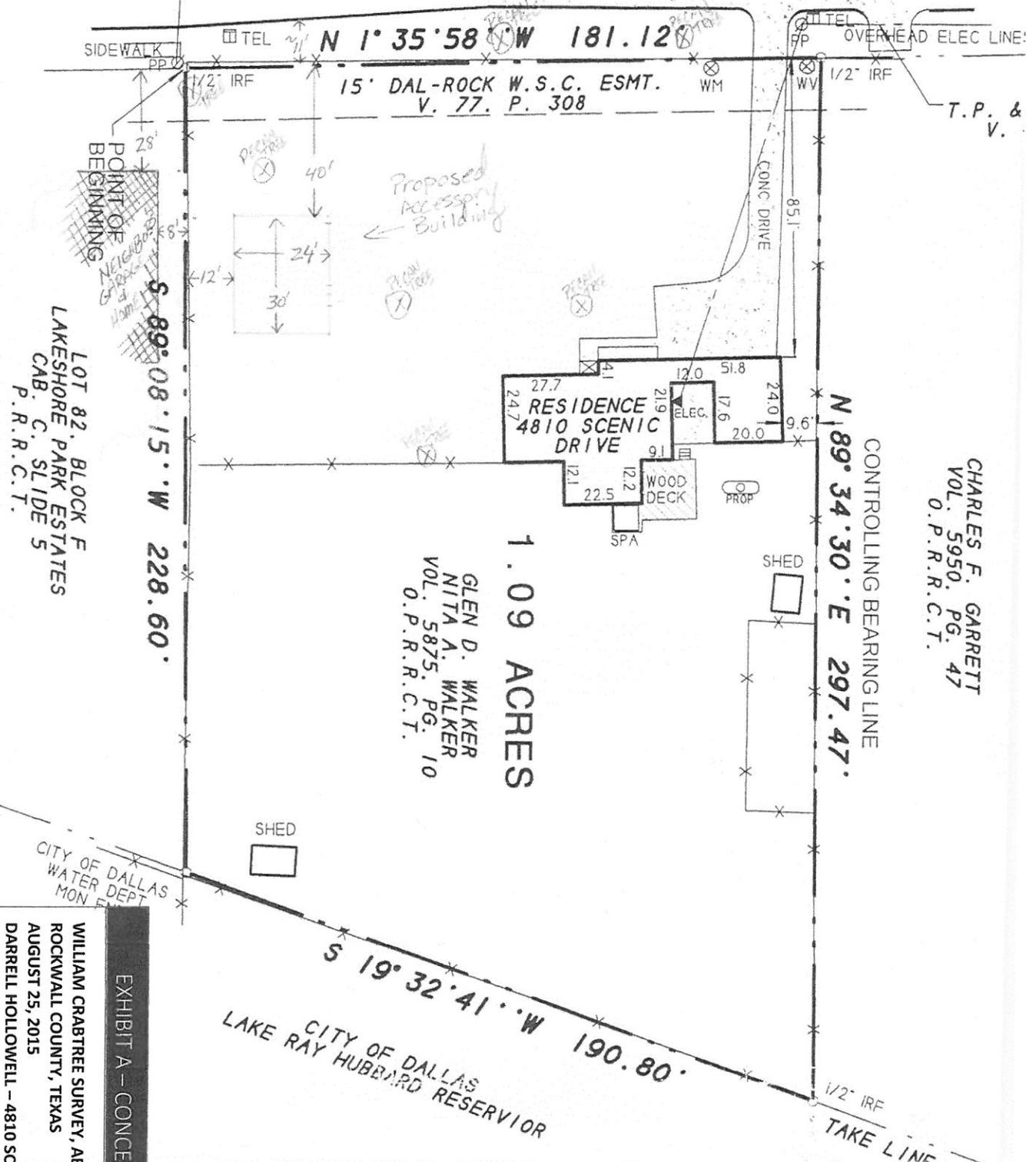
EXHIBIT A – PROJECT SITE PHOTOS

**WILLIAM CRABTREE SURVEY, ABSTRACT NO. 60
ROCKWALL COUNTY, TEXAS
AUGUST 25, 2015
DARRELL HOLLOWELL – 4810 SCENIC DRIVE
(214) 616-0296
720 SQ FT PROPOSED ACCESSORY BLDG**



SCENIC DRIVE

VARIABLE WIDTH R.O.W. PER V. 1766. P. 315



LOT 82, BLOCK F
 LAKESHORE PARK ESTATES
 CAB. C. SLIDE 5
 P.R.R.C.T.

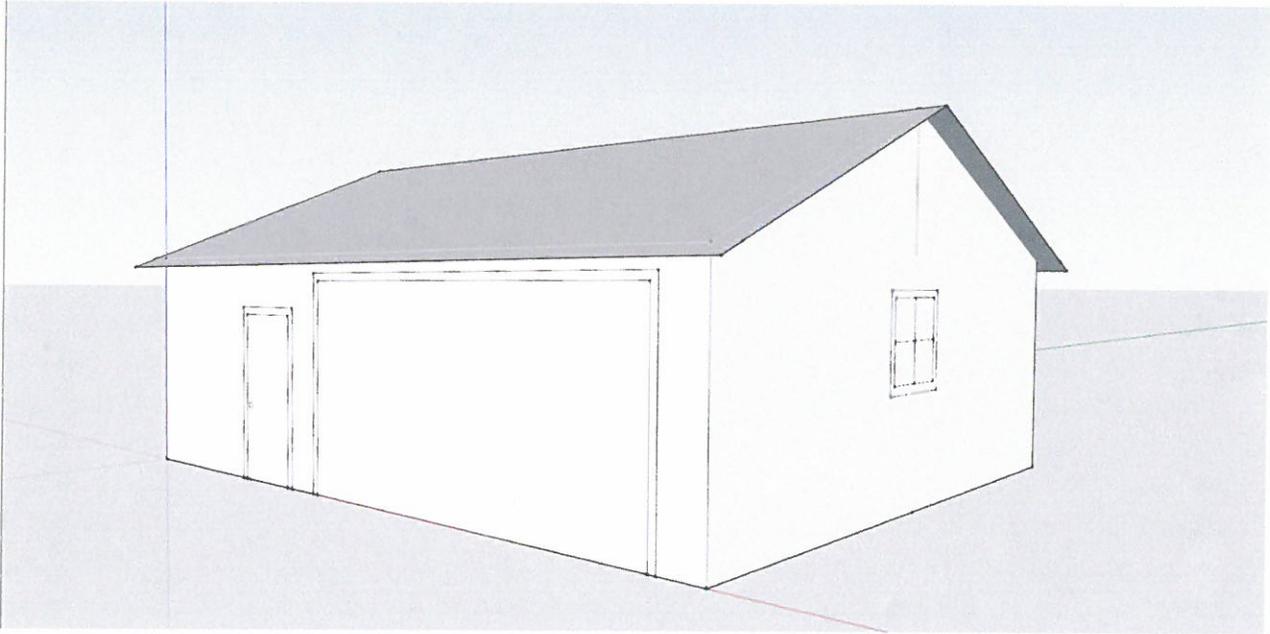
GLEN D. WALKER
 NITA A. WALKER
 VOL. 5875, PG. 10
 O.P.R.R.C.T.

CHARLES F. GARRETT
 VOL. 5950, PG. 47
 O.P.R.R.C.T.

CITY OF DALLAS
 WATER DEPT
 MON

CITY OF DALLAS
 LAKE RAY HUBBARD RESERVIOR

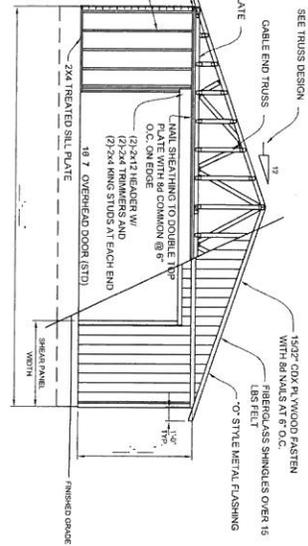
EXHIBIT A - CONCEPT PLAN
 WILLIAM CRABTREE SURVEY, ABSTRACT NO. 60
 ROCKWALL COUNTY, TEXAS
 AUGUST 25, 2015
 DARRELL HOLLOWELL - 4810 SCENIC DRIVE
 (214) 616-0296
 720 SQ. FT PROPOSED ACCESSORY BLDG



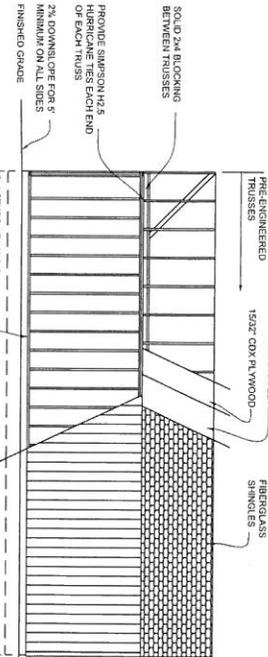
30' (w/ door and garage door) x 24' (with window facing west/street)

EXHIBIT A – Concept Plan

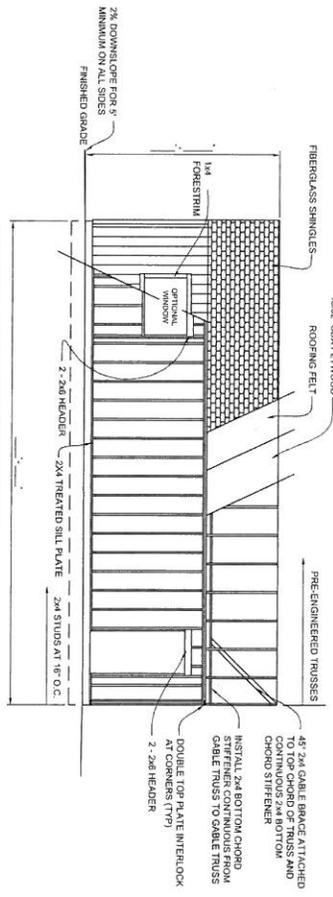
**WILLIAM CRABTREE SURVEY, ABSTRACT NO. 60
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AUGUST 25, 2015
DARRELL HOLLOWELL – 4810 SCENIC DRIVE
(214) 616-0296
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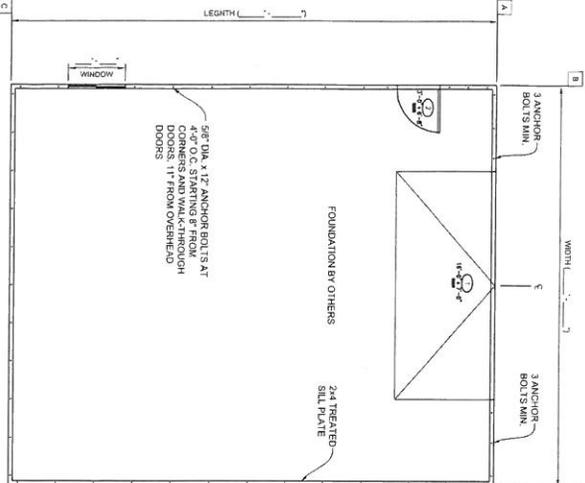
END WALL ELEVATION WITH OPENING
SCALE: 1/4" = 1'-0"



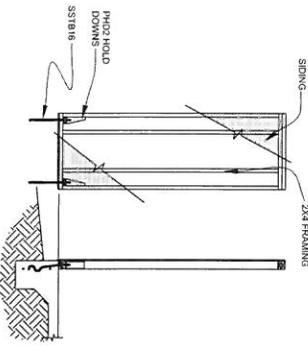
BLANK SIDE WALL ELEVATION
SCALE: 1/4" = 1'-0"



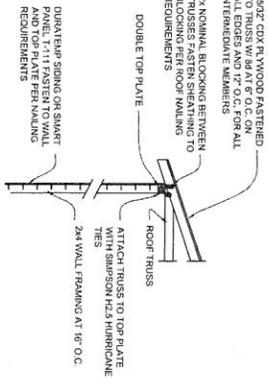
SIDE WALL ELEVATION WITH OPENINGS
SCALE: 1/4" = 1'-0"



FLOOR PLAN
SCALE: 1/4" = 1'-0"



WALL PANELS LESS THEN 2'-8"
HOLD DOWNS REQUIRED
2x2 L-1 BEZEL PANEL MUST BE
TIED TO THE WALL FRAMING
HOLD DOWN WITH THE APPROVED
UPRIFT CAPACITY OF NOT LESS THAN
1,500 POUNDS



TRUSS ATTACHMENT
SCALE: 1/4" = 1'-0"

- STRUCTURAL NOTES:**
- 2025 IRC & RJC AND AMENDMENTS PER LOCAL REFERENCE: 2025 IRC & RJC FOR DESIGN JURISDICTION OVER THIS PROJECT. 2015 WIND LOAD EXPOSURE C
- LUMBER:**
1. ALL LUMBER SHALL BE #1-#2 GRADE NO. 2 OR BETTER, WITH A BASE MINIMUM ALLOWABLE EXTREME FIBER BENDING STRESS FOR HANKING (F_b) OF 850 PSI ETC., UNLESS OTHERWISE NOTED.
 2. REFER TO THE TRUSS DESIGN FOR DESIGN INFORMATION

210-RG-11

Exhibit A -
William Crabtree Abt 60
Rockwall County Tx
August 25, 2015
Durrell Hollowell
4810 Scenic Drive
214-616-0296

<p>TUFF SHED Storage Buildings & Garages TUFF SHED, INC. 445 W. 14th Street, Suite 100 Houston, TX 77041 832-994-8833 832-994-8834 832-994-8835</p>	<p>DESIGN BY: BAH DATE: 08/25/2015 CHECKED BY: DRAWN BY: REVISIONS:</p>	<p>PO No. _____ Customer: RANCH GARAGE Description: _____ SQ FT Site Address: _____</p>	<p>Inv No. _____</p>
	<p>THESE DRAWINGS AND THE DESIGN ARE THE PROPERTY OF TUFF SHED, INC. THESE DRAWINGS ARE FOR A BUILDING TO BE SUPPLIED AND BUILT BY TUFF SHED. ANY OTHER USE IS FORBIDDEN BY BOTH TUFF SHED AND THE ENGINEER OF RECORD McGinnis ASSOCIATES.</p>	<p>McGINNIS & ASSOCIATES CONSULTING ENGINEERS, INC. 3110 WESTMARK DRIVE SAINT LOUIS, MISSOURI 63131 PHONE: (314) 469-6460</p>	<p>510226</p>

4810 Scenic Drive



4810 Scenic Drive



4810 Scenic Drive





Department of Development Services

09-15-15P02:20 RCVD

NOTICE OF PUBLIC HEARING

TO: Property Owner

09-15-15P02:20 RCVD

RE: Application for a Special Use Permit

LOCATION: The subject property is located at 4810 Scenic Drive further described as being 1.133 +/- acres in the Whitaker Crabtree Abstract #60, City of Rowlett, Rockwall County, Texas. A map is attached for reference. This notice and the notification area are required under Chapter 211.007 of the Texas Local Government Code.

EXPLANATION OF REQUEST: The applicant is proposing to construct a 720 square-foot accessory structure at 4810 Scenic Drive. A Special Use Permit is needed as the applicant's proposal does not meet the accessory structure requirements in Section 77-303 of Rowlett Development Code. (SUP26-2015)

[X] I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:

[] I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: We do not object to the structure as long as it is not constructed to be even with or extend beyond the front of our house. Our neighbors Darrell & Barbie have stated that the "Garage" will not be even with or extend beyond the front of our house.

PROPERTY OWNER NAME

(print):

THOMAS J AND DALE M. ROW

SIGNATURE:

Thomas J and Dale Row

ADDRESS:

4714 SCENIC DRIVE, ROWLETT, TX 75088

Your written comments are being solicited in the above case. Additional information is available in the Department of Development Services located at 3901 Main Street. The Planning and Zoning Commission of the City of Rowlett, Texas, will hold a public hearing at 6:30 p.m. on the 22nd day of September, 2015, and that the City Council will hold a public hearing at 7:30 p.m. on the 13th day of October, 2015. Both hearings will be held at the Municipal Center, 4000 Main Street, Rowlett, Texas.

Please legibly respond in ink. If the signature and/or address are missing, your comments will not be recorded. Your response must be received in the Development Service Department by 5 pm on Wednesday, September 17, 2015, for your comments to be included in the Planning and Zoning Commission packet and/or by Wednesday, October 7, 2015, to be included in the City Council packet. All responses received by October 7th will be forwarded to the Council as well; it is not necessary to respond twice. Responses received after the times noted above shall not be counted in the record of response.

Any owner of property subject to a proposed rezoning or affected by a proposed rezoning may protest the rezoning by filing a written protest (this form is sufficient) with the Director of Development Services within the time specified above. The protest shall object to the zoning map amendment, contain a legal description of the property on behalf of which the protest is made, and be signed by the owner of the property. If protests in the form of opposition are received from property owners within 200 feet of the subject property, and the property owners own a combined minimum of 20 percent or more of the land area, approval by the city council shall only occur with a concurring vote of at least three-fourths of the full membership of the city council.

If you have any questions concerning this request, please contact the Department of Development Services

Phone 972-412-6166

FAX 972-412-6228

glangford@rowlett.com

RETURN BY FAX OR MAIL

City of Rowlett

Development Services

PO Box 99

Rowlett, TX 75030-0099



Department of Development Services

NOTICE OF PUBLIC HEARING

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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS:

PROPERTY OWNER NAME

(print):

Harry Grayson

SIGNATURE:

[Handwritten Signature]

ADDRESS:

4810 Scenic Dr.

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Department of Development Services

Please note that the P&Z public hearing is being rescheduled from September 22nd to October 13th. The related City Council meeting is rescheduled for October 20th. Previously submitted written comments will be included in the upcoming public hearing. It is not necessary to resubmit.

COURTESY NOTICE OF PUBLIC HEARING

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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: None

PROPERTY OWNER NAME (print): Michael Hohenberger
SIGNATURE: [Signature]
ADDRESS: 4614 Lakepointe Ave, Rowlett 75088

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City of Rowlett
Development Services
PO Box 99
Rowlett, TX 75030-0099

09-30-15P03:30 RCVD



Department of Development Services

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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS:

PROPERTY OWNER NAME

(print):

Tara Statmann

SIGNATURE:

Tara Statmann

ADDRESS:

4910 Scenic Dr Rowlett TX 75088

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Department of Development
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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: *Will not compliment neighborhood architecture. Seems "Farm" vs Residential Appearance. Already trashy - Tractor/Trailer of Trailer by trash easily seen FROM STREET - see pic.*

PROPERTY OWNER NAME (print): *TIM/NANCY RAMSEY*

SIGNATURE: *TIM W Ramsey*

ADDRESS: *4614 SCENIC DR. Rowlett, TX 75088*

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- I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: *IF it does not meet code, it should not be allowed. Codes are there for a reason*

PROPERTY OWNER NAME (print): *Donald W. Talpack*
SIGNATURE: *D.W. Talpack*
ADDRESS: *9217 Wood Lake Dr Rowlett Tx 75088*

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09-17-15P04:32 RCVD