



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, November 3, 2015

6:00 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

- 2A.** The City Council shall convene into Executive Session pursuant to the Texas Government Code, §551.071 (Consultation with Attorney) to discuss with and to receive legal advice from the City Attorney regarding pending litigation entitled City of Rowlett v. KMS Retail Rowlett. (15 minutes)

3. WORK SESSION (6:15 P.M.) * Times listed are approximate.

- 3A.** Year-end Update from the City Manager for FY2015. (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. Presentation of a Proclamation to the Parks and Recreation Department for the recognition and celebration of Arbor Day.
- 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 20, 2015, City Council Regular Meeting.
- 7B. Consider action to approve a resolution authorizing the final acceptance and release of retainage for the Westwood Circle Drainage Improvements Project (DR2104) in the amount of \$24,852.82 to Camino Construction and authorize the Mayor to execute the necessary documents for said services.
- 7C. Consider action to approve a resolution for Task Authorization #FY16-01NS to the Agreement for Professional Services with Neel-Schaffer, Inc., in the amount of \$471,700 for engineering services to provide construction plans and specifications for the Dalrock Estates Street Reconstruction – Paving & Drainage Improvements, and authorizing the Mayor to execute the necessary documents for said services.
- 7D. Consider action to approve a resolution for Task Authorization #FY16-GA32 to the Agreement for Professional Services with Grantham & Associates, Incorporated in the amount of \$164,044 for engineering services to provide construction plans and specifications for the Primrose Lane Reconstruction – Paving, Drainage and Utility Improvements, and authorizing the Mayor to execute the necessary documents for said services.
- 7E. Consider a resolution approving Task Authorization # FY16-01WG to the approved professional services agreement with Wallace Group, Inc., in the amount of \$83,406 to provide design surveys for the Alley Improvement Project consisting of approximately 12,239 linear feet of alley paving replacement for thirteen (13) alleys, and authorizing the Mayor to execute the necessary documents for said services.
- 7F. Consider action to approve a resolution authorizing the final acceptance, release of retainage and early completion bonus for the 16" Waterline along Main Street West of Kirby Road (PGBT) (WA1156) in the amount of \$308,529.64 to Tri-Con Services, and authorizing the Mayor to execute the necessary documents for said services.

- 7G.** Consider a resolution of the City of Rowlett, Texas amending the City's Policy Statement for Economic Development Incentives.
- 7H.** Consider action to approve a Resolution approving an Alternative Landscape Plan for F&F Concrete located at 2416 Chandler Drive, further described as Lot 3R, Block A of the Storage Max of Rowlett Addition, City of Rowlett, Dallas County, Texas. (DP14-2015).

8. ITEMS FOR INDIVIDUAL CONSIDERATION

- 8A.** Conduct a public hearing and consider an ordinance approving a Major Warrant pertaining to the average minimum Build-to Line for the Homestead at Liberty Grove located at the northern terminus of Chiesa Road, north of Liberty Grove Road, being 35.315 +/- acres out of the James M. Hamilton Survey, Abstract No. 544, City of Rowlett, Dallas County, Texas.

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 30th 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: 11/03/15

AGENDA ITEM: 2A

TITLE

The City Council shall convene into Executive Session pursuant to the Texas Government Code, §551.071 (Consultation with Attorney) to discuss with and to receive legal advice from the City Attorney regarding pending litigation entitled City of Rowlett v. KMS Retail Rowlett. (15 minutes)



City of Rowlett
Staff Report

4000 Main Street
P.O. Box 99
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AGENDA DATE: 11/03/15

AGENDA ITEM: 3A

TITLE

Presentation of Year-End Update from the City Manager. (45 minutes)

STAFF REPRESENTATIVE

Brian Funderburk, City Manager

SUMMARY

The purpose of this item is to present the annual update on the City's work plan and other activities.

BACKGROUND INFORMATION

FY2015 represents the sixth year that the organization has had a formal work plan.

DISCUSSION

City Manager Brian Funderburk will give a presentation on the year-end update of the FY2015 Work Plan. A copy of the FY2015 Work Plan is attached for review. A more detailed presentation will be provided during the work session discussion.

FINANCIAL/BUDGET IMPLICATIONS

N/A

RECOMMENDED ACTION

No action necessary.

ATTACHMENT

Attachment 1 – FY2015 Work Plan

ORGANIZATIONAL WORKPLAN FOR FY 2015

ORGANIZATION VISION STATEMENT:
**ACCOUNTABLE LEADERSHIP DEDICATED TO INNOVATIVE THINKING, CONTINUOUS
 IMPROVEMENT AND FINANCIAL SUSTAINABILITY**

BOLD = Council WP

**GOAL #1 IMPROVE RELATIONSHIPS WITH CITIZENS TO ESTABLISH COMMUNITY
 GOODWILL**

1. *CONTINUE TO ENCOURAGE AND PROMOTE VOLUNTEERISM (City Manager's Office, All Departments; Quarters 1-4)*
2. *CONTINUE TO HOLD QUARTERLY MEETINGS WITH THE MAYOR AND VOLUNTEER GROUPS, HOMEOWNER ASSOCIATIONS GROUPS, CRIME WATCH GROUPS AND BOARDS AND COMMISSIONS FAIR (Mayor, City Manager's Office, Police, Fire; Quarters 1-4)*
3. *CONTINUE AND ENHANCE CRIME WATCH GROUPS (Police; Quarters 1-4)*
4. *CONTINUE OUTREACH TO CITIZENS AND INVOLVEMENT WITH COMMUNITY ACTIVITIES (Fire; Quarters 1-4)*

**GOAL #2: CREATE AN ORGANIZATION THAT EMBRACES CONTINUOUS IMPROVEMENT
 THROUGH INNOVATION AND ACCOUNTABILITY**

1. *CONTINUE IMPLEMENTATION OF ERP (ENTERPRISE RESOURCE PLANNING) THAT INCLUDES CORE FINANCIALS, UTILITY BILLING, CODE ENFORCEMENT, HUMAN RESOURCES AND PAYROLL MODULES (Finance, IT; Quarters 1-4)*
2. *CONTINUE PAPERLESS INITIATIVE ORGANIZATION WIDE (City Secretary's Office, All Departments; Quarters 1-4)*
3. *CONTINUE PROCESS TO ACHIEVE RECOGNITION BY THE FIRE CHIEFS ASSOCIATION OF TEXAS BEST PRACTICES (Fire; Quarters 1-4)*
4. *COMPLETE ACCREDITATION PROCESS FOR PARKS AND RECREATION DEPARTMENT THROUGH THE COMMISSION FOR ACCREDITATION OF PARKS AND RECREATION AGENCIES (CAPRA) (Parks & Recreation; Quarter 1)*
5. *CONTINUE PROCESS TO ACHIEVE ACCREDITATION BY THE AMERICAN PUBLIC WORKS ASSOCIATION (APWA) (Public Works; Quarters 1 - 4)*
6. *DESIGN AND IMPLEMENT PRIORITY DISPATCHING FOR FIRE AND EMERGENCY MANAGEMENT SYSTEM (Fire; Quarters 1-4)*
7. *COMPLETE IMPLEMENTATION OF THE TECHNOLOGY PLAN (IT; Quarters 1-3)*

8. *EXPAND INTEGRATED LIBRARY SYSTEM (ILS) SUPPORT FEATURES THROUGH IMPLEMENTATION OF RADIO FREQUENCY IDENTIFICATION (RFID) SECURITY (Library; Quarters 1-4)*
9. *DEVELOP AND IMPLEMENT THE LIBRARY TRANSITION PLAN TO THE "SHORT TERM" LEASED FACILITY (Economic Development; Quarters 1-2)*
10. *CONTINUE LIBRARY TRANSITION – INTERMEDIATE PLAN (Library; Quarters 2-4)*

GOAL #3: ENHANCE OUR CUSTOMER CENTERED ORGANIZATION TO ENSURE CITIZENS RECEIVE VALUE FOR THEIR INVESTMENT

1. *CONTINUE DEPARTMENTAL COMMUNICATION STRATEGY IN PARTNERSHIP WITH THE COMMUNICATIONS DEPARTMENT TO ENSURE CITIZEN AWARENESS ABOUT CITY PROGRAMS AND SERVICES THAT GENERATE AND/OR CREATE VALUE FOR THEIR TAX DOLLARS (All Departments, Communications; Quarters 1-4)*
2. *CONTINUE IMPLEMENTATION OF YEAR 4 OF 5 YEAR PLAN TO REACH AN ULTIMATE LEVEL OF 30% SUBSIDY FROM THE GENERAL FUND FOR THE ROWLETT COMMUNITY CENTRE (WITH THE OTHER 70% BEING SELF SUSTAINING) (Parks & Recreation, City Manager's Office; Quarters 1-4)*
3. *CONDUCT A PUBLIC EDUCATION CAMPAIGN ON THE MAY 2015 BOND ELECTION, INCLUSIVE OF ESTABLISHING A COMMUNITY INVESTMENT PROGRAM (CIP) TASK FORCE CHARGED WITH PROVIDING A RECOMMENDATION OF A SLATE OF PRORITIZED PROJECTS TO THE CITY COUNCIL. (City Manager's Office, Public Works, Parks, and Finance; Quarters 1-3)*
4. *COMPLETE CONSTRUCTION OF SCENIC POINT PARK PHASE I (Parks & Recreation, Public Works; Quarters 1-4)*
5. *CONTINUE TO UPGRADE PARKS MAINTENANCE STANDARDS (Parks; Quarters 1-4)*
6. *SELECT A FINAL DESIGN PLAN FOR HERFURTH PARK RENOVATIONS (Parks; Quarters 1-2)*
7. *DEVELOP AND IMPLEMENT PLAN TO REBUILD KID'S KINGDOM PHASE I BY SELECTING A CONSULTANT FOR A DESIGN DAY AND PLANNING THE FUNDRAISING FOR KIDS KINGDOM (Parks; Quarters 1-4)*
8. *RELOCATE/REBRAND THE DOWNTOWN EVENT SERIES (Parks; Quarters 1-2)*
9. *CONTINUE TO BUILD THE UPPER AND LOWER PRESSURE PLANE (Public Works, Quarters 1-4)*
10. *DEVELOP THE COMMUNITY ENHANCEMENT PROJECTS PROGRAM (Public Works; Quarters 1-4)*
11. *CONDUCT MASTER PLAN UPDATE INCLUSIVE OF STORMWATER, TRAFFIC, STREET MAINTENANCE, WATER & WASTEWATER (Public Works; Quarters 1-4)*
12. *PURCHASE, INSTALLATION AND IMPLEMENTATION OF FLEET MAINTENANCE SYSTEM SOFTWARE (Public Works; Quarters 1-4)*
13. *DEVELOP PLAN FOR ENTRANCE FEATURES FOR DOWNTOWN ROWLETT AT MARTIN DRIVE AND LAKEVIEW PARKWAY (Economic Development; Quarters 1-4)*

14. *MANAGE AND IMPLEMENT TAX INCREMENT FINANCING (TIF) BOUNDARY ADJUSTMENT (Economic Development; Quarters 1-4)*
15. *MANAGE AND COORDINATE THE PURCHASE OF ELGIN B. ROBERTSON PARK FROM THE CITY OF DALLAS (City Manager's Office, Economic Development; Quarters 1-3)*
16. *MANAGE AND IMPLEMENT THE PUBLIC-PRIVATE PARTNERSHIP FOR ELGIN B. ROBERTSON PARK AND THE ECONOMIC DEVELOPMENT AGREEMENT (Economic Development; Quarters 1-4)*
17. *CREATE A BUSINESS-DEVELOPMENT RECRUITMENT STRATEGY FOLLOWING NORTHSORE DISTRICT SUB-AREA PLAN (Economic Development; Quarters 1-4)*
18. *ISSUE REVENUE BONDS FOR FISCAL YEAR 2016 (Finance, City Manager's Office; Quarter 3)*
19. *IMPLEMENT THE COMMUNITY HEALTH PARAMEDIC PROGRAM (Fire; Quarters 1-4)*
20. *DEVELOP AND IMPLEMENT A STRATEGY FOR THE 84TH TEXAS LEGISLATIVE SESSION (All Departments; Quarters 1-4)*
21. *DEVELOP AND IMPLEMENT LONG-TERM 3-YEAR ALLEY IMPROVEMENT PLAN (Public Works; Quarters 1-4)*
22. *CONDUCT A PUBLIC EDUCATION CAMPAIGN ON THE MAY 2015 BOND ELECTION, INCLUSIVE OF ESTABLISHING AND MANAGING A LONG-TERM (5-YEAR) COMMUNITY INVESTMENT PROGRAM (CIP) (Public Works; Quarters 1-4)*

GOAL #4: CREATE A CULTURE WHERE EMPLOYEES FEEL VALUED AND HAVE A SENSE OF PRIDE AND OWNERSHIP

1. *CONTINUE THE WELLNESS ACCOUNTABILITY PROGRAM (Human Resources, All Departments; Quarters 1-4)*
2. *CONTINUE THE "ABOVE AND BEYOND" EMPLOYEE RECOGNITION PROGRAM (City Manager's Office, All Departments; Quarters 1-4)*
3. *DEVELOP AND IMPLEMENT THE LEARNING MANAGEMENT SYSTEM FOR COMPREHENSIVE CITYWIDE TRAINING (Human Resources, City Manager's Office; Quarters 1-4)*
4. *DEVELOP AND INITIATE STAFFING STUDY (Human Resources, City Manager's Office; Quarters 1-4)*
5. *CONDUCT CLIMATE ASSESSMENT SURVEY (Human Resources, City Manager's Office; Quarters 1-2)*

GOAL #5: EDUCATE OUR COMMUNITY ON WHAT ROWLETT NEEDS TO ACHIEVE SUSTAINABILITY

1. *CONTINUE IMPLEMENTATION OF ECONOMIC DEVELOPMENT STRATEGIC PLAN (Economic Development; Quarters 1-4)*

2. *MANAGE AND IMPLEMENT THE PUBLIC-PRIVATE PARTNERSHIP FOR THE VILLAGE OF ROWLETT PROJECT (Economic Development; Quarters 1-3)*
3. *DEVELOP EMERGENCY ACTION PLAN FOR EACH DEPARTMENT AND FACILITY (Fire, Police, All Departments; Quarters 3-4)*
4. *CONDUCT EMERGENCY MANAGEMENT TRAINING (Fire, All Departments; Quarters 1-4)*
5. *CONDUCT RESEARCH AND STUDY FOR RADIO REPLACEMENT FOR FY2015 (Police, Quarters 1-4)*
6. *CONVERT 9-1-1 SYSTEM TO A HOSTED SOLUTION (Police; Quarters 1-2)*
7. *CONDUCT A LOCAL OPTION ELECTION (City Secretary's Office, City Manager's Office; Quarters 3-4)*
8. *CONDUCT DOWNTOWN RFQ (REQUEST FOR QUALIFICATION) PROCESS AND NEGOTIATE MEMORANDUM OF UNDERSTANDING WITH DEVELOPMENT PARTNERS FOR DEVELOPMENT ON CITY-OWNED PROPERTY (Economic Development; City Manager's Office - Quarters 1-3)*
9. *UPDATE MASTER THOROUGHFARE PLAN TO REFLECT 2040 HORIZON (Development Services; Quarters 1-4)*
10. *ADMINISTRATE THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FOR FY2015 (Development Services; Quarters 1-4)*
11. *ENHANCE NOTIFICATION FOR ZONING CASES BY INCREASING NOTIFICATION RADIUS FROM 200- FEET TO 500- FEET (Development Services; Quarters 1-2)*
12. *PREPARE REGULATIONS ASSOCIATED WITH FOOD TRUCK OPERATIONS TO BE INCLUDED IN CODE OF ORDINANCES (Development Services; Quarters 1-2)*
13. *RELOCATION OF EXISTING CHAMBER OF COMMERCE BUILDING TO HERFURTH PARK/OLD CENTRAL FIRE STATION PROPERTY (Development Services; Quarters 1-2)*
14. *DEFINE SCOPE OF WAYFINDING SIGNAGE IMPLEMENTATION FOR VILLAGE OF ROWLETT AND OTHER CITYWIDE LOCATIONS AS APPLICABLE (Development Services; Quarters 2-3)*



City of Rowlett

Staff Report

4000 Main Street
P.O. Box 99
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AGENDA DATE: 11/03/15

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 those 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 those 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: 11/03/15

AGENDA ITEM: 5A

TITLE

Presentation of a Proclamation to the Parks and Recreation Department for the recognition and celebration of Arbor Day.

STAFF REPRESENTATIVE

Jermel Stevenson, Parks and Recreation Director
Keith Flournoy, Parks Division Manager

SUMMARY

Proclamation recognizing Saturday, November 7, 2015, as Arbor Day.

BACKGROUND INFORMATION

Rowlett has been named a 2015 Tree City USA by the Arbor Day Foundation in honor of our commitment to effective urban forest management. This is the 12th year Rowlett has been named a Tree City USA and as part of the application process for the 13th year, we ask the council to pass an Arbor Day Resolution supporting the City's commitment to the planting and care of trees as a priority within the City.

DISCUSSION

The City population benefits greatly by the planting and caring of our urban forest and green space. Trees are a vital part of the social infrastructure of Rowlett and they provide numerous environmental, social and economic benefit, including cleaner air, improved stormwater drain off, energy savings and increased property values.

FINANCIAL/BUDGET IMPLICATIONS

N/A

RECOMMENDED ACTION

Proclamation recognizing Saturday, November 7, 2015 as Arbor Day.

ATTACHMENT

Proclamation

ARBOR DAY

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, trees can decrease the erosion of our precious topsoil by wind and water, reduce heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and

WHEREAS, planting trees is encouraged as an integral aspect of Best Management Practice; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products. Trees in our City increase property values, enhance the economic vitality of business areas and beautify our community; and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal.

NOW, THEREFORE, I, Todd Gottel, Mayor of the City of Rowlett, Texas, and on behalf of the City Council, do hereby proclaim November 7, 2015 as Arbor Day in the City of Rowlett, and I will prevail upon all citizens to celebrate Arbor Day supporting efforts to protect our trees and woodlands, and I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.



City of Rowlett
Staff Report

4000 Main Street
P.O. Box 99
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AGENDA DATE: 11/03/15

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
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AGENDA DATE: 11/03/15

AGENDA ITEM: 7A

TITLE

Consider action to approve minutes from the October 20, 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 20, 2015, City Council Regular Meeting.

ATTACHMENT

10-20-15 City Council Regular Meeting Minutes



City of Rowlett

Meeting Minutes

City Council

4000 Main Street
Rowlett, TX 75088
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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.

Present: Mayor Gottel, Deputy Mayor Pro Tem Dana-Bashian, Councilmember van Bloemendaal, and Councilmember Sheffield

Absent: Mayor Pro Tem Gallops, Councilmember Bobbitt and Councilmember Pankratz

1. CALL TO ORDER

Mayor Gottel called the meeting to order at 5:47 p.m.

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)

In 5:47 p.m. Out 6:18 p.m. After a short break, they reconvened in the Work Session at 6:23 p.m.

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)

Jim Grabenhorst, Director of Economic Development, introduced members of the Economic Development Advisory Board (EDAB) who were present. He reviewed previous Council discussions regarding EDAB's involvement in incentive deliberations, additional funding for Economic Development, review of incentive policy, and the role of the EDAB. He reviewed the current incentive policy, surrounding communities' incentives and surrounding communities' funding mechanisms.

He then presented the EDAB recommendations: incentives should be considered on a case-by-case basis, include EDAB in incentive review process, establish additional funding sources for economic development, and add targeted incentives such as job creation with salary requirements and specialty retail and restaurant.

Council discussion regarding tweaking the verbiage throughout the document and previous experience, accomplishments, and net worth/liquidity of applicants to be considered. It was the consensus of Council to consider the proposed policy along with the recommended changes at a future meeting.

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

Due to time constraints, this item will be rescheduled for the November 3rd meeting.

4. DISCUSS CONSENT AGENDA ITEMS

Council asked for clarification of item 7D. Mr. Grabenhorst and Kathy Freiheit, Director of Library Services, provided further explanation of the costs for the proposed item.

Council took a short break at 7:30 p.m.

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

Council reconvened at 7:37 p.m.

INVOCATION – Cole Hedgecock, First Baptist Church

PLEDGE OF ALLEGIANCE

TEXAS PLEDGE OF ALLEGIANCE – Led by the City Council

5. PRESENTATIONS AND PROCLAMATIONS

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

Councilmember van Bloemendaal presented proclamations to the first place winners in each category as well as the Best of Show winner:

First Place, People Category:	Fay Stout
First Place, Places Category:	Daniel Work
First Place, Things Category:	Christian Newkirk

Best of Show:	Don Bittinger
---------------	---------------

5B. 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, November 3rd and 17th. P & Z meetings - Next regular meeting will be held Tuesday, October 27th in the City Hall Conference Room at 6:30pm. Charter Review Commission - Next meeting on Wednesday, October 21st at 6pm in the City Hall Conference Room. Early voting for the constitutional amendment and joint elections on November 3rd Starts Monday, October 19th and goes through Friday October 30th. Check the City Secretary's page on our website 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: 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 - Come by Applebee's on Saturday, October 24th for all you can eat pancakes and help build Kids Kingdom. From 8 – 10am; \$10 @ the door; helps to purchase the quad-pod. 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. Veterans Day ceremony – Wednesday, November 11th @ 11am @ RCC. Main Street Fest and Holiday parade – Saturday, December 5th from 3pm – 7pm in Pecan Grove Park. Rowlett Chamber of Commerce hosts Taste and Trade, Thursday, October 22nd starts at 5:30pm at Rowlett High School. Activities for Seniors: Senior potluck lunch social - Second Thursday of the month; 11:30am at RCC, November 12th is the next lunch. Lunch Around Town - Fourth Tuesday of the month @ 11:30 am; October 27th is the next date. Village of Rowlett groundbreaking ceremony. Wednesday, October 28th, starts @ 9:30am Downtown at former library site. Animal Shelter - Low cost vaccine clinic at animal shelter – Saturday, November 20th, 1 – 3pm. Located at 4402 Industrial St. Shelter is open Monday – Saturday, 10am – 5pm.

Councilmember van Bloemendaal announced a free job fair to be held at the RCC on November 20th from 9 a.m. to 1 p.m.

6. CITIZENS' INPUT

There were no speakers

7. CONSENT AGENDA

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

This item was approved on the Consent Agenda.

- 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.

This item was approved as RES-124-15 on the Consent Agenda.

- 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 5500 Old Rowlett Road. (Case Number: 2015-33)

This item was approved as RES-125-15 on the Consent Agenda.

- 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.

This item was approved as RES-126-15 on the Consent Agenda.

- 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.

This item was approved as RES-127-15 on the Consent Agenda.

- 7F.** 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.

This item was approved as RES-128-15 on the Consent Agenda.

- 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.

This item was approved as RES-129-15 on the Consent Agenda.

Passed the Consent Agenda

A motion was made by Councilmember Sheffield, seconded by Deputy Mayor Pro Tem Dana-Bashian, including all the preceding items marked as having been approved on the Consent Agenda. The motion carried with a unanimous vote of those members present.

8. ITEMS FOR INDIVIDUAL CONSIDERATION

- 8A.** Conduct a public hearing and 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)

Erin Jones, Senior Planner, provided the background information on this item.

The public hearing opened and closed with no speakers.

A motion was made by Councilmember van Bloemendaal, seconded by Deputy Mayor Pro Tem Dana-Bashian, to approve the item as presented. The motion carried with a unanimous vote of those members present. This item was approved as ORD-035-15.

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

There was no action taken.

9. ADJOURNMENT

Mayor Gottel adjourned the meeting at 8:15 p.m.

AGENDA DATE: 11/03/15

AGENDA ITEM: 7B

TITLE

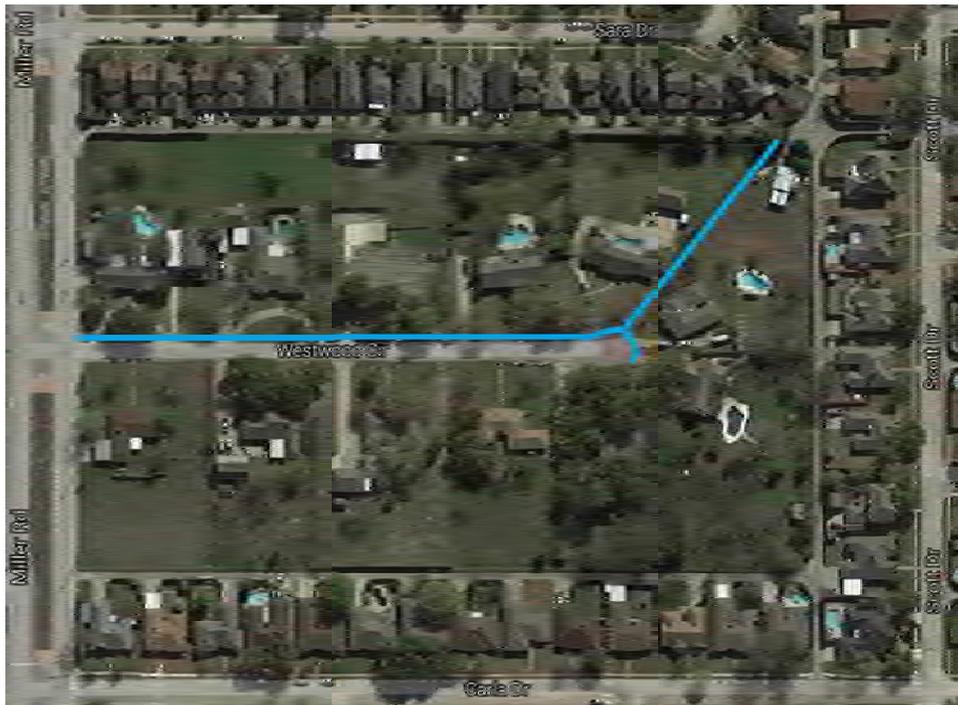
Consider action to approve a resolution authorizing the final acceptance and release of retainage for the Westwood Circle Drainage Improvements Project (DR2104) in the amount of \$24,852.82 to Camino Construction and authorize the Mayor to execute the necessary documents for said services.

STAFF REPRESENTATIVE

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

SUMMARY

This project consist of the installation of 587 linear feet of 18-inch reinforced concrete pipe and 340 linear feet of concrete channel.



BACKGROUND INFORMATION

On November 18, 2014, the City Council adopted a resolution awarding a contract to Camino Construction in the amount of \$227,713.70 for the base bid and 10 percent contingency in the amount of \$22,771.37, resulting in a total contract price of \$250,485.07 for the Westwood Circle

Drainage Improvements Project, and authorized the Mayor to execute the Standard Public Works Construction Contract for said services.

DISCUSSION

Camino Construction has satisfactorily completed the project as designed in accordance with the contract plans and specifications. Three change orders were issued on this project, the installation of a drainage flume with retaining walls, the removal of two trees, and the replacement of a residential wood fence for a total of \$22,528.00, which increased the total construction amount to \$250,241.70. The change orders did not exceed the budgeted amount of \$250,485.07. Staff has inspected the construction to ensure compliance with the provisions of the contract and recommends final acceptance of such improvements with a final contract payment and release of retainage in the amount of \$24,852.82.

CHANGE ORDER #	REASON FOR CHANGE	CHANGE ORDER AMOUNT
1	Replace residential wood fence	\$13,200.00
2	Remove two trees that were in the way	1,000.00
3	Additional concrete for the flume construction	8,328.00
Total		<u>\$22,528.00</u>

FINANCIAL/BUDGET IMPLICATIONS

Funding in the amount of \$24,852.82 is available in the Westwood Circle Drainage Improvements Project, account #7028002 6701, Project Code DR2104.

Account #/Project Code	Project Title	YTD Project Balance	Actual Amount
7028002 6701/DR2104	Westwood Circle Drainage Improvements	\$87,895.23	\$24,852.82
Total		\$87,895.23	\$24,852.82

RECOMMENDED ACTION

Staff recommends City Council approve a resolution authorizing the final acceptance and release of retainage for the Westwood Circle Drainage Improvements Project in the amount of \$24,852.82 to Camino Construction, and to 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 AND RELEASE OF RETAINAGE FOR THE WESTWOOD CIRCLE DRAINAGE IMPROVEMENTS PROJECT IN THE AMOUNT OF \$24,852.82 TO CAMINO CONSTRUCTION; 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-112-14 accepting the bid of and awarding a contract to Camino Construction in the amount of \$227,713.70 for the base bid and 10 percent contingency in the amount of \$22,771.37, resulting in a total bid of \$250,485.07 for the drainage improvements for Westwood Circle; and

WHEREAS, City staff has inspected the construction, ensuring that it complies 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 Westwood Circle Drainage Improvements Project and approves final payment and the release of retainage to Camino Construction in the amount \$24,852.82.

Section 2: The City Council of the City of Rowlett does further authorize the Mayor to execute the necessary documents to conform to this resolution.

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

ATTACHMENT

Exhibit A – Final Payment Request and Affidavit of All Bills Paid



Exhibit A

PAYMENT REQUEST (4.51)

PROJECT:	<u>DRAINAGE IMPROVEMENTS FOR WESTWOOD CIRCLE</u>	PROJECT NUMBER
OWNER:	<u>CITY OF ROWLETT</u>	<u>BID #2014-68</u>
CONTRACTOR:	<u>CAMINO CONSTRUCTION</u>	
ENGINEER:	<u>THE WALLACE GROUP</u>	

PAYMENT PERIOD FROM: 8/25/2015 TO 9/25/15 **ESTIMATE NO.:** 6 and Final

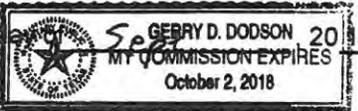
SUMMARY OF PAYMENT ESTIMATE VALUES FROM ATTACHED TABULATIONS

Original Contract Amount	\$ 227,713.70
Approved Change Orders	\$ 22,528.00
Current Contract Amount	\$ 250,528.25
Total Value of Original Contract Performed (Attachment "A" consisting of <u>1</u> pages)	\$ 226,000.25
Extra Work on Approved Change Orders (Attachment "B" consisting of <u>1</u> pages)	\$ 22,528.00
Materials on Hand (Attachment "C" consisting of <u>1</u> pages)	\$ -
Total Value of Work to Date	\$ 248,528.25
Less Amount Retained at <u>0</u> %	\$ -
Net Amount Earned on Contract	\$ 248,528.25
Less Amount of Previous Payments	\$ 223,675.43
BALANCE DUE THIS STATEMENT	\$ 24,852.82
Percentage of Contract Paid to Date	89.38%

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: Camino Construction By Ry Rysh
Date: 9-24-15

Subscribed and sworn to before me this 24th day of Sept 2015
Notary Public: Gerry D. Dodson My Commission expires: 10-2-18



Recommended for Payment by
The Wallace Group
By Craig Wilson Date 9/24/2015

Approved for Payment by
[OWNER]
By [Signature] Date 28 SEPT 15

Approved for Payment by
[OWNER]
By [Signature] Date 09/30/15
[Signature] 10/8/15

Approved for Payment by
[OWNER]
By _____ Date _____
Mayor

Exhibit A

ATTACHMENT "A" PAYMENT REQUEST

TABULATION OF VALUES FOR ORIGINAL CONTRACT WORK PERFORMED

4	PROJECT:	DRAINAGE IMPROVEMENTS FOR WESTWOOD CIRCLE		PROJECT NUMBER
5	OWNER:	CITY OF ROWLETT		
6	CONTRACTOR:	CAMINO CONSTRUCTION		
7	ENGINEER:	THE WALLACE GROUP		

9	PAYMENT PERIOD FROM:	8/25/2015	TO	TO 9/25/15		ESTIMATE NO.: 6 and Final
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ITEM NO.	DESCRIPTION	QUANTITY ORIGINAL ESTIMATE	UNIT OF MEASURE	UNIT PRICE	TOTAL CONTRACT AMOUNT	QUANTITY THIS ESTIMATE	WORK COMPLETED FROM PREVIOUS	BALANCE OF MATERIALS ON HAND	TOTAL VALUE OF WORK COMPLETED	% OF WORK COMPLETE
12	1 Mobilization & Project Incidental	1	LS	\$ 24,000.00	\$ 24,000.00	0.00	1.00		\$24,000.00	100.00%
14	2 Construct New Concrete Drainage Channel (6' Wide X 6" Thick) Including Base Material	383	SY	\$ 130.00	\$ 49,790.00	0.00	362.04		\$47,065.20	94.53%
16	3 Construct New Concrete Drainage Channel (4' Wide X 6" Thick) Including Base Material	55	SY	\$ 130.00	\$ 7,150.00	0.00	24.88		\$3,234.40	45.24%
18	4 Construction of New Headwall For 15" CMP	1	EA	\$ 2,000.00	\$ 2,000.00	0.00	1.00		\$2,000.00	100.00%
19	5 Supply and Install Concrete Inlet Box	5	EA	\$ 4,600.00	\$ 23,000.00	0.00	5.00		\$23,000.00	100.00%
20	6 Supply and Install 18" RCP	587	LF	\$ 115.00	\$ 67,505.00	0.00	580.00		\$66,700.00	98.81%
21	7 Trench Safety	587	LF	\$ 0.10	\$ 58.70	0.00	580.00		\$58.00	98.81%
22	8 Remove and Replace Concrete Street Pavement	25	SY	\$ 80.00	\$ 2,000.00	0.00	23.00		\$1,840.00	92.00%
23	9 Remove and Replace Concrete Driveways	77	SY	\$ 65.00	\$ 5,005.00	0.00	111.96		\$7,277.40	145.40%
24	10 Remove and Replace Asphalt Street Pavement	217	SY	\$ 65.00	\$ 14,105.00	0.00	70.00		\$4,550.00	32.26%
25	11 Unclassified Excavation In Accordance With Section 203.5 Unclassified Channel Excav of NCTCOG Specification	35	SY	\$ 20.00	\$ 700.00	0.00	35.00		\$700.00	100.00%
27	12 Supply, Transport and Compact Select Fill In Accordance With Section 203.7 Embankment In NCTCOG Specifications	4	CY	\$ 25.00	\$ 100.00	0.00	8.00		\$200.00	200.00%
29	13 Supply and Apply Sod	8000	SF	\$ 0.75	\$ 6,000.00	0.00	6489.00		\$4,866.75	81.11%
30	14 SWPPP Plan	1	LS	\$ 3,000.00	\$ 3,000.00	0.00	1.00		\$3,000.00	100.00%
31	15 Implementation Of The SWPPP Plan	1	LS	\$ 1,000.00	\$ 1,000.00	0.00	1.00		\$1,000.00	100.00%
32	16 Construction of Stabilized Construction Entrance	1	EA	\$ 1,500.00	\$ 1,500.00	0.00	1.00		\$1,500.00	100.00%
33	17 Furnish And Install Hay Bales	20	LF	\$ 25.00	\$ 500.00	0.00	0.00		\$0.00	0.00%
34	18 Furnish And Install Washed Rock	200	LF	\$ 5.00	\$ 1,000.00	0.00	200.00		\$1,000.00	100.00%
35	19 Preparation And Implementantation of a Traffic Control Plan	1	LS	\$ 5,000.00	\$ 5,000.00	0.00	1.00		\$5,000.00	100.00%
36	20 Remove And Replace Concrete Sidewalks	6	SY	\$ 50.00	\$ 300.00	0.00	9.05		\$452.50	150.83%
37	21 Remove And Replace 8' wooden Fence	20	LF	\$ 55.00	\$ 1,100.00	0.00	234.00		\$12,870.00	1170.00%
38	22 Remove And Replace 4' wooden Fence	95	LF	\$ 44.00	\$ 4,180.00	0.00	0.00		\$0.00	0.00%
39	23 Supply And Install New Concrete Manhole In Street	1	EA	\$ 8,000.00	\$ 8,000.00	0.00	1.00		\$8,000.00	100.00%
40	24 Remove And Reinstall Existing Mailboxes	4	EA	\$ 180.00	\$ 720.00	0.00	0.00		\$0.00	0.00%
44	TOTAL FOR PAGE / PROJECT					\$227,713.70			\$218,314.25	95.87%

Exhibit A

ATTACHMENT "B"
PAYMENT REQUEST

TABULATION OF VALUES FOR APPROVED CHANGE ORDERS

PROJECT: DRAINAGE IMPROVEMENTS FOR WESTWOOD CIRCLE										PROJECT NUMBER
OWNER: CITY OF ROWLETT										BID #2014-68
CONTRACTOR: CAMINO CONSTRUCTION										
EN: THE WALLACE GROUP										
		8/25/2015	TO		TO 9/25/15	ESTIMATE NO.: 6 and Final				
ITEM NO.		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
Change Order 1										
2	Install Conc Drainage Channel (6' Wide)	-28	SY	\$ 130.00	\$ (3,640.00)	0.00	0.00		\$ -	0%
3	Install Conc Drainage Channel (4' Wide)	-23	SY	\$ 130.00	\$ (2,990.00)	0.00	0.00		\$ -	0%
6	Install 18" RCP	60	LF	\$ 115.00	\$ 6,900.00	0.00	60.00		\$ 6,900.00	100%
7	Install Trench Safety	60	LF	\$ 0.10	\$ 6.00	0.00	60.00		\$ 6.00	100%
9	Install Concrete Driveway Pavement	12	SY	\$ 65.00	\$ 780.00	0.00	12.00		\$ 780.00	100%
21	Remove & Replace 8' Wood Fence	240	LF	\$ 55.00	\$ 13,200.00	0.00	240.00		\$ 13,200.00	100%
22	Remove & Replace 4' Wood Fence	-24	LF	\$ 44.00	\$ (1,056.00)	0.00	0.00		\$ -	0%
					\$ -					
Change Order 2										
	Rmv Ex Trees to Permit Flume Const	2	EA	\$ 500.00	\$ 1,000.00	0.00	2.00		\$ 1,000.00	100%
Change Order 3										
	Additional Concrete For Flume Construction Beyond Typical Section Shown On Plans	15	cy	\$ 800.00	\$ 12,000.00	0.00	10.41		\$ 8,328.00	69%
TOTAL FOR PAGE / PROJECT					\$ 26,200.00					
									\$ 30,214.00	

Exhibit A

ATTACHMENT "C" PAYMENT REQUEST

TABULATION OF VALUES FOR MATERIALS ON HAND

PROJECT: DRAINAGE IMPROVEMENTS FOR WESTWOOD CIRCLE		PROJECT NUMBER					
OWNER: CITY OF ROWLETT		BID #2014-68					
CONTRACTOR: CAMINO CONSTRUCTION							
ENGINEER: THE WALLACE GROUP		0					
PAYMENT PERIOD FROM: 8/25/2015		TO 9/25/15					
		ESTIMATE NO.: 6 and Final					
ATTACHMENT "A" OR "B" ITEM NO.	TOTAL SCHEDULED VALUE	NAME OF SUPPLIER	INVOICE NO.	TOTAL INVOICE AMOUNT THIS ESTIMATE	TOTAL STORED MATERIAL AT LAST PAY ESTIMATE	AMOUNT INSTALLED TO DATE	BALANCE OF MATERIALS ON HAND
							0
TOTAL FOR PAGE / PROJECT							0

Exhibit A

ATTACHMENT "D" PROJECT SUMMARY

PROJECT:	<u>DRAINAGE IMPROVEMENTS FOR WESTWOOD CIRCLE</u>	PROJECT NUMBER
OWNER:	<u>City of Rowlett</u>	_____
CONTRACTOR:	<u>Camino Construction</u>	_____
ENGINEER:	<u>The Wallace Group</u>	_____

PAYMENT PERIOD FROM: 8/25/2015 TO 9/25/15	ESTIMATE NO.: 6 and Final
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CONTRACT TIME SUMMARY

Date of Notice to Proceed	<u>12-Jan-14</u>	
Original Contract Duration	<u>180</u>	Days
Original Date of Contract Substantial Completion	<u>11-Jul-14</u>	
Original Date of Contract Final Completion	<u>10-Aug-14</u>	
Approved Time Extensions	<u>45</u>	Days
Current Contract Duration	<u>225</u>	Days
Current Date of Contract Substantial Completion	<u>25-Aug-14</u>	
Current Date of Contract Final Completion	<u>24-Sep-14</u>	
Days Charged to Project to Date	<u>225</u>	Days
Days Remaining in Contract	<u>0</u>	Days
Percent of Current Project Duration	<u>1.00</u>	%
Current Scheduled Completion Date	<u>25-Aug-14</u>	
Project is (Ahead/Behind) Schedule	<u>On</u>	

CONTRACT COST SUMMARY

Original Contract Amount	<u>\$ 227,713.70</u>
Approved Change Orders	<u>\$ 22,528.00</u>
Current Contract Amount	<u>\$ 250,241.70</u>
Contract Earnings to Date on Original Contract	<u>\$ 226,000.25</u>
Earnings on Approve Change Orders	<u>\$ 22,528.00</u>
Materials on Hand	<u>\$ -</u>
Total Current Project Amount Earned	<u>\$ 248,528.25</u>
Percent of Contract Earned to Date	<u>99.32%</u>
Retainage	<u>\$ -</u>
Amount Paid to Date	<u>\$ 223,675.43</u>
Percent of Contract Paid to Date	<u>89.38%</u>

Exhibit A

CONTRACTOR'S AFFIDAVIT of FINAL PAYMENT and RELEASE

THE STATE of TEXAS)

COUNTY of COLLIN)

BEFORE ME, the undersigned authority, on the day personally appeared Roy Ayala, who, after being duly sworn on oath, deposes and says that he is General Manager of Camino Construction, LP, a Texas Limited Partnership of Denton County, State of Texas, which said Contractor was awarded the contract dated the December 12, 2014, for the construction of Drainage Improvements For Westwood Circle at the City of Rowlett, Texas, for a total consideration of (\$248,528.25) to be paid to the said contractor, and that Affiant has full power of authority to make this affidavit.

That City of Rowlett, Texas has approved the Final Estimate on said Work, and that the said Contractor has fully satisfied and paid any and all claims that may be covered by Chapter 53 of the Texas Property Code, and Article 5160 of the Revised Civil Statutes of the State of Texas, or labor and materials have been paid and discharged by said Contractor insofar as they pertain to the Work in question.

That in addition to any funds which may have been previously paid by the Owner, the Contractor hereby accepts the amount of \$24,852.82 as FULL and FINAL PAYMENT under the aforementioned Contract, and hereby waives and releases any right Affiant and/or the Contractor may have to pursue claims of any nature against the Owner arising out of or in any manner connected with the performance of the Work and/or the Contract, including but not limited to claims of third parties that supplied materials and/or labor for the Work for or through the Contractor ("Subcontractor"), as well as claims for delay, additional compensation or for recovery of liquidated damages which may have been withheld by the Owner. The Contractor shall defend, hold harmless and indemnify the Owner from any such claims of such Subcontractors. The Contractor further releases the Owner from any claim or liability arising from any act or neglect of the Owner related to or connected with the Contract. This affidavit is given pursuant to the final payment provisions of the Contract, and shall not be deemed to alter or modify the terms and provisions of said Contract.

CAMINO CONSTRUCTION, L.P.

BY

[Handwritten signature of Roy Ayala]

(Affiant)

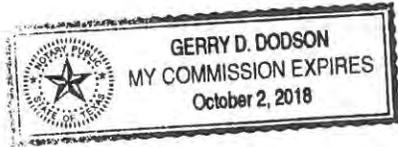
Roy Ayala
(Printed Name)

SUBSCRIBED and SWORN to BEFORE ME, this 21st day September, 2015

[Handwritten signature of Gerry Dell Dodson]

(Notary Public in and for the State of Texas)

Gerry Dell Dodson
(Printed Name of Notary)



My Commission Expires 10-2-15

Exhibit A

CONSENT OF SURETY COMPANY TO FINAL PAYMENT

AIA DOCUMENT G707

- OWNER
ARCHITECT
CONTRACTOR
SURETY
OTHER

PROJECT: Westwood Circle
(name, address) Rowlett, Texas

TO (Owner)

City of Rowlett
4000 Main Street
Rowlett, TX 75030

CONTRACT FOR: Drainage Improvements

CONTRACTOR: Camino Construction, L.P.

In accordance with the provisions of the Contract between the Owner and the Contractor as indicated above, the (here insert name and address of Surety Company)

Continental Casualty Company
333 South Wabash, Chicago, IL 60604

, SURETY COMPANY,

on bond of (here insert name of Contractor)

Camino Construction, L.P.
1208 Metro Park Blvd., Lewisville, TX 75057

, CONTRACTOR,

hereby approves of the 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 (here insert name and address of Owner)

City of Rowlett
4000 Main Street, Rowlett, TX 75030

, OWNER,

as set forth in the said Surety Company's bond, Bond No. 929584793.

IN WITNESS WHEREOF,
the Surety Company has hereunto set its hand this 21st day of September, 2015.

Continental Casualty Company
Surety Company

Handwritten signature of Tonie Petranek

Signature of Authorized Representative

Tonie Petranek
Title Attorney-In-Fact

Attest: (Seal): Jennifer Picchi, Witness

NOTE: This form is to be used as a companion document to AIA DOCUMENT G706, CONTRACTORS AFFIDAVIT OF PAYMENT AND DEBTS AND CLAIMS, Current Edition

Exhibit A
POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That Continental Casualty Company, an Illinois insurance company, National Fire Insurance Company of Hartford, an Illinois insurance company, and American Casualty Company of Reading, Pennsylvania, a Pennsylvania insurance company (herein called "the CNA Companies"), are duly organized and existing insurance companies having their principal offices in the City of Chicago, and State of Illinois, and that they do by virtue of the signatures and seals herein affixed hereby make, constitute and appoint

Clem F Lesch, Roger Bales, Steven W Lewis, Eric E Lesch, Tonie Petranek, Jennifer Picchi, Trenae Donovan, Individually

of Dallas, TX, their true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on their behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

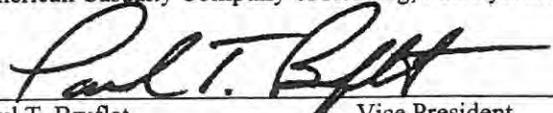
and to bind them thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of their insurance companies and all the acts of said Attorney, pursuant to the authority hereby given is hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law and Resolutions, printed on the reverse hereof, duly adopted, as indicated, by the Boards of Directors of the insurance companies.

In Witness Whereof, the CNA Companies have caused these presents to be signed by their Vice President and their corporate seals to be hereto affixed on this 19th day of June, 2015.

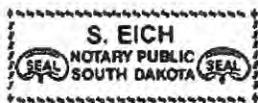


Continental Casualty Company
National Fire Insurance Company of Hartford
American Casualty Company of Reading, Pennsylvania

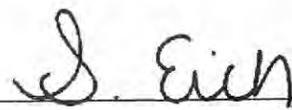

Paul T. Bruflat Vice President

State of South Dakota, County of Minnehaha, ss:

On this 19th day of June, 2015, before me personally came Paul T. Bruflat to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is a Vice President of Continental Casualty Company, an Illinois insurance company, National Fire Insurance Company of Hartford, an Illinois insurance company, and American Casualty Company of Reading, Pennsylvania, a Pennsylvania insurance company described in and which executed the above instrument; that he knows the seals of said insurance companies; that the seals affixed to the said instrument are such corporate seals; that they were so affixed pursuant to authority given by the Boards of Directors of said insurance companies and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said insurance companies.



My Commission Expires February 12, 2021


S. Eich Notary Public

CERTIFICATE

I, D. Bult, Assistant Secretary of Continental Casualty Company, an Illinois insurance company, National Fire Insurance Company of Hartford, an Illinois insurance company, and American Casualty Company of Reading, Pennsylvania, a Pennsylvania insurance company do hereby certify that the Power of Attorney herein above set forth is still in force, and further certify that the By-Law and Resolution of the Board of Directors of the insurance companies printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said insurance companies this 21st day of September, 2015.



Continental Casualty Company
National Fire Insurance Company of Hartford
American Casualty Company of Reading, Pennsylvania


D. Bult Assistant Secretary

Exhibit A

Authorizing By-Laws and Resolutions

ADOPTED BY THE BOARD OF DIRECTORS OF CONTINENTAL CASUALTY COMPANY:

This Power of Attorney is made and executed pursuant to and by authority of the following resolution duly adopted by the Board of Directors of the Company at a meeting held on May 12, 1995:

“RESOLVED: That any Senior or Group Vice President may authorize an officer to sign specific documents, agreements and instruments on behalf of the Company provided that the name of such authorized officer and a description of the documents, agreements or instruments that such officer may sign will be provided in writing by the Senior or Group Vice President to the Secretary of the Company prior to such execution becoming effective.”

This Power of Attorney is signed by Paul T. Bruflat, Vice President, who has been authorized pursuant to the above resolution to execute power of attorneys on behalf of Continental Casualty Company.

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the Company by unanimous written consent dated the 25th day of April, 2012:

“Whereas, the bylaws of the Company or specific resolution of the Board of Directors has authorized various officers (the “Authorized Officers”) to execute various policies, bonds, undertakings and other obligatory instruments of like nature; and

Whereas, from time to time, the signature of the Authorized Officers, in addition to being provided in original, hard copy format, may be provided via facsimile or otherwise in an electronic format (collectively, “Electronic Signatures”); Now therefore be it resolved: that the Electronic Signature of any Authorized Officer shall be valid and binding on the Company.”

ADOPTED BY THE BOARD OF DIRECTORS OF NATIONAL FIRE INSURANCE COMPANY OF HARTFORD:

This Power of Attorney is made and executed pursuant to and by authority of the following resolution duly adopted by the Board of Directors of the Company by unanimous written consent dated May 10, 1995:

“RESOLVED: That any Senior or Group Vice President may authorize an officer to sign specific documents, agreements and instruments on behalf of the Company provided that the name of such authorized officer and a description of the documents, agreements or instruments that such officer may sign will be provided in writing by the Senior or Group Vice President to the Secretary of the Company prior to such execution becoming effective.”

This Power of Attorney is signed by Paul T. Bruflat, Vice President, who has been authorized pursuant to the above resolution to execute power of attorneys on behalf of National fire Insurance Company of Hartford.

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the Company by unanimous written consent dated the 25th day of April, 2012:

“Whereas, the bylaws of the Company or specific resolution of the Board of Directors has authorized various officers (the “Authorized Officers”) to execute various policies, bonds, undertakings and other obligatory instruments of like nature; and

Whereas, from time to time, the signature of the Authorized Officers, in addition to being provided in original, hard copy format, may be provided via facsimile or otherwise in an electronic format (collectively, “Electronic Signatures”); Now therefore be it resolved: that the Electronic Signature of any Authorized Officer shall be valid and binding on the Company.”

ADOPTED BY THE BOARD OF DIRECTORS OF AMERICAN CASUALTY COMPANY OF READING, PENNSYLVANIA:

This Power of Attorney is made and executed pursuant to and by authority of the following resolution duly adopted by the Board of Directors of the Company by unanimous written consent dated May 10, 1995:

“RESOLVED: That any Senior or Group Vice President may authorize an officer to sign specific documents, agreements and instruments on behalf of the Company provided that the name of such authorized officer and a description of the documents, agreements or instruments that such officer may sign will be provided in writing by the Senior or Group Vice President to the Secretary of the Company prior to such execution becoming effective.”

This Power of Attorney is signed by Paul T. Bruflat, Vice President, who has been authorized pursuant to the above resolution to execute power of attorneys on behalf of American Casualty Company of Reading, Pennsylvania.

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the Company by unanimous written consent dated the 25th day of April, 2012:

“Whereas, the bylaws of the Company or specific resolution of the Board of Directors has authorized various officers (the “Authorized Officers”) to execute various policies, bonds, undertakings and other obligatory instruments of like nature; and

Whereas, from time to time, the signature of the Authorized Officers, in addition to being provided in original, hard copy format, may be provided via facsimile or otherwise in an electronic format (collectively, “Electronic Signatures”); Now therefore be it resolved: that the Electronic Signature of any Authorized Officer shall be valid and binding on the Company.”



City of Rowlett
Staff Report

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

AGENDA DATE: 11/03/15

AGENDA ITEM: 7C

TITLE

Consider action to approve a resolution for Task Authorization #FY16-01NS to the Agreement for Professional Services with Neel-Schaffer, Inc., in the amount of \$471,700 for engineering services to provide construction plans and specifications for the Dalrock Estates Street Reconstruction – Paving & Drainage Improvements, and authorizing the Mayor to execute the necessary documents for said services.

STAFF REPRESENTATIVE

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

SUMMARY

This project consists of designing the roadway and drainage reconstruction of Woodside Road, Highgate Lane, Yorkshire Drive (Phase 1) and Kensington Drive, and Chesham Drive (Phase 2), known as Dalrock Estates. This will include lighting, landscape and traffic calming features.

BACKGROUND INFORMATION

On February 10, 2015, the City Council approved a bond referendum that included \$18.9 million for the reconstruction of streets and alleys.

On May 9, 2015, a bond election was held approving three propositions. Dalrock Estates is one of the roadway reconstruction projects identified in Proposition 1 (Streets). Estimated costs in the amount of \$3.4 million were allocated to complete the design of both phases and the reconstruction of Phase 1 (Woodside Road, Highgate Lane and Yorkshire Drive).

Project	FY2016	FY2017	FY2018	Total
Dalrock Estates Phase I	\$1,600,000	\$1,700,000	\$100,000	\$3,400,000

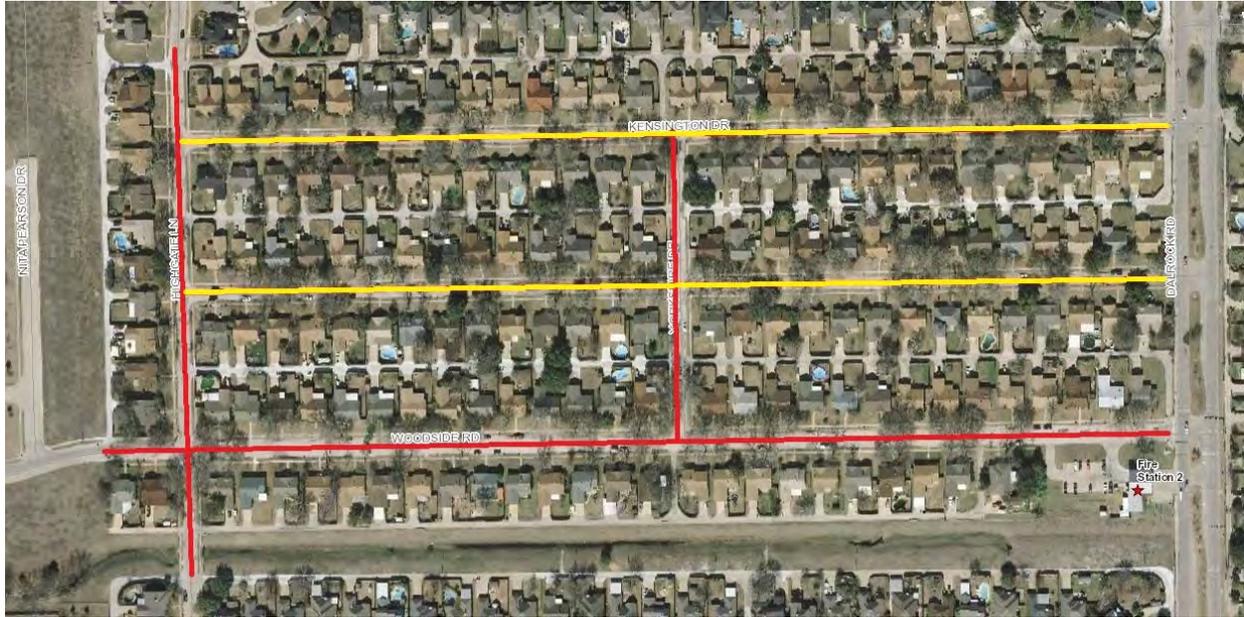
DISCUSSION

All streets within the City are inspected and rated using the pavement condition index (PCI) (0-100 – 100 being excellent) and prioritized for reconstruction based on the worst ratings. It is estimated that funding is sufficient to design both phases and to do the reconstruction of Phase 1 Woodside Road (PCI-21), Highgate Lane (PCI-16) and Yorkshire Drive (PCI-13).

The proposed design phase is estimated to take nine months to complete. The advertising and bid phase is estimated for three months to complete. The total proposed time from design to

final construction is estimated to be 24 to 30 months with a total estimated construction cost of \$2.4 million.

Phase I is highlighted red and phase II in yellow.



FINANCIAL/BUDGET IMPLICATIONS

Funding in the amount \$471,700 is available for Task Authorization #FY16-01NS, in account/project code 3028002 6700/ST2106.

Munis Account Number/ Project Code	Project Title	FY2016 Budget Amount	Proposed Amount
3028002 6700/ST2106	Dalrock Estates Improvements	\$1,600,000	\$471,700
Total		\$1,600,000	\$471,700

RECOMMENDED ACTION

Staff recommends City Council adopt a resolution approving Task Authorization #FY16-01NS to the Agreement for Professional Services with Neel-Schaffer, Inc., in the amount of \$471,700 for engineering services to provide construction plans and specifications for the Dalrock Estates Street Reconstruction – Paving & Drainage Improvements, and authorizing the Mayor to execute the necessary documents for said services.

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS, APPROVING TASK AUTHORIZATION #FY16-01NS TO THE APPROVED PROFESSIONAL SERVICES AGREEMENT WITH NEEL-SCHAFFER, INC., IN THE AMOUNT OF \$471,700 FOR ENGINEERING SERVICES TO PROVIDE CONSTRUCTION PLANS AND

SPECIFICATIONS FOR THE DALROCK ESTATES STREET RECONSTRUCTION – PAVING & DRAINAGE IMPROVEMENTS; AUTHORIZING THE MAYOR TO EXECUTE THE NECESSARY DOCUMENTS FOR SAID SERVICES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council has, through a formal Request for Qualifications process, approved a Professional Services Agreement by and between the City of Rowlett and Neel-Schaffer, Inc., for engineering services; and,

WHEREAS, the City Council has been presented a proposed Task Authorization to the approved professional engineering services agreement with Neel-Schaffer, Inc., for engineering services to provide construction plans and specifications for the Dalrock Estates Street Reconstruction – Paving & Drainage Improvements; and,

WHEREAS, upon full review and consideration of the agreement and proposed task authorization, and all matters related thereto, the City Council is of the opinion and finds that the terms and conditions thereof should be approved, and that the Mayor should be authorized to execute Task Authorization #FY16-01NS on behalf of the City of Rowlett, Texas.

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

Section 1: That Task Authorization #FY16-01NS, pursuant to the Professional Services Agreement between the City of Rowlett and Neel-Schaffer, Inc., attached hereto and incorporated herein as Exhibit A, having been reviewed by the City Council of the City of Rowlett, Texas, be and is hereby approved in the amount of \$471,700 and, the Mayor be and is hereby authorized to execute the Task Authorization on behalf of the City.

Section 2: That this resolution shall become effective immediately upon its passage.

ATTACHMENT

Exhibit A – Task Authorization #FY16-01NS Professional Services Agreement

Exhibit A

TASK AUTHORIZATION # FY16-01NS

Client: City of Rowlett 4000 Main Street Rowlett, TX 75088	City Project No.: () Consultant Project No.: 12888 Date: 10-01-2015												
Project Description: Dalrock Estates Street Reconstruction – Paving & Drainage Improvements													
Description of Services: Task Order for engineering design services required to develop construction plans for reconstruction of the paving and drainage facilities within the Dalrock Estates subdivision. The project also includes Special Services alternates for lighting design, landscaping design, geotechnical study, SUE services, easements and direct expenses. The project scope does not include water and sewer design services. The project includes two (2) construction phases: Phase I includes Highgate Ln., Woodside Rd., and Yorkshire Dr. for an approximate total of 3830 L.F. Phase II includes Chesham Dr. and Kensington Dr. for an approximate total of 3900 L.F. The project includes the design for both phases in 2 separate bid sets based on the phases. (See Attachment A – Scope of Services) The total estimated construction cost for both phases is \$ 4,826,000.													
Compensation shall be as follows: <u>Basic Services (lump sum) \$399,110.00 – 8.27% of Estimated Construction Cost</u> Design services for the improvements includes the Conceptual Design phase, Preliminary Design Phase, and the Final Design Phase, Bidding and Construction Administration (Phase I), and Bidding and Construction Administration (Phase II)													
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">Design Phase</td> <td style="text-align: right;">\$ 266,780.00</td> </tr> <tr> <td>Bidding and Construction Administration (Phase I)</td> <td style="text-align: right;">\$ 66,165.00</td> </tr> <tr> <td>Bidding and Construction Administration (Phase II)</td> <td style="text-align: right;">\$ 66,165.00</td> </tr> <tr> <td> </td> <td> </td> </tr> </table>		Design Phase	\$ 266,780.00	Bidding and Construction Administration (Phase I)	\$ 66,165.00	Bidding and Construction Administration (Phase II)	\$ 66,165.00						
Design Phase	\$ 266,780.00												
Bidding and Construction Administration (Phase I)	\$ 66,165.00												
Bidding and Construction Administration (Phase II)	\$ 66,165.00												
<u>Special Services (lump sum and hourly, with not-to-exceed) \$72,590.00</u> Services will include geotechnical services, subsurface utility engineering services (SUE), easement documents, and direct cost expenses.													
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">Lighting Design (lump sum)</td> <td style="text-align: right;">\$ 9,870.00</td> </tr> <tr> <td>Landscaping Design (lump sum)</td> <td style="text-align: right;">\$ 6,620.00</td> </tr> <tr> <td>Geotechnical Study</td> <td style="text-align: right;">\$ 15,000.00</td> </tr> <tr> <td>SUE Service</td> <td style="text-align: right;">\$ 15,000.00</td> </tr> <tr> <td>Easements (each)</td> <td style="text-align: right;">\$ 7,500.00</td> </tr> <tr> <td>Direct Expenses</td> <td style="text-align: right;">\$ 18,600.00</td> </tr> </table>		Lighting Design (lump sum)	\$ 9,870.00	Landscaping Design (lump sum)	\$ 6,620.00	Geotechnical Study	\$ 15,000.00	SUE Service	\$ 15,000.00	Easements (each)	\$ 7,500.00	Direct Expenses	\$ 18,600.00
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SUE Service	\$ 15,000.00												
Easements (each)	\$ 7,500.00												
Direct Expenses	\$ 18,600.00												
	Total Contracted Fee	\$ 471,700.00											

Exhibit A

The above described services shall proceed upon return of this Task Authorization. Services will be billed monthly as they are done. All other provisions, terms, and conditions of the agreement for services which are not expressly amended shall remain in full force and effect.

X This Task Authorization will serve as the notice to proceed.

NEEL-SCHAFFER, INC.:

BY: 
TITLE: VICE PRESIDENT
DATE: 10/2/2015

CITY OF ROWLETT:

BY: _____
TITLE: _____
DATE: _____

Exhibit A

ATTACHMENT A

SCOPE OF SERVICES

ARTICLE I

The parameters for design of the improvements shall include the following:

Provide bid documents and specifications for the **Dalrock Estates Street Reconstruction – Paving & Drainage Improvements Project**. The project will consist of construction of the City's complete streets roadway section including the necessary storm drainage infrastructure. Drainage design will include proposed storm drain utilities within the existing street rights-of-way. Storm drain utilities in any off-site easement and/or not within the street rights-of-way are not included in the scope. The project does not include water main and sewer main replacement design.

Our understanding is the water and sewer utilities will be replaced by the City utilizing pipebursting methods. The project includes two (2) construction phases: Phase I includes Highgate Ln., Woodside Rd., and Yorkshire Dr. for an approximate total of 3830 L.F. Phase II includes Chesham Dr. and Kensington Dr. for an approximate total of 3900 L.F. The project includes the design for both phases in 2 separate bid sets based on the phases.

- Scale of the plans to be: 1"=20' Horizontal; 1"=4' Vertical
- Submittals to the CITY of work in progress shall be made at 60%, 90%, and 100% stages of completion. For each review, one (1) set of drawings will be furnished to the CITY.

BASIC SERVICES - Section 1 (Lump Sum Fee Basis)

A. Conceptual Design

1. Attend a kick-off meeting with the CITY to discuss the various aspects of the project including planning and design criteria, work program and schedule, procedures of communication, assignments of personnel and expectations of the CITY.
2. Obtain from the CITY available property plats, easements, record drawings, planning reports, traffic counts, zoning ordinances, and other data that may be pertinent in considering the development of the conceptual plans and the final design of the proposed improvements.
3. Determine from a field reconnaissance of the project area the general lay of the land for the improvements. This general layout will address the following:
 - Locations of existing utilities
 - Existing driveways
 - Availability of ROW
 - Access and convenience for construction operations
 - Crossing of drainage and structures
 - Landscaped areas and trees
 - Private property improvements such as fences, mailboxes, sidewalks, drives, etc.
4. Evaluate the proposed construction sequencing of the new facilities taking the following design criteria into consideration:
 - Access for fire, police and other emergency vehicles
 - Maintenance for service during construction
 - Access for property owners to their respective driveways and adjacent streets

Exhibit A

ATTACHMENT A

5. Perform a preliminary drainage analysis to determine the adequacy of the existing storm drain systems and recommend proposed improvements, if needed.
- B. Preliminary Design – The ENGINEER will prepare preliminary construction plans as follows:
1. Preliminary project plan and profile sheets showing curb lines, driveways, sidewalks, elevations at all points of vertical intersection and point of intersections in the paving plan; high and low points, vertical curve information, and pertinent AASHTO calculations. Profiles for existing ground at the rights-of-way lines shall be shown. Existing found property corners (e.g. iron pins), along the existing rights-of-way shall be shown on the plans.
 2. Prepare cross-sections on 22" x 34" sheets. Information on these sheets will include centerline station, profile grades and centerline elevations, roadway section (existing and proposed), right-of-way limits. Scale will be 1" = 20' horizontal and 1" = 4' vertical with cross sections plotted with stationing from the bottom of the sheet. Excavation and embankment volumes and end area computations shall also be provided.
 3. Drainage area maps with drainage calculations and hydraulic computations. A drainage area map will be drawn from available contour maps. Calculations regarding street and right-of-way capacities and design discharges at selected critical locations will be provided.
 4. Preliminary project plan and profile sheets for proposed storm drain utilities.
 5. Preliminary project plan and profile sheets for adjusting existing utilities at conflict areas (water, sewer, storm drain) shall be included.
 6. Known existing franchise utilities and utility easements will be shown on the plan and profile sheets. The CITY will coordinate with utility companies, and ascertain what utility improvements need to be incorporated into the plans.
 7. Horizontal and vertical control plan that locates proposed and known existing facilities. Legal descriptions (Lot Nos., Block Nos., and Addition Names) along with property ownership shall be provided on the plan view.
 8. Attend Public Meetings with City Staff and stakeholders in the area that could be impacted by the proposed improvements. The CITY will provide notification to the stakeholders and will conduct the meeting. The meeting will be used to present the plans to the stakeholders to gather comments and determine if modifications need to be made prior to the development of final plans.
 9. Submit 1 copy of the plans to the five (5) utility companies for review and comment.
 10. Prepare project contract documents including additional technical specifications as required.
 11. Field-check preliminary drawings and specifications.
 12. Prepare a preliminary estimate of probable construction cost and submit with one (1) set of full-size plans (60%).
 13. ENGINEER shall meet with the CITY during this phase to discuss the preliminary design.

Exhibit A

ATTACHMENT A

- D. Final Design – Following CITY approval of the preliminary plans, ENGINEER shall prepare final plans with the following additional tasks. The package will be released for bidding based on the schedule provided by the ENGINEER.
1. Prepare final plan and profile sheets showing curb lines, driveways, sidewalks, elevations at all points of vertical intersection and point of intersections in the paving plan; high and low points, vertical curve information, and pertinent AASHTO calculations.
 2. Prepare final cross-sections on 22" x 34" sheets. Information on these sheets will include centerline station, profile grades and centerline elevations, roadway section (existing and proposed), rights-of-way limits. Scale will be 1" = 20' horizontal and 1" = 4' vertical with cross sections plotted with stationing from the bottom of the sheet. Excavation and embankment volumes and end area computations shall also be provided.
 3. Prepare final drainage area maps with drainage calculations and hydraulic computations. A drainage area map will be drawn from available contour maps. Calculations regarding street and rights-of-way capacities and design discharges at selected critical locations will be provided.
 4. Final project plan and profile sheets for proposed storm drain utilities within the existing street rights-of-way. Storm drain utilities in an off-site easement and/or not within the street rights-of-way are not included in the scope.
 5. Final project plan and profile sheets for adjustments to existing utilities at conflict areas (water, sewer, storm drain) shall be included.
 6. Prepare a horizontal control sheet with any required easements or rights-of-way shown.
 7. Prepare the Project Specifications using NCTCOG Standard Specifications for Public Works Construction, 4th Edition. Utilize the CITY's standard front-end documents and prepare bid proposal forms (project quantities) of the improvements to be constructed. ENGINEER will modify sections as needed for this specific project.
 8. Prepare a final estimate of probable construction cost.
 9. Furnish CITY one (1) sets of drawings (90%), specifications, and bid proposals marked "Pre-Final" for approval by CITY. Upon final approval by CITY and correction of any outstanding issues, ENGINEER will provide one (1) sets of plans (100%) and specifications stamped "Final".
 10. Attend review meetings with the CITY. The review meetings will be conducted to address review comments and to take action on items to produce the final construction documents.
 11. Attend a utility coordination meeting to start relocation process with affected franchise utilities.

Exhibit A

ATTACHMENT A

ANTICIPATED SHEET LIST

Phase I - Highgate, Woodside, and Yorkshire
Cover sheet
General notes sheet
Overall Layout Sheet
Horizontal Control Plan
Construction Phasing Plan (2)
Erosion Control Plan
Drainage Area Map
Drainage Calculations
Water / Sewer Adjustments Plan and Profile Sheets (2)
Storm Drain Plan and Profile Sheets (2)
Paving Plan and Profile Sheets (10)
X-section Sheets (19)
Landscaping - Tree Planting Plan (1) – Special Service
Landscaping - Details (1) – Special Service
Lighting Plan Sheet with Calculations (1) – Special Service
Lighting Details (1) – Special Service
Details Sheets (10)
TxDOT Detail Sheets (5)
Phase II - Kensington and Chesham
Cover sheet
General notes sheet
Overall Layout Sheet
Horizontal Control Plan
Construction Phasing Plan (2)
Erosion Control Plan
Drainage Area Map
Drainage Calculations
Water / Sewer Adjustments Plan and Profile Sheets (2)
Storm Drain Plan and Profile Sheets (4)
Paving Plan and Profile Sheets (8)
X-section Sheets (20)
Landscaping - Tree Planting Plan (1) – Special Service
Landscaping - Details (1) – Special Service
Lighting Plan Sheet with Calculations (1) – Special Service
Lighting Details (1) – Special Service
Details Sheets (10)
TxDOT Detail Sheets (5)

- F. Bidding Phases – ENGINEER will assist the CITY during the bid phases for the project. The following scope of services will be completed for each package.
1. Assist CITY in securing bids. Issue a Notice to Bidders to prospective contractors and vendors listed in CITY’s database of prospective bidders, and to selected plan rooms. Provide a copy of the notice to bidders for CITY to use in notifying construction news publications and publishing appropriate legal notice. The cost for publications shall be paid by CITY.
 2. Print Bid Documents and distribute to selected plan rooms, and to prospective bidders that

Exhibit A

ATTACHMENT A

respond to the Notice to Bidders. Twenty (20) sets of plans and contract documents will be provided. Additional sets of plans, specifications, and bid documents as are necessary in the receipt of bids for construction and as are required in the execution of the construction contracts, shall be furnished by ENGINEER and shall be paid for by the CITY at actual cost of reproduction.

3. Attend a pre-bid meeting in conjunction with CITY staff to respond to bidder questions and walk the project.
4. Assist CITY by responding to questions and interpreting bid documents. Prepare and issue addenda to the bid documents to plan holders, if necessary.
5. ENGINEER will assist CITY in the opening, tabulating, and analyzing the bids received. Review the qualification information provided by the apparent low bidder to determine if, based on the information available, they appear to be qualified to construct the project. Recommend award of contracts or other actions as appropriate to be taken by CITY.
6. Furnish CITY or Contractor ten (10) sets of the drawings and specifications for construction.

F. Construction Administration Phases – The following services will be provided for Phase I and Phase II construction phases.

1. Attend public meeting to discuss the project schedule for construction.
2. The ENGINEER will provide corrections to design issues that may arise during construction.
3. Attend a pre-construction conference with the CITY, franchise utility companies and Contractor.
4. Review and comment on all construction submittals (Change orders, RFI's, PCM's, etc.) from the contractor. Prepare revised construction drawings as required for design revisions due to unforeseen field conditions, utility conflict, etc. Also, prepare and coordinate the required change orders.
5. Prepare documentation for contract modifications required to implement modifications in the design of the project. Receive and evaluate notices of Contractor claims and make recommendations to the CITY on the merit and value of the claim on the basis of information submitted by the Contractor or available in project documentation.
6. Conduct, in the company of the ENGINEER and CITY, a substantial completion review of the project for conformance with the design concept of the project and general compliance with the construction contract documents.
7. Recommend final acceptance of work when acceptable.
8. Revise the construction drawings in accordance with the information furnished by Contractor reflecting changes in the project made during construction. Two (2) sets of prints, one (1) set of 4 mil mylars, and electronic versions of "Record Drawings" shall be provided by ENGINEER to the CITY. The electronic files will include plans provided in a .dwg format and specifications provided in Microsoft Word format.

Exhibit A

ATTACHMENT A

SPECIAL SERVICES - Section 2 (Reimbursable Basis)

A. Direct Cost Expense

Direct costs shall be paid by CITY to ENGINEER for printing, reproduction, mileage, tolls, postage, federal express, courier fees, and supplies at a rate of 1.10 times the actual costs. Evidence of cost incurred for direct expenses shall be submitted with each billing.

B. Subsurface Utility Engineering (SUE)

The ENGINEER will provide the SUE work with a subcontracting firm that is required for this project in general accordance with the recommended practices and procedures described in ASCE Publication CI/ASCE 38-02 (Standard Guideline for the Collection and Depiction of Existing Subsurface Utility Data). As described in the mentioned ASCE publication, four levels have been established to describe the quality of utility location and attribute information used on plans. The four quality levels are as follows:

- Quality Level D (QL"D") - Information derived from existing records;
- Quality Level C (QL"C") - QL"D" information supplemented with information obtained by surveying visible above-ground utility features such as valves, hydrants, meters, manhole covers, etc.
- Quality Level B (QL"B") - Two-dimensional (x,y) information obtained through the application and interpretation of non-destructive surface geophysical methods. Also known as "designating" this quality level provides the approximate horizontal position of subsurface utilities within approximately one foot.
- Quality Level A (QL"A") - Also known as "locating", this quality level provides precise three dimensional (x,y,z) information at critical locations by exposing specific utilities. Non-destructive vacuum excavation equipment is used to expose the utilities at specific points which are then tied down by survey.

It is the responsibility of the SUE provider to perform due-diligence with regard to records research (QL "D") and acquisition of available utility records. The due-diligence provided for this project will consist of reviewing the "As-Built" documents previously compiled by others. Utilities that are not identified through these efforts will be here forth referred to as "unknown" utilities. ENGINEER's sub-consultant personnel will scan the defined work area using electronic prospecting equipment to search for "unknown" utilities. However, ENGINEER is not responsible for designating and locating these "unknown" utilities.

1. The scope of this proposal includes Quality Levels "A" and "B" SUE along potential conflict areas that will be identified during the preliminary design phase. ENGINEER will designate known utilities and service lines, located within the existing R.O.W. of each street in the vicinity of the critical locations where conflicts may exist between existing and proposed utilities. Test holes will then be excavated. For this scope, ENGINEER has assumed that 4 test holes locations.

C. Geotechnical Services

The geotechnical services will be provided by a geotechnical firm via a subcontract agreement. The work will include field borings within the project limits. The report will provide industry standard recommendations for roadway projects.

Exhibit A

ATTACHMENT A

D. Easements Document

Easement/ROW Documents (provided during Final Engineering Phase) - Prepare legal metes and bounds description and exhibit for parcels as directed by the CITY and as required for the project at a fee of \$1500/ea. It is anticipated that a maximum of three permanent easement exhibits and three temporary construction easement exhibits will be required. If the permanent and temporary easements are prepared as a combined exhibit, the fee will be billed at \$1500/ea. For properties with a temporary easement only, the fee will be \$500/ea. assuming the easement document is a letter agreement format. A temporary easement that is prepared as a drawing and a metes and bound (Exhibits A & B), the fee will be \$1500/ea.

E. Lighting Design

Prepare lighting design for the project including layout sheets, calculation sheets, and detail sheets. ENGINEER will coordinate with the CITY to identify the fixture style to be used on the projects.

F. Landscaping Design

Prepare landscaping design for the project in accordance with the appropriate Form Based Code ROW sections. Landscaping design will include a tree planting plan, tree protection notes and strategies, and landscaping details. Trees to be protected will be addressed during and following the Preliminary Design.

Exhibit A

ATTACHMENT B

Neel-Schaffer, Inc.

SCHEDULE

Task Order No.

Dalrock Estates Paving and Drainage Improvements

SCHEDULES (APPROXIMATE)

The services will be completed within the following schedule (calendar days) for each milestone upon completion and approval of the previous milestone task:

Preliminary Design (60%):	<u>120 calendar days</u>
Final Design (90%):	<u>105 calendar days</u>
Final Design (100%):	<u>45 calendar days</u>

Note:

This schedule is subject to change based on the CITY review process.



City of Rowlett
Staff Report

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

AGENDA DATE: 11/03/15

AGENDA ITEM: 7D

TITLE

Consider action to approve a resolution for Task Authorization #FY16-GA32 to the Agreement for Professional Services with Grantham & Associates, Incorporated in the amount of \$164,044 for engineering services to provide construction plans and specifications for the Primrose Lane Reconstruction – Paving, Drainage and Utility Improvements, and authorizing the Mayor to execute the necessary documents for said services.

STAFF REPRESENTATIVE

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

SUMMARY

This project consists of designing the roadway, sewer line, water line and drainage reconstruction of Primrose Lane. This will include lighting, landscape and traffic calming features.

BACKGROUND INFORMATION

On February 10, 2015, the City Council approved a bond referendum that include \$18.9 million for the reconstruction of streets and alleys.

On May 9, 2015, a bond election was held approving three propositions. Primrose Lane is one of the roadway reconstruction projects identified in Proposition 1 (Streets). Estimated costs in the amount of \$1.55 million were allocated to complete the design and reconstruction.

DISCUSSION

All streets within the City are inspected and rated using the pavement condition index (PCI) (0-100 – 100 being excellent) and prioritized for reconstruction based on the worst ratings. Primrose PCI rating is twenty (20). It is estimated that the funding is sufficient to design and reconstruct Primrose Lane.

The proposed design phase is estimated to be six months. The bid and construction phase is estimated to be 10 months. The total proposed time from design to final construction is estimated to be 16 months with a total estimated construction cost of \$1.62 million. This estimate includes utilities improvements that will be funded out of the Utility Fund Maintenance CIP.

The Utility Fund Maintenance CIP was formulated to address aging utility infrastructure (water and wastewater). These funds will be utilized to replace the existing utilities (water and wastewater) for Primrose Lane Reconstruction – Paving, Drainage and Utility Improvements. The bond funds are exclusively for the streets and drainage portion of this project.



FINANCIAL/BUDGET IMPLICATIONS

Funding in the amount \$164,044 is available for Task Authorization #FY16-GA32 in account/project codes 3028002 6700/ST2105 (Primrose Lane Improvements - \$133,030) and 5288102 6700/SS1102 (Misc. Sewer Line Replacement - \$31,014).

Munis Account Number/ Project Code	Project Title	FY2016 Budget Amount	Proposed Amount
3028002 6700/ST2105	Primrose Lane Improvements	\$1,550,000	\$133,030
5288102 6700/SS1102	Misc. Sewer Line Replacement	\$330,968	\$31,014
Total		\$1,880,968	\$164,044

RECOMMENDED ACTION

Staff recommends City Council adopt a resolution approving Task Authorization #FY16-GA32 to the Agreement for Professional Services with Grantham & Associates, Incorporated, in the amount of \$164,044 for engineering services to provide construction plans and specifications for the Primrose Lane Reconstruction – Paving, Drainage and Utility Improvements, and authorizing the Mayor to execute the necessary documents for said services.

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS, APPROVING TASK AUTHORIZATION #FY16-GA32 TO THE APPROVED PROFESSIONAL SERVICES AGREEMENT WITH GRANTHAM & ASSOCIATES, INCORPORATED, IN THE AMOUNT OF \$164,044 FOR ENGINEERING SERVICES TO PROVIDE CONSTRUCTION PLANS AND

SPECIFICATIONS FOR THE PRIMROSE LANE RECONSTRUCTION – PAVING, DRAINAGE AND UTILITY IMPROVEMENTS; AUTHORIZING THE MAYOR TO EXECUTE THE NECESSARY DOCUMENTS FOR SAID SERVICES; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council has, through a formal Request for Qualifications process, approved a Professional Services Agreement by and between the City of Rowlett and Grantham & Associates, Incorporated, for engineering services; and,

WHEREAS, the City Council has been presented a proposed Task Authorization (#FY16-GA32) to the approved professional engineering services agreement with Grantham & Associates, Incorporated, to provide construction plans and specifications for the Primrose Lane Reconstruction – Paving, Drainage and Utility Improvements; and,

WHEREAS, upon full review and consideration of the agreement and proposed task authorization, and all matters related thereto, the City Council is of the opinion and finds that the terms and conditions thereof should be approved, and that the Mayor should be authorized to execute Task Authorization #FY16-GA32 on behalf of the City of Rowlett, Texas.

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

Section 1: That Task Authorization #FY16-GA32, pursuant to the Professional Services Agreement between the City of Rowlett and Grantham & Associates, Incorporated, attached hereto and incorporated herein as Exhibit A, having been reviewed by the City Council of the City of Rowlett, Texas, be and is hereby approved in the amount of \$164,044, and the Mayor be and is hereby authorized to execute the Task Authorization on behalf of the City.

Section 2: That this resolution shall become effective immediately upon its passage.

ATTACHMENT

Exhibit A – Task Authorization #FY16-GA32 Professional Services Agreement

Exhibit A

TASK AUTHORIZATION # GA32

Client: City of Rowlett 4301 Industrial Street Rowlett, TX 75088 Attn: Sherrelle Diggs, P.E.	City Project No.: ST2105 <hr/> Consultant Project No.: 1237-15 <hr/> Date: 10-2-15						
Project Description: Primrose Lane Reconstruction – Rowlett Road curb return to just east of Bluebonnet Drive							
Description of Services: See Scope of Services in attached proposal							
Compensation shall be as follows: <table style="width: 100%; border: none;"> <tr> <td style="width: 70%;">Paving and Drainage</td> <td style="text-align: right;">\$ 133,030</td> </tr> <tr> <td>Water and Sanitary Sewer</td> <td style="text-align: right;">\$ 31,014</td> </tr> <tr> <td>Total Fee</td> <td style="text-align: right;">\$ 164,044</td> </tr> </table> See detailed breakdown in attached proposal		Paving and Drainage	\$ 133,030	Water and Sanitary Sewer	\$ 31,014	Total Fee	\$ 164,044
Paving and Drainage	\$ 133,030						
Water and Sanitary Sewer	\$ 31,014						
Total Fee	\$ 164,044						
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Total Contracted Fee</td> <td style="width: 40%; text-align: right;">\$ 164,044</td> </tr> </table>		Total Contracted Fee	\$ 164,044				
Total Contracted Fee	\$ 164,044						
Schedule shall be as follows: Immediate start							

The above described services shall proceed upon return of this Task Authorization. Services will be billed monthly as they are done. All other provisions, terms, and conditions of the agreement for services which are not expressly amended shall remain in full force and effect.

This Task Authorization will serve as the notice to proceed.

CONSULTANT:

CITY OF ROWLETT:

BY: 

BY: _____

TITLE: Principal

TITLE: _____

DATE: 10/2/15

DATE: _____

Exhibit A

ATTACHMENT A

PRIMROSE LANE RECONSTRUCTION SCOPE OF SERVICES

ARTICLE I

The parameters for design of the improvements shall include the following:

- Project control to be based on local control monumentation provided by the CITY. Field surveys are included for the entire length and width of the project.
- Scale of the plans to be: 1"=20' Horizontal; 1"=4' Vertical
- A construction sequencing plan shall be considered for each area of construction.
- Submittals to the CITY of work in progress shall be made at 60%, 90%, and 100% stages of completion. For each review, one (1) full size set of drawings will be furnished to the CITY.

BASIC SERVICES – Section I

A. Field Surveying

1. Survey and prepare a design/topographic survey map for an area 70 feet wide and 2,000 feet in length along Primrose Lane from just south of the Rowlett Road intersection to just east of Bluebonnet Drive. The design/topographic survey will indicate all surface features, spot elevations, one-foot contours, existing right-of-way lines, visible utilities, utilities located and marked by DIGTESS (notification of DIGTESS is responsibility of ENGINEER) and any other features required for design.
2. If necessary, locate underground utilities to be uncovered by others at potential conflict locations.
3. Obtain adjacent subdivision plats, and locate existing property boundaries and easements for the proposed road corridor. If necessary, identify any easements or right-of-way acquisitions that are needed for the subject project improvements.
4. Set survey control points in the vicinity of, but outside, the construction corridor during the topographic survey work.

B. Conceptual Design

1. Attend a kick-off meeting with the CITY to discuss the various aspects of the project including planning and design criteria, schedule, and expectations of the CITY.
2. Obtain from the CITY all available property plats, easements, record drawings, and other data that may be pertinent in considering the development of the conceptual plans and the final design of the proposed improvements.
3. Determine from a field reconnaissance of the project area the general layout of the land for the improvements. This general layout will address the following:
 - Locations of existing utilities
 - Existing driveways
 - Availability of ROW and easements.
 - Access and convenience for construction operations

Exhibit A

ATTACHMENT A

- Crossing of drainage and structures
 - Landscaped areas and walls
 - Private property improvements such as fences, mailboxes, sidewalks, drives, etc.
4. Evaluate the proposed layout of the new facilities taking the following design criteria into consideration:
 - Access for fire, police and other emergency vehicles
 - Maintenance for service during construction
 - Access for property owners to their respective driveways and adjacent streets
 - Horizontal location of the proposed roadway and sidewalks within the existing right-of-way limits.
 - Vertical location of the proposed roadway and sidewalks relative to existing storm drainage facilities, surface drainage, and intersecting streets grades.
 - Construction sequencing and the location of any proposed water, sanitary sewer, and storm drainage improvements.
 5. Perform an analysis to confirm the adequacy of the existing storm drainage system. This analysis shall include the following:
 - A review of the Drainage Master Plan and the drainage calculations shown on Record Drawings.
 - A conceptual layout showing any system improvement recommendations.
 - NOTE: The drainage improvements currently recommended in the Drainage Master Plan and any other inlet and lateral improvements found during the analysis shall be designed by the ENGINEER under Basic Services. Any other improvements required to the existing storm sewer lines shall be designed under Special Services.
 6. Prepare and submit one (1) full size set of conceptual engineering (30%) plans including layouts, preliminary right-of-way and easement needs, and an Opinion of Probable Cost.
 7. Meet with the CITY to review the 30% submittal.
- C. Preliminary Design – Upon approval of Conceptual Engineering Plans, the ENGINEER will prepare preliminary construction plans as follows:
1. Preliminary project plan and profile sheets showing curb lines, driveways, sidewalks, elevations at all points of vertical intersection and points of intersection in the paving plan; high and low points, and vertical curve information. Profiles for existing ground at the right-of-way lines shall be shown. Existing found property corners (e.g. iron pins), along the existing right-of-way shall be shown on the plans.
 2. Prepare cross-sections on 22" x 34" sheets. Information on these sheets will include centerline station, profile grades and top of curb elevations, roadway section (existing and proposed), right-of-way limits. Scale will be 1" = 20' horizontal and 1" = 4' vertical with cross sections plotted with stationing from the bottom of the sheet.
 3. A Drainage Area Map will be drawn from available contour maps and drainage calculations will be provided. Calculations regarding street and right-of-way capacities and design discharges at selected critical locations will also be provided.

Exhibit A

ATTACHMENT A

4. Preliminary project plan and profile sheets for proposed storm drain utilities (enclosed system, channels and culverts) shall be included.
 5. Preliminary project plan and profile sheets for proposed utilities (water, sewer, storm drain) shall be included.
 6. Existing franchise utilities and utility easements will be shown on the plan and profile sheets. The ENGINEER will coordinate with utility companies and the CITY to ascertain what utility improvements need to be incorporated into the plans. Prepare an overall ROW strip map at 1"=50' scale for use in discussing easements with franchise utility companies.
 7. Horizontal and vertical control plan that locates all proposed and existing facilities. Legal descriptions (Lot Nos., Block Nos., and Addition Names) along with property ownership shall be provided on the plan view.
 8. Submit one (1) copy of the plans to the utility companies for review and comment.
 9. Field-check preliminary drawings and specifications.
 10. Prepare a preliminary Opinion of Probable Construction Cost and submit with one (1) set of full-size plans (60%).
 11. ENGINEER shall meet with the CITY during this phase to discuss the preliminary design.
- E. Final Design – Following CITY approval of the preliminary plans, ENGINEER shall prepare final plans with the following additional tasks. The package will be released for bidding based on the schedule provided by the ENGINEER.
1. Prepare final plan and profile sheets showing curb lines, driveways, sidewalks, elevations at all points of vertical intersection and point of intersections in the paving plan; high and low points, and vertical curve information.
 2. Prepare final cross-sections on 22" x 34" sheets. Information on these sheets will include centerline station, profile grades and top of curb elevations, roadway section (existing and proposed), right-of-way limits. Scale will be 1" = 20' horizontal and 1" = 4' vertical with cross sections plotted with stationing from the bottom of the sheet.
 3. Prepare a final Drainage Area Map with drainage calculations and hydraulic computations. Calculations regarding street and right-of-way capacities and design discharges at selected critical locations will be provided.
 4. Final project plan and profile sheets for proposed storm drain utilities identified in the Drainage Master Plan shall be included.
 5. Final project plan and profile sheets for proposed utilities (water, sewer, storm drain) shall be included.
 6. Prepare a horizontal control sheet with any required easements or right-of-way shown. Prepare a ROW strip map at 1"=50' scale for use in discussions with franchise utility companies and the CITY.

Exhibit A

ATTACHMENT A

7. Prepare a construction sequencing plan in accordance with CITY requirements.
 8. Prepare the Project Specifications using NCTCOC Standard Specifications for Public Works Construction, 3rd Edition. Utilize the CITY's standard front-end documents and prepare bid proposal forms (project quantities) of the improvements to be constructed. ENGINEER will modify sections as needed for this specific project.
 9. Prepare a final Opinion of Probable Construction Cost. G&A will use prevailing materials and labor prices in developing Opinions of Probable Cost, however, the firm does not warrant their accuracy.
 10. Furnish CITY one (1) full size set of drawings (90%), specifications, and bid proposals for approval by CITY. Upon final approval by CITY and correction of any outstanding issues, ENGINEER will provide one (1) full size set of plans (100%) and specifications.
 11. Attend a review meeting with the CITY to address review comments and to take action on items to produce the final construction documents.
 12. ENGINEER will submit the project plans to the State for the TAS/ADA review. ENGINEER will prepare the application and make the submittal. The ENGINEER will provide a check for the fee based on the construction cost per the submittal requirements to be reimbursed by the CITY. ENGINEER will address comments from the review and revise plans if necessary.
- E. Bidding Phase – ENGINEER will assist the CITY and GEC during the bid phase for the project. The following scope of services will be completed.
1. Provide a copy of the notice to bidders for CITY to use in notifying construction news publications and publishing appropriate legal notice. The cost for publications shall be paid by CITY.
 2. From G&A's office, print Bid Documents and distribute to selected plan rooms and to prospective bidders that respond to the Notice to Bidders for a fee.
 3. Attend a pre-bid meeting in conjunction with CITY staff to respond to bidder questions.
 4. Assist CITY by responding to questions and interpreting bid documents. Prepare and issue addenda to the bid documents to plan holders, if necessary.
 5. ENGINEER will assist CITY in the opening, tabulating, and analyzing the bids received. Review the qualification information provided by the apparent low bidder to determine if, based on the information available, they appear to be qualified to construct the project. Recommend award of contracts or other actions as appropriate to be taken by CITY.
 6. Furnish CITY or Contractor ten (10) sets of the drawings and specifications for construction.

SPECIAL SERVICES – Section 2

A. Construction Phase

1. Attend a pre-construction conference with the CITY and Contractor.

Exhibit A

ATTACHMENT A

2. The ENGINEER will be expected to provide corrections to design issues that may arise during construction.
3. Review and comment on all construction submittals (Change orders, RFI's, PCM's, etc.) from the contractor.
4. Prepare documentation for contract modifications required to implement modifications in the design of the project. Receive and evaluate notices of Contractor claims and make recommendations to the CITY on the merit and value of the claim on the basis of information submitted by the Contractor or available in project documentation.
5. Conduct, in the company of the ENGINEER and CITY a substantial completion review of the project for conformance with the design concept of the project and general compliance with the construction contract documents.
6. Recommend final acceptance of work when acceptable.
7. Revise the construction drawings in accordance with the information furnished by Contractor reflecting changes in the project made during construction. Two (2) sets of prints, one (1) set of 4 mil mylars, and electronic versions of "Record Drawings" shall be provided by ENGINEER to the CITY. The electronic files will include plans provided in a .dwg format and specifications provided in Microsoft Word format.

B. Easement/ROW Documents (provided during Final Engineering Phase)

1. Prepare legal metes and bounds description and exhibit for parcels as directed by the CITY and as required for the project.

C. Public & Preconstruction Meetings

1. If requested, attend a Public Meeting with City Staff and stakeholders in the area that could be impacted by the proposed improvements. The CITY will provide notification to the stakeholders and will conduct the meeting. The meeting, which may be held at the discretion of the CITY during any of the project phases, may be used to present the plans to the stakeholders, to gather comments and determine if modifications need to be made prior to the development of final plans, to introduce the contractor and discuss construction related matters, or for other purposes determined by the CITY.
2. Prepare exhibits and other presentation material requested by the CITY for display or distribution at the Public Meetings.



City of Rowlett
Staff Report

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

AGENDA DATE: 11/03/15

AGENDA ITEM: 7E

TITLE

Consider a resolution approving Task Authorization # FY16-01WG to the approved professional services agreement with Wallace Group, Inc., in the amount of \$83,406 to provide design surveys for the Alley Improvement Project consisting of approximately 12,239 linear feet of alley paving replacement for thirteen (13) alleys, and authorizing the Mayor to execute the necessary documents for said services.

STAFF REPRESENTATIVE

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

SUMMARY

The purpose of this item is to provide survey data, and to identify underground utilities and easements for the 13 alleys listed below.

BACKGROUND INFORMATION

On February 10, 2015, the City Council approved a bond referendum that included \$2 million for the reconstruction of alleys. The 2015 bond election was held May 9, 2015, and passed with 87.8 percent of the vote. On September 15, 2015, the City Council adopted the FY2016 budget and committed an additional .01 cent of the tax rate for alley improvements in the amount of \$358,746.

Alley Improvement/ Maintenance Programs	FY2016	FY2017	FY2018	Total Three Year
Alley Panel Replacement (Refuse Fund)	\$335,000	\$335,000	\$335,000	\$1,005,000
Alley Improvements (Refuse Fund)	395,000	395,000	395,000	1,185,000
Alleys - \$0.01 Tax (2016-2018)	358,746	375,763	390,794	1,125,303
Alleys - \$0.005 Tax (2015+)	179,373	187,822	195,397	562,592
Alley Improvements (Bond Funds)	750,000	500,000	750,000	2,000,000
Total	\$2,018,119	\$1,793,585	\$2,066,191	\$5,877,895

DISCUSSION

All alleys within the City are inspected and rated using the pavement condition index (PCI) (0-100 – 100 being excellent) and prioritized for reconstruction based on the worst ratings. It is estimated

that the funding is sufficient to reconstruct approximately 13 alleys over a three year period; therefore, the 13 worst alleys have been selected for design in FY2016. These alleys have a PCI rating of 0 to 13. The worst top thirteen alleys are as follows:

1. 7101-6317 Shorecrest Drive/FIELD (PCI-2)
2. 2505-2621 Larkspur Lane/2506-2620 Daisy Lane (PCI-0)
3. 8810-9106 Shipman Street/8809-9105 Davis Street (PCI-11)
4. 9200-9445 Willard Street/FIELD (PCI-9)
5. 3501-3717 Shelly Lane/3502-3718 Christopher Drive (PCI-2)
6. 8005-8113 Luna Drive/5501-5414 Teal Circle (PCI-5)
7. 4001-4109 Karen Circle/4002-4218 Simmons Drive (PCI-9)
8. 4002-4110 Karen Circle/ FIELD (PCI-10)
9. 6201-6217 Scenic Drive/9414 Shearer St.-9409 Pollard Street (PCI-13)
10. 2901-3113 Powell Drive/3114 Persimmon Pl.-3305 Colonial Drive (PCI-2)
11. 3302-3314 Jones Drive/3305-3314 Powell Drive (PCI-12)
12. 3403-3515 Locust Street/2500 Larkspur Lane-3517 Azalea Drive (PCI-7)
13. 3505-3713 Thornhill Way/3501 Thornhill Way.-3714 Faulkner Drive (PCI-8)

The Wallace Group, Inc., was selected to conduct the design survey and give the data to City Staff for design. Engineering staff will design the alleys in-house. This will enable the City to put more funding toward actual alley construction.

FINANCIAL/BUDGET IMPLICATIONS

Funding in the amount of \$83,406 is available in the Alley Improvement Project, account #302180026700, Project Code ST2104.

Budget Account Number and/or Project Code	Account or Project Title	Budget Amount	Proposed Amount
30218002 6700/ST2102	Alley Improvements	\$1,683,119	\$83,406
Total		\$1,683,119	\$83,406

RECOMMENDED ACTION

Staff recommends the Rowlett City Council adopt a resolution approving Task Authorization # FY16-01WG to the approved professional services agreement with Wallace Group, Inc., in the amount of \$83,406 to provide design surveys for the Alley Improvement Project consisting of approximately 12,239 linear feet of alley paving replacement for thirteen (13) alleys, and authorizing the Mayor to execute the necessary documents for said services.

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS, APPROVING TASK AUTHORIZATION # FY2016-01WG TO THE APPROVED PROFESSIONAL SERVICE AGREEMENT WITH WALLACE GROUP, INC., IN THE AMOUNT OF \$83,406 TO PROVIDE DESIGN SURVEYS FOR ALLEY IMPROVEMENT PROJECTS CONSISTING OF APPROXIMATELY 12,239 LINEAR FEET OF ALLEY PAVING REPLACEMENT FOR

THIRTEEN (13) ALLEYS; AUTHORIZING THE MAYOR TO EXECUTE THE NECESSARY DOCUMENT FOR SAID SERVICES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council, through a formal Request for Qualifications process, has previously approved a Professional Services Agreement by and between the City of Rowlett and Wallace Group, Inc., for engineering services, and

WHEREAS, the City Council of the City of Rowlett, Texas has been presented a proposed Task Authorization # FY16-01WG to the approved professional engineering agreement for design surveys in the amount of \$83,406.00, and

WHEREAS, upon full review and consideration of the Agreement, and all matters related thereto, the City Council is of the opinion and finds that the terms and conditions thereof should be approved, and that the Mayor should be authorized to execute Task Authorization # FY16-01WG on behalf of the City of Rowlett, Texas.

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

Section 1: That Task Authorization # FY16-01WG, pursuant to the Professional Services Agreement between the City of Rowlett and Wallace Group, Inc., attached hereto and incorporated herein as Exhibit A, having been reviewed by the City Council of the City of Rowlett, Texas, be and is hereby approved in the amount of \$83,406.

Section 2: That the City Council does further authorize the Mayor to execute the Task Authorization on behalf of the City, and the City Manager to issue purchase orders as appropriate pursuant to this Resolution.

Section 2: That this resolution shall become effective immediately upon its passage.

ATTACHMENT

Exhibit A - Task Authorization #FY16-01WG Professional Services Agreement

Exhibit A

Attachment A Scope of Services Task Authorization No. 1

2016 Alley Reconstruction Survey

CITY OF ROWLETT, TEXAS

The City of Rowlett proposes to prepare design plans to reconstruct thirteen alleys. Survey Services to be performed by the Surveyor shall include all aspects of the work as set forth in the following scope of services.

PROJECT DESCRIPTION

This project includes:

A) Design Survey

A survey that encompasses the alley easements/rights-of-way listed below:

1. Lakeview Meadows Est 5 – 7101-6317 Shorecrest Drive in field area (901 LF)
2. Flower Hill 3 – 2505-2621 Larkspur Ln, between 2506-2620 Daisy Lane (1,063 LF)
3. Highland Meadows North 2 – 8810-9106 Shipman Street, between 8809-9105 Davis Street (883 LF)
4. Highland Meadows North 2 – 9200-9445 Willard Street in field area (2,314 LF)
5. Toler Ridge 2 – 3501-3717 Shelly Lane, between 3502-3718 Christopher Drive (886 LF)
6. Dalrock Heights – 8005-8113 Luna Drive, between 5501-5414 Teal Circle (517 LF)
7. Toler Ridge 3 – 4001-4109 Karen Circle, between 4002-4218 Simmons Drive (696 LF)
8. Toler Ridge 3 – 4002-4110 Karen Circle in field area (704 LF)
9. Highland Meadows North 1 – 6201-6217 Scenic Drive, between 9414 Shearer St-9409 Pollard St (316 LF)
10. Westward 3 – 2901-3113 Powell Drive, between 3114 Persimmon Pl -3305 Colonial Dr (1,019 LF)
11. Westward 3 – 3302-3314 Jones Drive, between 3305-3314 Powell Dr (617 LF)
12. Flower Hill 4 – 3403-3515 Locust Street, between 2500 Lakespur -3517 Azalea Dr (1,456 LF)
13. Toler Bay 2 – 3505-3713 Thornhill Way, between 3501 Thornhill Way -3714 Faulkner Dr (867 LF)

For each of the thirteen (13) easements/rights-of-way, the Surveyor (TWG) will locate all aboveground structures and trees (4 inches in diameter and larger) as well as valves, meters, clean-outs, etc. within the alley right-of-way, extending from gutter to gutter of the intersecting streets. Topographic X, Y coordinates will be provided for the top of curb, gutter and sidewalks at the curb returns and 20 feet either side of the edge of alley at all intersecting streets. In addition to the ground structures, TWG will provide the approximate locations of existing underground utilities (we will contact TEXAS811). TWG will show the accurate location of all platted alley easements/rights-of-way at the rear of the lots. TWG will provide elevations/shots at 50-foot intervals and include shots at the property line, edge of alley and along the centerline/flow-line. This will include elevations at the curve PC, PT, PI and two MP's for curves less than 150' radius - for curves greater than a 150' radius, it will include cross-sectioning at stations at 25-foot intervals. The Surveyor will also provide data regarding major grade breaks between each cross-section. All Topography will be obtained by the use of a conventional Total Station (not GPS) to meet accuracy tolerances of 0.02' per shot.

This project will include approximately 12,239 L.F. The work required to complete the project is divided into the following phases:

Exhibit A

1. Deed Research

TWG will be provided copies of the recorded plats for these areas. TWG will use this information as a base map, but will be provide their drawings relative to the City's current primary control network.

2. Setting Primary Control

TWG will locate sufficient boundary monumentation (property corners) in order to accurately delineate the location of each alley easement/right-of-way.

TWG will set enough horizontal and vertical control to cover the entire project and to depict on the plans for future construction. TWG will use GPS equipment to set our initial control. TWG will tie our horizontal and vertical datum into the City of Rowlett's control network. Our horizontal datum will be relative to NAD83. Once TWG has established their initial Primary Control, they will run conventional levels over their control and set several benchmarks along the alley easements.

3. Data Collection

TWG will use our conventional Total Station and Data-Collector to record all of our information. The topography will cover a 15 foot wide strip, centered on the alley easements/rights-of-way. TWG will also locate portions of the adjacent driveways to these alleys. If the driveways are less then 20 feet long, TWG will locate the driveway up to the rear of the garage. Where the driveways are longer then 20 feet, TWG will locate to the nearest "seam" in the concrete, near the middle of the driveway. Driveway topography will include both edges of the concrete driveway clips and projections at the connection to the alley, at the R.O.W., at any obvious grade change and 20 feet from edge of alley or to garage; whichever is the shortest distance from alley. TWG will not enter the rear yard of any residence, but will diligently look for visible depressions on private property that may require additional topography. TWG will establish the X, Y and Z coordinates of all visible improvements, along with depths on all visible utilities. TWG will locate the type and size of all trees with a minimum 4" caliper.

4. Calculations and Drafting

After TWG sets their primary control have tied down a portion of the Topography, they will begin our calculations and drafting in that area. TWG will then provide the City with digital copies of each Alley segment as it is completed. The AutoCAD drawings will reflect all of the Topography for these areas. The drawings will include contours, and will also show spot elevations in a separate layer.

5. Underground Utility Locations

TWG will contact TEXAS811 to locate any existing lines that may affect these areas. TWG will also coordinate our efforts with the City of Rowlett to show any other existing utilities that may affect these areas.

Once TWG has completed the project, they will provide the following Deliverables:

- 1 – Roll Plot of the Overall Topographic Survey at a scale of 1" = 20'
- 1 – Digital Copy of the Overall Topographic Survey in an AutoCAD 2015 format
- 1 – Copy of the ASCII file for all points
- 1 – Copy of the Field Notes

Exhibit A

B) Refurbishing of Control

If needed, TWG will return before construction begins and refurbish any control needed for any of these areas. This work would be done on an hourly-type basis with an estimated cost of \$2,500.00.

TWG's scope does not include providing "Right of Entry Letters", or obtaining permission from the adjoining land owners. TWG will coordinate the schedule for this work with the City of Rowlett so they can notify the land owners.

C) Subsurface Utility Engineering (S.U.E.)

a. Quality Level B Tasks (This task is not required if Texas811 performs the marking in the field)

Tasks leading to QL B include:

i. Line Detection and Marking.

1. Select and apply appropriate surface geophysical method(s) to search for and detect subsurface utilities within the project limits, and/or to trace a particular utility line or system.
2. Based on an interpretation of data, mark the indications of utilities on the ground surface, for subsequent survey.
3. Utilize the uniform color code of the American Public Works Association for marking of utilities.
4. Unless otherwise directed, mark centerline of single-conduit lines, and outside edges of multi-conduit systems.
5. Unless otherwise approved, maintain horizontal accuracy of +/- 1.5 feet (450 mm) in the marking of lines.
6. As an alternative to the physical marking of lines, the Consultant may, utilize other means of data collection, storage, retrieval, and reduction, that enables the correlation of surface geophysical data to the project's survey control.

ii. Surveys.

1. Survey all markings that indicate the presence of a subsurface utility.
2. Perform surveys to a horizontal accuracy consistent with applicable survey standards. Reference surveys to the project's survey control.
3. If requested, record depth information as may be indicated by the particular detection method used.

iii. Correlation, Interpretation, and Presentation of Data; Resolution of Discrepancies.

1. Exercise professional judgment to correlate data from different sources, and to resolve conflicting information.

Exhibit A

2. Update (or prepare) plan sheets, electronic files, and/or other documents to reflect the integration of QL D, QL C, and QL B information.
3. Recommend follow-up investigations (e.g., additional surveys, consultation with utility owners, etc.) as may be needed to further resolve discrepancies.
4. As appropriate, amend the indicated quality level of depicted information.

b. QUALITY LEVEL A TASKS

Tasks leading to QL A include:

iv. Inclusive of QL B Tasks.

1. Perform tasks as described for QL B. There is no prescribed order in which QL B and tasks must be performed.

v. Selection of Test Locations.

1. City may require QL A data where the precise horizontal and vertical location of utilities, obtained by exposure and survey of the utility at specific points, is needed for conflict assessment/resolution purposes.
2. The Consultant may recommend test locations based on the requirements of the project and on existing subsurface utility information.

vi. Selection of Method.

1. When available, verifiable information on previously exposed and surveyed utilities (such as survey records during utility line construction) shall be furnished in lieu of new excavation, exposure, and survey at that same point, or at a suitable nearby point.
2. Otherwise, when utility lines must be exposed and surveyed at specified locations, the Consultant shall use minimally intrusive excavation techniques, that ensure the safety of the excavation, the integrity of the utility line to be measured, and that of other lines which may be encountered during excavation.
3. City intends that excavation shall be by means of air- or water-assisted vacuum excavation equipment manufactured specifically for the purpose, provided, however, that approval of water-assisted vacuum excavation may be subject to additional findings by City that such method poses minimal risk of damage to the utility lines.

vii. Compliance with UNCL Requirements.

1. The Consultant shall comply with all applicable provisions of [State Law] when planning or performing excavations at utility test hole sites.
2. Compliance actions include, but are not limited to: notify owners or operators of underground utility facilities at least two (2) business days prior (not including the day of actual notice) to making or beginning excavations in the vicinity of such facilities; contact non-member utilities directly; coordinate with utility owner representatives as required for inspection or other on-site assistance; immediately cease excavation work and report any resultant utility line damage to

Exhibit A

owner.

viii. Excavation of Test Holes.

1. Clear the test hole area of surface debris.
2. In paved areas, neatly cut and remove existing pavement, which cut shall not exceed 225 square inches (0.15 square meters) unless otherwise approved.
3. The nominal diameter of test hole shall not exceed 15 inches (375 mm) unless otherwise approved.
4. Expose the utility only to the extent required for identification and data collection purposes.
5. Avoid damage to lines, wrappings, coatings, cathodic protection or other protective coverings and features.
6. Hand-dig as needed to supplement mechanical excavation and to ensure safety.
7. Revise the test hole location as necessary to positively expose the utility.
8. Store excavated material for re-use or disposal, as appropriate.

ix. Collection, Recording, and Presentation of Data.

Measure and/or record the following information on an appropriately formatted test hole data sheet that has been sealed and dated by the Consultant:

1. Elevation of top and/or bottom of the utility tied to the project datum, to a vertical accuracy of +/- 0.05 feet (15 mm).
2. Elevation of existing grade over utility at test hole.
3. Horizontal location referenced to project coordinate datum.
4. Field sketch showing horizontal location referenced to a minimum of three (3) swing ties to physical structures existing in the field and shown on the project plans.
5. Approximate centerline bearing of utility line.
6. Outside diameter of pipe, width of duct banks, and configuration of non-encased multi-conduit systems.
7. Utility structure material composition, when reasonably ascertainable.
8. Identity of benchmarks used to determine elevations.
9. Utility facility condition.
10. Pavement thickness and type when applicable.
11. Soil type and site conditions.
12. Identity of utility owner/operator.
13. Other pertinent information as is reasonably ascertainable from test hole.

Exhibit A

x. Site Restoration.

1. Replace bedding material around exposed utility lines in accordance with owner's specifications or as otherwise directed or approved.
2. Backfill and compact the excavation in an acceptable manner. If approved, re-use excavated material with appropriate moisture/density control.
3. Install color-coded warning ribbon within the backfill area and directly above the utility line.
4. As applicable, provide permanent pavement restoration within the limits of the original cut using materials, compaction, and pavement thickness.
5. Repair or replace backfill or pavement that fails (i.e., subsidence and/or loss of pavement material) within one (1) years of the original restoration work.
6. For excavations in unpaved areas, restore disturbed area as nearly as practicable to pre-existing conditions.
7. Furnish and install permanent surface marker (e.g., P.K. nail, peg, steel pin, or hub) directly above the centerline of the structure and record the elevation of the marker.

xi. Interpretation of Data and Resolution of Discrepancies.

1. Exercise professional judgment to correlate data from different sources, and to resolve conflicting information.
2. Update plan/profile sheets, electronic files, and/or other documents to reflect the integration of QL D, QL C, QL B, and QL A information.
3. Recommend follow-up investigations (e.g., additional surveys, consultation with utility owners, etc.) as may be needed to further resolve discrepancies.
4. As appropriate, amend the indicated quality level of depicted information.

TWG's scope does not include providing "Right of Entry Letters", or obtaining permission from the adjoining land owners. TWG will coordinate the schedule for this work with the City of Rowlett so they can notify the land owners.

TWG's scope does not include the preparation or coordination of any "Traffic Control Plans".

Exhibit A

Attachment B Schedule

Task Authorization No. 1

2016 ALLEY RECONSTRUCTION SURVEY

CITY OF ROWLETT, TEXAS

The Time/Task Schedule below assumes an authorization from the city to proceed on October 19, 2015 for the Survey/SUE work involved in the Alley Reconstruction throughout the City of Rowlett. Upon authorization, a pre-work conference will be scheduled to review the project, design criteria, overall schedule, procedures of communication, personnel assignments, progress meetings, citizen involvement and discuss other such terms that may require some clarification. A schedule has been proposed for this project as shown below. It is the responsibility of the Surveyor to review this schedule and adhere to it or request, in writing, additional time be added for specific reasons.

Alley Reconstruction

TASK	DURATION	ANTICIPATED COMPLETION DATE
Design Survey	14 weeks	28-January-2016
SUE – Level “B” (Designating)	2 weeks	28-January-2016
SUE – Level “A” (Test Holes)	2 weeks	As needed



City of Rowlett
Staff Report

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

AGENDA DATE: 11/03/15

AGENDA ITEM: 7F

TITLE

Consider action to approve a resolution authorizing the final acceptance, release of retainage and early completion bonus for the 16" Waterline along Main Street West of Kirby Road (PGBT) (WA1156) in the amount of \$308,529.64 to Tri-Con Services, and authorizing 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 1,750 linear feet of 16-inch water main along Main Street from PGBT to the Roundabout.

BACKGROUND INFORMATION

On June 6, 2015, City Council adopted a resolution awarding the base bid to Tri-Con Services in the amount of \$365,000 for the 16" Waterline along Main Street West of Kirby Road (PGBT) (WA1156) and authorized the Mayor to execute the Standard Public Works Construction Contract for said services.

DISCUSSION

Tri-Con Services has satisfactorily completed the project as designed in accordance with the contract plans and specifications. One change order was issued on this project for field revisions to a valve vault along with the addition of one gate valve for a total of \$22,387.00, which increased the total construction contract amount from \$365,000.00 to \$387,387.00. Staff has inspected the construction to ensure compliance with the provisions of the contract and recommends acceptance of such improvements with a final acceptance and release of retainage plus an early completion bonus in the amount of \$308,529.64.

CHANGE ORDER #	REASON FOR CHANGE	CHANGE ORDER AMOUNT
1	Revisions to valve vault and one additional gate valve	\$22,387.00

FINANCIAL/BUDGET IMPLICATIONS

Final payment with release of retainage plus an early completion bonus is \$308,529.64. Funding in the amount of \$308,529.64 is available in project account code WA1156.

Account #/Project Code	Project Title	YTD Project Balance	Actual Amount
528101 6701/WA1156	16" Waterline along Main Street West of Kirby Road (PGBT)	\$387,387.00	\$308,529.64
Total		\$387,387.00	\$308,529.64

RECOMMENDED ACTION

Staff recommends City Council approve a resolution authorizing the final acceptance, release of retainage and early completion bonus for the 16" Waterline along Main Street West of Kirby Road (PGBT) (WA1156) in the amount of \$308,529.64 to Tri-Con Services, and authorizing 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, RELEASE OF RETAINAGE AND EARLY COMPLETION BONUS FOR THE 16" WATERLINE ALONG MAIN STREET WEST OF KIRBY ROAD (PGBT) (WA1156) IN THE AMOUNT OF \$308,529.64 TO TRI-CON SERVICES; 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 074-15 accepting the bid of and awarding a contract to Tri-Con Services in the amount of \$365,000.00 for the total base bid plus contingency in the amount of \$38,000.00 and up to \$15,000.00 for an early completion bonus, resulting in a total project amount of \$418,000.00 for the 16" Waterline along Main Street West of Kirby Road (PGBT) (WA1156); and

WHEREAS, change order #1 was issued in the amount of \$22,387.00 which increased the total base bid from \$365,000.00 to \$387,387.00; and

WHEREAS, Tri-Con Services has completed the project ahead of schedule qualifying them for the early completion bonus of \$15,000.00 and within budget; and

WHEREAS, City staff has inspected the construction, ensuring that it complies 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 16" Waterline along Main Street West of Kirby Road (PGBT) (WA1156) and approves the release of retainage and early completion bonus to Tri-Con Services in the amount \$308,529.64.

Section 2: That the City Council of the City of Rowlett does hereby authorize the Mayor to execute the necessary documents to conform to this resolution.

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

ATTACHMENT

Exhibit A – Final Payment Request Form

Exhibit A



PAYMENT REQUEST (5.2.3)

PROJECT:	<u>16" Water Main on Main St (PGBT to Roundabout)</u>	PROJECT NUMBER
OWNER:	<u>City of Rowlett</u>	<u>2015-61</u>
CONTRACTOR:	<u>Tri-Con Services, Inc.</u>	
ENGINEER:	<u>RJN Group, Inc.</u>	

PAYMENT PERIOD FROM: 08/26/15 **TO** 10/15/15 **ESTIMATE NO.:** Final

SUMMARY OF PAYMENT ESTIMATE VALUES FROM ATTACHED TABULATIONS

Original Contract Amount	\$365,000.00
Approved Change Orders	\$22,387.00
Current Contract Amount	\$387,387.00
Total Value of Original Contract Performed (Attachment "A" consisting of 1 page)	\$374,613.00
Extra Work on Approved Change Orders (Attachment "B" consisting of 0 page)	\$22,387.00
Materials on Hand (Attachment "C" consisting of __ pages)	
Total Value of Work to Date	\$397,000.00
Less Amount Retained at _____ %	
Net Amount Earned on Contract	\$397,000.00
Less Amount of Previous Payments	\$88,470.36
BALANCE DUE THIS STATEMENT	\$308,529.64
Percentage of Contract Paid to Date	102.48%

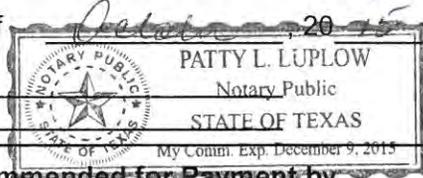
The undersigned Contractor certifies that all work, including materials on hand, covered by this Periodical Payment has been completed and delivered and stored in accordance with the Contract Documents, that all amounts have been paid by him for work, materials, and equipment for which previous Periodical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

Contractor: Tri-Con Services, Inc. By [Signature]

Date: 10-16-15

Subscribed and sworn to before me this 16 day of October, 2015

Notary Public: Patty L. Luplow
My Commission expires: 12-9-15



Recommended for Payment by
RJN Group, Inc.
By [Signature] 10.16.15
Date

Recommended for Payment by
City of Rowlett Inspector
By [Signature] 10/20/2015
Date

Approved for Payment by
City of Rowlett
By [Signature] 10/20/2015
Date

Mayor DATE



**ATTACHMENT "D"
PROJECT SUMMARY**

PROJECT:	<u>16" Water Main on Main St (PGBT to Roundabout)</u>	PROJECT NUMBER
OWNER:	<u>City of Rowlett</u>	<u>2015-61</u>
CONTRACTOR:	<u>Tri-Con Services, Inc.</u>	
ENGINEER:	<u>RJN Group, Inc.</u>	

PAYMENT PERIOD FROM: 08/26/15 **TO** 10/15/15 **ESTIMATE NO.:** Final

CONTRACT TIME SUMMARY

Date of Notice to Proceed	<u>17-Aug-15</u>	
Original Contract Duration	<u>270</u>	
Original Date of Contract Substantial Completion	<u>13-May-16</u>	
Original Date of Contract Final Completion	<u>12-Jun-16</u>	
Approved Time Extensions		Days
Current Contract Duration	<u>270</u>	Days
Current Date of Contract Substantial Completion	<u>13-May-16</u>	
Current Date of Contract Final Completion	<u>12-Jun-16</u>	
Rain Out Days		Days
Days Charged to Project to Date	<u>59</u>	Days
Days Remaining in Contract	<u>211</u>	Days
Percent of Current Project Duration	<u>19.7%</u>	
Current Scheduled Completion Date	<u>12-Jun-16</u>	
Project is (Ahead/Behind) Schedule	<u>Ahead</u>	

CONTRACT COST SUMMARY

Original Contract Amount	<u>\$365,000.00</u>
Approved Change Orders	<u>\$22,387.00</u>
Current Contract Amount	<u>\$387,387.00</u>
Contract Earnings to Date on Original Contract	<u>\$374,613.00</u>
Earnings on Approved Change Orders	<u>\$22,387.00</u>
Materials on Hand	
Total Current Project Amount Earned	<u>\$397,000.00</u>
Total Amount Earned	<u>\$397,000.00</u>
Percent of Contract Earned to Date	<u>102.48%</u>
Retainage	
Amount Paid to Date	<u>\$88,470.36</u>
Percent of Contract Paid to Date	<u>22.84%</u>
Payment Amount	<u>\$308,529.64</u>

Exhibit A



City of Rowlett
Staff Report

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

AGENDA DATE: 11/03/15

AGENDA ITEM: 7G

TITLE

Consider a resolution of the City of Rowlett, Texas amending the City's Policy Statement for Economic Development Incentives.

STAFF REPRESENTATIVE

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

SUMMARY

Evaluation and review of the City's Economic Development Strategic Plan 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 related to incentive policy are a result of that review by staff and EDAB and the recent City Council work session held on October 20, 2015.

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.

On October 20, 2015, the City Council held a work session with staff and the EDAB to discuss the draft policy statement amendments. Council and EDAB incorporated additional changes as a result of the work session, which are reflected in Attachment 1 (highlighted in red).

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, restaurant and entertainment 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 highlighted in red on Attachment 1.
2. The City wishes to add Section V. titled “Targeted Incentives” to include possible incentives for job creation and specialty retailers, entertainment and restaurants as per 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.

As a result of the joint work session on October 20, 2105, additional EDAB and City Council modifications are also highlighted in red on Attachment 1.

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

Staff, along with the EDAB, is recommending the City Council pass and approve the amended Policy Statement for Economic Development Incentives as per attached Exhibit A.

RESOLUTION

A RESOLUTION OF THE CITY OF ROWLETT, TEXAS, AMENDING THE CITY'S POLICY STATEMENT FOR ECONOMIC DEVELOPMENT INCENTIVES TO AUTHORIZE THE TARGETED INCENTIVES AND UTILIZE THE ECONOMIC DEVELOPMENT ADVISORY BOARD AS PART OF THE REVIEW PROCESS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rowlett has heretofore adopted a Policy Statement for Economic Development Incentives which sets forth criteria for consideration of economic development incentives; and

WHEREAS, the City Council desires to amend the said Policy Statement to add a section for Targeted Incentives and utilize the Economic Development Advisory Board as part of the review process on incentive requests, and to re-adopt tax abatement guidelines;

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 adopts the amended Policy Statement for Economic Development Incentives, a copy of which is attached hereto as Exhibit "A" to serve as guidelines for economic development incentives.

Section 2: That all provisions of the ordinances and resolutions of the City of Rowlett in conflict with the provisions of this resolution be and the same are hereby repealed and all other provisions of the ordinances and resolutions of the City of Rowlett not in conflict with the provisions hereof shall remain in full force and effect.

Section 3: That if any section, sentence, clause, or phrase of this resolution is for any reason held to be unconstitutional or otherwise invalid or unenforceable by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, sentences, clauses, or phrases of this resolution, it being the legislative intent that the provisions of this resolution are severable and that the resolution shall continue in effect notwithstanding the invalidity of such section, sentence, clause, or phrase.

Section 4: That this Resolution 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 – Amended Policy Statement for Economic Development Incentives

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 job creation and 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	Negotiable	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

Along with Section IV., 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. 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 eligible for grant payment must pay at least 100% of the average annual wage for Dallas County, as determined by the United States Dept. of Labor, Bureau of Labor Statistics.

For each job paying 100-124% 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 job paying 125% 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.

B. Specialty Retail, Entertainment, 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

- b. *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.*

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:
DALLAS COUNTY _____

ROCKWALL COUNTY _____

DESCRIPTION OF PROPERTY: _____

PROJECTED OCCUPANCY/INITIATION OF OPERATIONS: _____

PROVIDE CORPORATE/DEVELOPMENT HISTORY, RESUME OF KEY INDIVIDUALS OR DEVELOPMENTS RELEVANT WITH PROJECT AND FINANCIAL INFORMATION ON CORPORATION OR KEY STAKEHOLDERS.

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, TEXAS

POLICY STATEMENT FOR ECONOMIC DEVELOPMENT INCENTIVES

I. GENERAL PURPOSE AND OBJECTIVES

The City of Rowlett is committed to the promotion of **job creation** and 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	Negotiable	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

Along with Section IV., 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. 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 eligible for grant payment must pay at least 100% of the average annual wage for Dallas County, as determined by the United States Dept. of Labor, Bureau of Labor Statistics.

For each job paying 100-124% 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 job paying 125% 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.

B. Specialty Retail, Entertainment, 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

- b. *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.*

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:
DALLAS COUNTY _____

ROCKWALL COUNTY _____

DESCRIPTION OF PROPERTY: _____

PROJECTED OCCUPANCY/INITIATION OF OPERATIONS: _____

PROVIDE CORPORATE/DEVELOPMENT HISTORY, RESUME OF KEY INDIVIDUALS OR DEVELOPMENTS RELEVANT WITH PROJECT AND FINANCIAL INFORMATION ON CORPORATION OR KEY STAKEHOLDERS.

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 75030-0099
www.rowlett.com

AGENDA DATE: 11/03/15

AGENDA ITEM: 7H

TITLE

Consider action to approve a Resolution approving an Alternative Landscape Plan for F&F Concrete located at 2416 Chandler Drive, further described as Lot 3R, Block A of the Storage Max of Rowlett Addition, City of Rowlett, Dallas County, Texas. (DP14-2015).

STAFF REPRESENTATIVE

Garrett Langford, AICP, Principal Planner

SUMMARY

The applicant is requesting an Alternative Landscape Plan to use existing tree foliage to satisfy the screening requirements along the DART rail line for a proposed office-warehouse development within the Industrial Overlay (IO) District.

The Planning and Zoning Commission voted unanimously to recommend approval of the request at their meeting on October 13, 2015. The discussion can be viewed at the following link as item C3 (at the 52:30 minute mark): <http://rowlettx.swagit.com/play/10142015-647>

BACKGROUND INFORMATION

The subject property is located at 2416 Chandler Drive (Attachment 1) and is zoned IO with a base zoning of General Manufacturing (M-2). The property owner is proposing to construct an office-warehouse building for his concrete business. The IO District covers the City's industrial area and contains fewer development requirements than it was normally required outside of the overlay district. Within the IO District there are no landscaping requirements with the exception of screening along the DART Rail Line. The IO District requires a landscaped evergreen buffer along the property line when adjacent to the DART Rail Line. The IO District provides an option to utilize existing foliage to satisfy the buffer requirements subject to approval of an ALP.

The proposed ALP (Attachment 2) identifies the existing trees and shows pictures of the trees from different angles. The proposed development will not remove any of the existing trees. The development will include a 7,194 square-foot office warehouse building with 11 parking spaces. The building will serve as headquarters for the property owner's concrete business.

The IO District requires an ALP in order to allow existing foliage to satisfy the screening requirements along the DART Rail Line. As the property is over one acre in size, it will require City Council action upon a recommendation by the Planning and Zoning Commission.

DISCUSSION

Section 77-504.1.4 of the RDC outlines approval criteria of ALPs. Staff recommends that Council consider the request based on these approval criteria as detailed below.

1. There are unique characteristics of the property site design or use that warrant special consideration to modify or deviate from the requirements of this section and that these characteristics are not self-created.
2. The ALP meets or exceeds the minimum requirements of this section while recognizing the unusual site design or use restraints on the property.
3. Approval of the ALP will provide for both increased consistency and compatibility with adjacent projects located in the general vicinity of the property.
4. The ALP conforms to the requirements of this section and no modifications are requested except those explicitly provided in Section 77-504.1.2(b).

The purpose of this request is to allow existing trees to satisfy the landscape buffer requirements along the south property line adjacent to the DART Rail Line. The IO District requires a solid evergreen buffer or approval of an ALP if the existing trees provide sufficient screening year-round. There are 10 trees located along the south property line that are at least four caliper inches in size. Additionally, there is a cluster of Willow trees located north of the existing detention area that provides additional screening. The property owner is not removing any of the existing trees from the property. It is Staff's opinion that the existing trees will provide sufficient year-round screening from the DART Rail Line and meets the screening requirements outlined in the IO District.

FISCAL IMPACT/BUDGET IMPLICATIONS

N/A

RECOMMENDED ACTION

Staff recommends approval.

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS, APPROVING AN ALTERNATIVE LANDSCAPE PLAN FOR A PROPOSED DEVELOPMENT AT 2416 CHANDLER DRIVE, FURTHER DESCRIBED AS LOT 3R, BLOCK A, OF THE STORAGE MAX OF ROWLETT ADDITION, 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 has 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 grants approval of an Alternative Landscaping Plan, as shown in Exhibit “B,” (the “Landscape Plan”), attached hereto and incorporated herein, for a proposed development on property described as Lot 3R, Block A, of the Storage Max of Rowlett Addition, City of Rowlett, Dallas County, Texas, and being located at 2416 Chandler Drive, such location shown on Exhibit “A,” attached hereto and incorporated herein.

Section 2: 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 hereof other than the part so decided to be invalid, illegal, or unconstitutional.

Section 3: 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

ATTACHMENTS

Exhibit A – Legal Description

Exhibit B – Alternative Landscape Plan

Attachment 1 – Location Map

Attachment 2 – Alternative Landscape Plan

Attachment 3 – Pictures from DART



LEGEND	
	PROPOSED CONTOURS 1'
	PROPOSED CONTOURS 5'
	EXISTING CONTOURS 5'
	EXISTING CONTOURS 1'



- BENCHMARKS**
- 1) CITY OF ROWLETT STATION NO. "C-3":
BERNTSEN TOP SECURITY MONUMENT WITH ACCESS COVER LOCATED IN THE CENTERLINE MEDIAN OF LAKEVIEW PARKWAY APPROXIMATELY 275' WEST OF SHORELINE DRIVE, 48' EAST OF AN IRRIGATION CONTROL PEDESTAL, 53' WEST OF EDGE OF CONCRETE MEDIAN, 6' SOUTH OF NORTH CURB AND 6' NORTH OF SOUTH CURB.
N = 7018756.835 E = 2565958.298
ELEV. = 485.73' (PLAN) 485.56' (PLAN)
 - 2) CITY OF ROWLETT STATION NO. "D-4":
BERNTSEN TOP SECURITY MONUMENT WITH ACCESS COVER LOCATED IN THE WEST END OF NORTH POINT DRIVE MEDIAN AT THE INTERSECTION OF CHIESA ROAD, APPROXIMATELY 13' WEST OF A STONE SIGN, 14' NORTH OF SOUTH MEDIAN CURB, 11.5' SOUTH OF NORTH MEDIAN CURB AND 6' EAST OF NOSE OF MEDIAN.
N = 7024731.574 E = 2571390.039
ELEV. = 482.06' (PLAN) 481.99' (FIELD)

- ALTERNATIVE LANDSCAPE PLAN NOTES:**
1. ANY REVISION TO THIS PLAN WILL REQUIRE CITY APPROVAL AND WILL REQUIRE REVISIONS TO ANY CORRESPONDING PLANS TO AVOID CONFLICTS BETWEEN PLANS.
 2. ALL EXTERIOR BUILDING MATERIALS ARE SUBJECT TO BUILDING OFFICIAL APPROVAL AND SHALL CONFORM TO THE APPROVED FACADE/BUILDING ELEVATION PLAN.
 3. APPROVAL OF THE ALTERNATIVE LANDSCAPE PLAN IS NOT FINAL UNTIL ALL ENGINEERING PLANS ARE APPROVED BY THE CITY ENGINEER.
 4. NO TREES SHALL BE IMPACTED/REMOVED BY SITE IMPROVEMENTS.

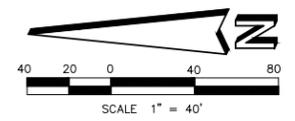


**ALTERNATIVE LANDSCAPE PLAN
F&F CONCRETE
HEADQUARTERS**
3.884 AC.
CITY OF ROWLETT
DALLAS COUNTY, TEXAS

Owner/Applicant:
F&F Concrete, LLC
1222 Montclair Dr.
Garland, TX 75040
CONTACT: FRANCISCO FABIAN
972-202-9202

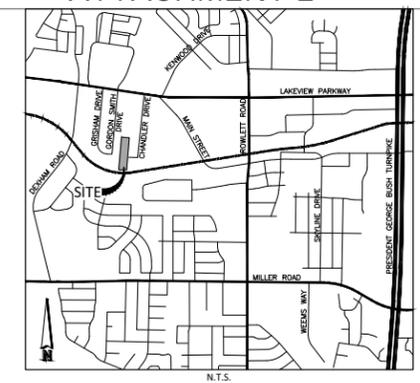
October 8, 2015
1" = 40'
SHEET 1 OF 1

Engineer/Surveyor:
J. Volk Consulting, Inc.
830 Central Parkway East, Suite 300
Plano, Texas 75074
972-201-3100



Location Map: 2416 Chandler Drive





LEGEND	
	PROPOSED CONTOURS 1'
	PROPOSED CONTOURS 5'
	EXISTING CONTOURS 5'
	EXISTING CONTOURS 1'



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- 1) CITY OF ROWLETT STATION NO. "C-3":
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N = 7018756.835 E = 2565958.298
ELEV. = 485.73' (PLAN) 485.56' (PLAN)
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BERNTSEN TOP SECURITY MONUMENT WITH ACCESS COVER LOCATED IN THE WEST END OF NORTH POINT DRIVE MEDIAN AT THE INTERSECTION OF CHIESA ROAD, APPROXIMATELY 13' WEST OF A STONE SIGN, 14' NORTH OF SOUTH MEDIAN CURB, 11.5' SOUTH OF NORTH MEDIAN CURB AND 6' EAST OF NOSE OF MEDIAN.
N = 7024731.574 E = 2571390.039
ELEV. = 482.06' (PLAN) 481.99' (FIELD)

- ALTERNATIVE LANDSCAPE PLAN NOTES:**
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 2. ALL EXTERIOR BUILDING MATERIALS ARE SUBJECT TO BUILDING OFFICIAL APPROVAL AND SHALL CONFORM TO THE APPROVED FACADE/BUILDING ELEVATION PLAN.
 3. APPROVAL OF THE ALTERNATIVE LANDSCAPE PLAN IS NOT FINAL UNTIL ALL ENGINEERING PLANS ARE APPROVED BY THE CITY ENGINEER.
 4. NO TREES SHALL BE IMPACTED/REMOVED BY SITE IMPROVEMENTS.

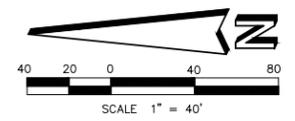


**ALTERNATIVE LANDSCAPE PLAN
F&F CONCRETE
HEADQUARTERS**
3.884 AC.
CITY OF ROWLETT
DALLAS COUNTY, TEXAS

Owner/Applicant:
F&F Concrete, LLC
1222 Montclair Dr.
Garland, TX 75040
CONTACT: FRANCISCO FABIAN
972-202-9202

October 8, 2015
1" = 40'
SHEET 1 OF 1

Engineer/Surveyor:
J. Volk Consulting, Inc.
830 Central Parkway East, Suite 300
Plano, Texas 75074
972-201-3100



2416 Chandler Drive (Taken from DART)



2416 Chandler Drive (Taken from DART)





City of Rowlett
Staff Report

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

AGENDA DATE: 11/03/15

AGENDA ITEM: 8A

TITLE

Conduct a public hearing and consider an ordinance approving a Major Warrant pertaining to the average minimum Build-to Line for the Homestead at Liberty Grove located at the northern terminus of Chiesa Road, north of Liberty Grove Road, being 35.315 +/- acres out of the James M. Hamilton Survey, Abstract No. 544, City of Rowlett, Dallas County, Texas.

STAFF REPRESENTATIVE

Daniel Acevedo, Urban Design Manager
Marc Kurbansade, Director of Development Services

SUMMARY

The subject property (Attachment 1 – Location Map) is zoned New Neighborhood FB District (NN-FB) and is regulated by the City’s Form-Based Code (FBC). The applicant is requesting a reduction in the minimum Build-to line, from 15 feet to 10 feet for Village type lots (Attachment 2 – Plat Diagram). Due to unique circumstances, the developer is requesting a Major Warrant in order to secure the highest quality builder and to allow their product to fit within the Village type lots. The purpose of this item is to present the request to the City Council for their final consideration.

The Planning and Zoning Commission voted unanimously to recommend approval of the request at their meeting on October 27, 2015. The discussion can be viewed at the following link as item C2. <http://www.ci.rowlett.tx.us/index.aspx?NID=397>

BACKGROUND INFORMATION

The subject property is zoned New Neighborhood FB District (NN-FB) and is regulated by the Form-Based Code approved on November 6, 2012, by Rowlett City Council. The NN-FB District is designed to generate a pedestrian-oriented, single-family neighborhood. The Planning and Zoning Commission approved the Preliminary Plat on January 14, 2014, and the Final Plat on August 11, 2015.

Over the last several months, the developer has been working with high quality builders on the various residential product types for the Homestead at Liberty Grove development. It became apparent that the desired product types offered by the builders for the Village-type lots would not accommodate their housing sizes without adjusting the Build-To Line. The Preliminary Plat established the lot and block size prior to the selected builders’ involvement. The subdivision was designed - and the construction of streets and infrastructure were based - on the Preliminary Plat prior to finding and securing the subject builders. As a result, the developer was not able to anticipate the need for a slightly deeper lot (which then would have accommodated the required

setbacks). Therefore, the applicant is requesting a Major Warrant to adjust the Build-To Lines from 15 feet to 10 feet for the Village lot types (59 lots) to allow the larger homes (Attachment 2 – Build-To Line Diagram).

DISCUSSION

When the New Neighborhood lot types were created in the FBC, Build-to Lines were set to accommodate a specific range based on the lot and house size. The Build-to Lines were specifically assigned to produce a certain consistent streetscape that is typical in urban development. As adopted by the City Council, the range categories not only generate the desired spatial definition of the public realm, but also take into account the desired front yard condition for those types. The range of Build-to Lines for the different product types in a New Neighborhood District are correlated based on lot and house size proportional to the front yard. While the Build-To Line was set to the most typical conditions, there are numerous compatible urban examples where the Build-To Line may be closer or farther from the street. Nevertheless, the ultimate objective is to produce a uniform streetscape.

The adopted FBC establishes a 15-foot Build-To Line for the Village product types, which consist of larger homes. This was intended to create a streetscape that is proportional to the larger homes. Due to the number of lots affected by this request, it is staff's opinion that it is appropriate to bring this forward as a Major Warrant instead of a Minor Warrant, which would otherwise be approved by staff.

The changes in builders and market conditions after the final design and construction of the streets and infrastructure has resulted in a unique circumstance. Now that these aspects of the subdivision have been completed, the lot depth cannot be changed to allow for larger homes without dramatically altering the development. In staff's opinion, allowing larger homes with smaller Build-To Lines in this situation will not compromise the integrity of the streetscape and, therefore, staff supports this request.

Public Hearing Notices:

On October 9, 2015, a total of 39 notices were mailed to property owners within 200 feet and a total of 119 courtesy notices were mailed to property owners within 500 feet. As of October 23, 2015, one public notice was received neutral to the request and no public notices were received in favor or opposition to the request within the 200-ft area. Three responses from the 500-ft courtesy area were received in opposition while none were received in favor. The responses are available in Attachment 3 – Returned Public Notices.

Staff published the Legal Notice in the *Rowlett Lakeshore Times* on October 15, 2015, and placed two major warrant signs on the subject property on October 17, 2015, in accordance with the Rowlett Development Code.

FISCAL IMPACT

N/A

RECOMMENDED ACTION

Staff recommends approval of the request.

ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROWLETT, TEXAS, GRANTING MAJOR WARRANTS FOR PROPERTY LOCATED AT THE NORTHERN TERMINUS OF CHIESA ROAD, NORTH OF LIBERTY GROVE ROAD, BEING 35.315 +/- ACRES OUT OF THE JAMES M. HAMILTON SURVEY, ABSTRACT NO. 544, CITY OF ROWLETT, DALLAS COUNTY, TEXAS, FOR THE PHASE 1 OF THE HOMESTEAD AT LIBERTY GROVE ADDITION, TO ALLOW A REDUCTION IN THE BUILD-TO LINE FOR THE NEW NEIGHBORHOOD VILLAGE LOTS; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED \$2,000.00 FOR EACH OFFENSE; 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, have given requisite notice by publication and otherwise, and after holding due public hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, and in the exercise of its legislative discretion, have concluded that these Major Warrants should be approved.

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

Section 1: That the City Council of the City of Rowlett, Texas does hereby grant the following major warrants for the Homestead at Liberty Grove addition, described as property located at the northern terminus of Chiesa Road, north of Liberty Grove Road, being 35.315 +/- acres out of the James M. Hamilton Survey, Abstract No. 544, City of Rowlett, Dallas County, Texas, ("Property"), such location shown on Exhibit "A," attached hereto and incorporated herein, without waiving any other requirement imposed by the City's FBC zoning applicable to the property:

1. A reduction in the minimum Build-To Line from 15 feet to 10 feet for the New Neighborhood Village lots in Category 1.

Section 2: That all development and use regulations and requirements imposed on property in the City's FBC – New Neighborhood zoning district shall apply to the development and use of the Property unless in conflict with this ordinance, in which case the provisions of this ordinance shall prevail. Nothing contained within this ordinance shall be deemed to grant or otherwise approve any permit or development plan.

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 Comprehensive Zoning Ordinance, 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.

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 Dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

Section 7: That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law and Charter in such cases provide.

ATTACHMENTS

Exhibit A – Legal Description

Attachment 1 – Location Map

Attachment 2 – Build-To-Diagram

Attachment 3 – Returned Public Notices

BEING a parcel of land located in the City of Rowlett, Dallas County, Texas, being a part of the James M. Hamilton Survey, Abstract Number 544, and being all of a 35.315 acre tract of land described in a special warranty deed with vendor's lien to Arcadia Liberty Grove Development I, LLC, as recorded in Document No. 201400140541, Dallas County Deed Records, and being further described as follows:

BEGINNING at a "X" in concrete found at the south corner of said 35.315 acre tract of land, said point being in the northwest right-of-way of Liberty Grove Road (a variable width right-of-way), said point being the east corner of Lot 1, Block A, Primrose School Addition, an addition to the City of Rowlett as recorded in Volume 2003229, Page 254, Dallas County Deed Records;

THENCE North 45 degrees 30 minutes 06 seconds West, 350.00 feet to a one-half inch iron rod set at the north corner of said Lot 1;

THENCE South 44 degrees 51 minutes 18 seconds West, 135.00 feet along the northwest line of said Lot 1 to a one-half inch iron rod set for corner;

THENCE North 45 degrees 00 minutes 00 seconds West, 125.34 feet to a one-half inch iron rod set for corner;

THENCE South 45 degrees 00 minutes 00 seconds West, 38.50 feet to a one-half inch iron rod set for corner;

THENCE North 45 degrees 00 minutes 00 seconds West, 50.00 feet to a one-half inch iron set for corner;

THENCE North 45 degrees 00 seconds 00 minutes East, 38.50 feet to a one-half inch iron rod set for corner;

THENCE North 45 degrees 00 minutes 00 seconds West, 168.88 feet to a one-half inch iron rod set for corner;

THENCE Northwesterly, 122.52 feet along a curve to the left having a central angle of 52 degrees 00 minutes 00 seconds, a radius of 135.00 feet, a tangent of 65.84 feet, and whose chord bears North 71 degrees 00 minutes 00 seconds West, 118.36 feet to a one-half inch iron rod set for corner;

THENCE South 83 degrees 00 minutes 00 seconds West, 149.43 feet to a one-half inch iron rod set for corner;

THENCE Southwesterly, 39.56 feet along a curve to the right having a central angle of 06 degrees 02 minutes 40 seconds, a radius of 375.00 feet, a tangent of 19.80 feet, and whose chord bears South 02 degrees 55 minutes 50 seconds West, 39.54 feet to a one-half inch iron rod set for corner;

THENCE North 84 degrees 02 minutes 50 seconds West, 50.00 feet to a one-half inch iron rod set for corner;

THENCE Northeasterly, 39.47 feet along a curve to the left having a central angle of 06 degrees 57 minutes 30 seconds, a radius of 325.00 feet, a tangent of 19.76 feet, and whose chord bears North 02 degrees 28 minutes 25 seconds East, 39.44 feet to a one-half inch iron rod set for corner;

THENCE South 88 degrees 59 minutes 40 seconds West, 125.00 feet to a one-half inch iron rod set for corner;

THENCE Northwesterly, 20.92 feet along a curve to the left having a central angle of 05 degrees 59 minutes 40 seconds, a radius of 200.00 feet, a tangent of 10.47 feet, and whose chord bears North 04 degrees 00 minutes 10 seconds West, 20.92 feet to a one-half inch iron rod set for corner;

THENCE North 07 degrees 00 minutes 00 seconds West, 89.89 feet to a one-half inch iron rod set for corner;

THENCE South 83 degrees 00 minutes 00 seconds West, 38.50 feet to a one-half inch iron rod set for corner;

THENCE North 07 degrees 00 minutes 00 seconds West, 50.00 feet to a one-half inch iron rod set for corner;

THENCE North 83 degrees 00 minutes 00 seconds East, 38.50 feet to a one-half inch iron rod set for corner;

THENCE North 07 degrees 00 minutes 00 seconds West, 235.00 feet to a one-half inch iron rod set for corner;

THENCE South 83 degrees 00 minutes 00 seconds West, 38.50 feet to a one-half inch iron rod set for corner;

THENCE North 07 degrees 00 minutes 00 seconds West, 50.00 feet to a one-half inch iron rod set for corner;

THENCE North 83 degrees 00 minutes 00 seconds East, 38.50 feet to a one-half inch iron rod set for corner;

THENCE North 07 degrees 00 minutes 00 seconds West, 235.00 feet to a one-half inch iron rod set for corner;

THENCE South 83 degrees 00 minutes 00 seconds West, 38.50 feet to a one-half inch iron rod set for corner;

THENCE North 07 degrees 00 minutes 00 seconds West, 50.00 feet to a one-half inch iron rod set for corner;

THENCE North 83 degrees 00 minutes 00 seconds East, 64.00 feet to a one-half inch iron rod set for corner;

THENCE Northeasterly, 45.08 feet along a curve to the left having a central angle of 11 degrees 28 minutes 42 seconds, a radius of 225.00 feet, a tangent of 22.61 feet, and whose chord bears North 77 degrees 15 minutes 39 seconds East, 45.00 feet to a one-half inch iron rod set for corner;

THENCE Northeasterly, 55.09 feet along a curve to the right having a central angle of 11 degrees 28 minutes 42 seconds, a radius of 275.00 feet, a tangent of 27.64 feet, and whose chord bears North 77 degrees 15 minutes 39 seconds East, 55.00 feet to a one-half inch iron rod set for corner;

THENCE North 07 degrees 00 minutes 00 seconds West, 296.21 feet to a one-half inch iron rod set for corner;

THENCE South 71 degrees 31 minutes 49 seconds West, 37.84 feet to a one-half inch iron rod set for corner;

THENCE North 18 degrees 28 minutes 11 seconds West, 50.00 feet to a one-half inch iron rod set for corner;

THENCE North 71 degrees 31 minutes 49 seconds East, 99.01 feet to a one-half inch iron rod set for corner;

THENCE North 83 degrees 00 minutes 00 seconds East, 577.00 feet to a one-half inch iron rod set for corner;

THENCE Northwesterly, 36.37 feet along a curve to the right having a central angle of 05 degrees 33 minutes 27 seconds, a radius of 375.00 feet, a tangent of 18.20 feet, and whose chord bears North 11 degrees 18 minutes 16 seconds West, 36.36 feet to a one-half inch iron rod set for corner;

THENCE North 81 degrees 28 minutes 27 seconds East, 50.00 feet to a one-half inch iron rod set for corner;

THENCE Southeasterly, 168.72 feet along a curve to the left having a central angle of 29 degrees 44 minutes 40 seconds, a radius of 325.00 feet, a tangent of 86.31 feet, and whose chord bears South 23 degrees 23 minutes 53 seconds East, 166.83 feet to a one-half inch iron rod set for corner;

THENCE North 45 degrees 00 minutes 00 seconds East, 42.94 feet to a one-half inch iron rod set for corner;

THENCE Northeasterly, 177.15 feet along a curve to the right having a central angle of 36 degrees 15 minutes 00 seconds, a radius of 280.00 feet, a tangent of 91.65 feet, and whose chord bears North 63 degrees 07 minutes 30 seconds East, 174.21 feet to a one-half inch iron rod set for corner;

THENCE North 81 degrees 15 minutes 00 seconds East, 165.84 feet to a one-half inch iron rod set for corner;

THENCE Northeasterly, 25.31 feet along a curve to the left having a central angle of 36 degrees 15 minutes 00 seconds, a radius of 40.00 feet, a tangent of 13.09 feet, and whose chord bears North 63 degrees 07 minutes 30 seconds East, 24.89 feet to a one-half inch iron rod set for corner;

THENCE North 45 degrees 00 minutes 00 seconds East, 84.94 feet to a one-half inch iron rod set for corner;

THENCE Northwesterly, 27.50 feet along a curve to the right having a central angle of 05 degrees 43 minutes 46 seconds, a radius of 275.00 feet, a tangent of 13.76 feet, and whose chord bears North 32 degrees 24 minutes 18 seconds West, 27.49 feet to a one-half inch iron rod set for corner;

THENCE North 60 degrees 27 minutes 15 seconds East, 50.00 feet to a one-half inch iron rod set for corner;

THENCE Southeasterly, 60.69 feet along a curve to the left having a central angle of 15 degrees 27 minutes 15 seconds, a radius of 225.00 feet, a tangent of 30.53 feet, and whose chord bears South 37 degrees 16 minutes 22 seconds East, 60.50 feet to a one-half inch iron rod set for corner;

THENCE South 45 degrees 29 minutes 17 seconds East, 377.68 feet to a one-half inch iron rod set at the east corner of said 35.315 acre tract of land, said point being the south corner of that tract of land described in deed to Elizabeth P. Gates recorded in Volume 95219, Page 1349, Deed Records Dallas County, Texas, and said point being in the northwesterly right-of-way line of Princeton Road (a variable width right-of-way);

THENCE South 44 degrees 27 minutes 21 seconds West, 472.18 feet along the northwesterly right-of-way line of Princeton Road to a one-half inch iron rod set for corner;

THENCE South 45 degrees 26 minutes 55 seconds East, 4.81 feet along the northwesterly right-of-way line of Princeton Road to a one-half inch iron rod set for corner;

THENCE South 44 degrees 28 minutes 20 seconds West, 80.22 feet northwesterly right-of-way line of Princeton Road to a one-half inch iron rod set for corner;

THENCE South 44 degrees 55 minutes 54 seconds East, 217.65 feet along the southwest right-of-way line of Princeton Road to a one-half inch iron rod set for corner;

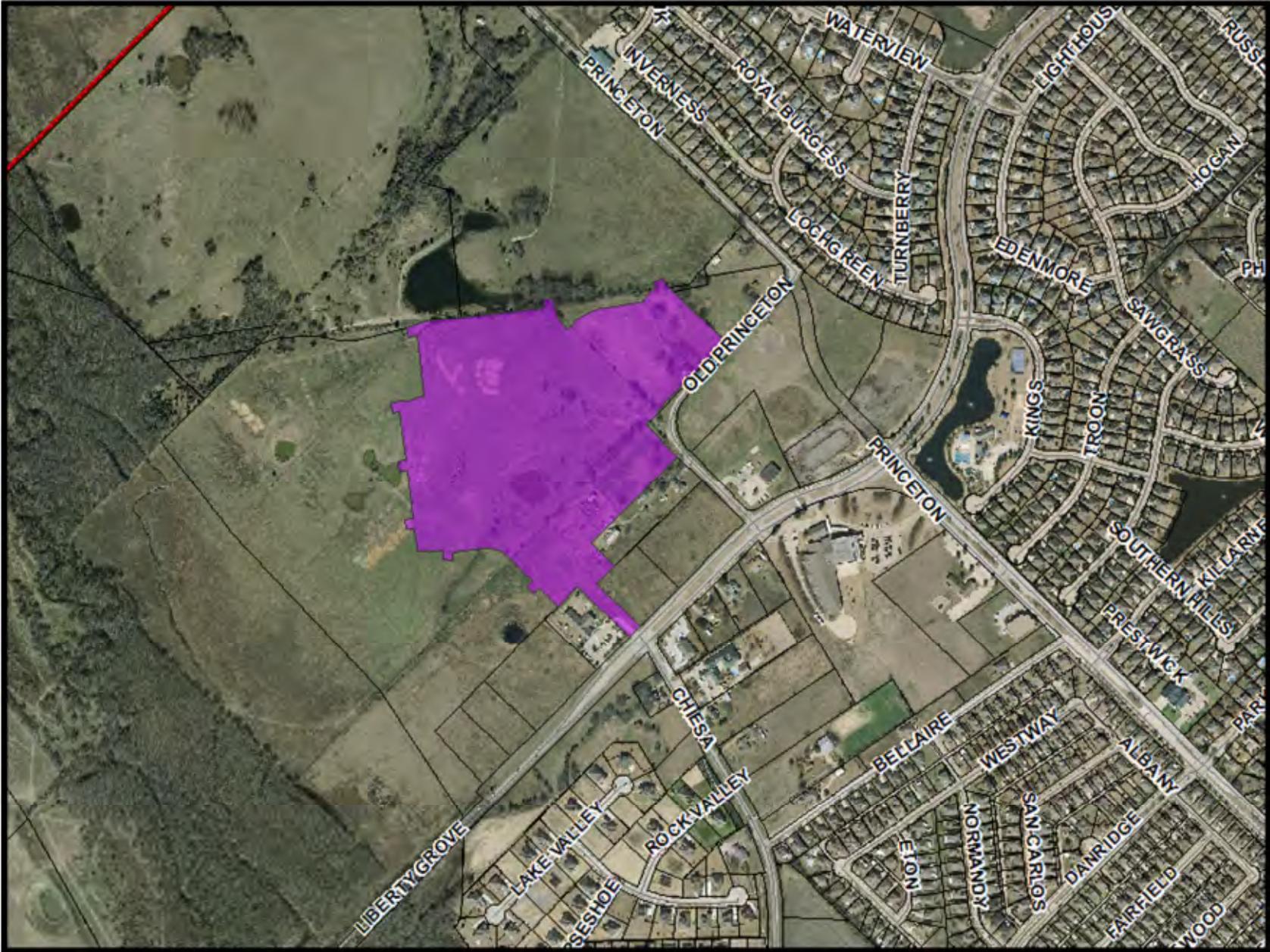
THENCE South 44 degrees 58 minutes 25 seconds West, 590.26 feet to a one-half inch iron rod set for corner;

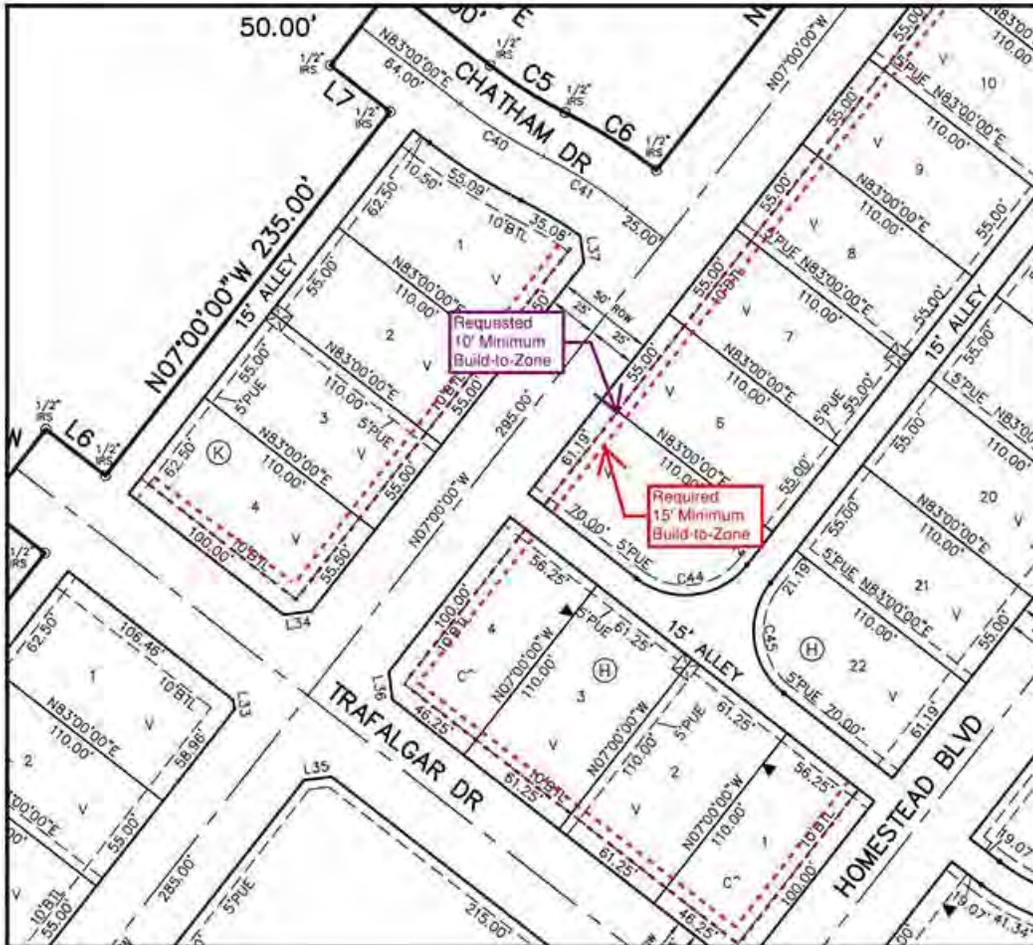
THENCE South 45 degrees 01 minutes 35 seconds East, 160.00 feet to a one-half inch iron rod set for corner;

THENCE South 44 degrees 29 minutes 54 seconds West, 123.96 feet to a one-half inch iron rod set for corner;

THENCE South 45 degrees 30 minutes 06 seconds East, 291.82 feet to a one-half inch iron rod set for corner in the northwest right-of-way of Liberty Grove Road;

THENCE South 44 degrees 50 minutes 02 seconds West, 75.00 feet along the northwest line of Liberty Grove Road to the POINT OF BEGINNING and containing 1,538,336 square feet or 35.315 acres of land.





The request is to reduce the required minimum Build-to-Line from 15ft to 10ft on Village lots throughout the development.



10-19-15A11:48 RCVD
Development Services
Department/Planning Division

NOTICE OF PUBLIC HEARING

TO: Property Owner
RE: Application for Major Warrants
LOCATION: The subject property is located at 9401 Princeton Road, 27 Princeton Road and 8701 Liberty Grove Road, being 103.95 +/- acres in the James M Hamilton, Abstract 544, Page 560, Tract 23 and 26.4, Rowlett, Dallas County, Texas. A location map depicting a 200-ft notification area 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 subject property is located within the Woodside Living, New Neighborhood Form Based District. The applicant requests a Major Warrant related to the following Form Based Code Build-to requirements in order to develop the subject property: reduction from the minimum required Build-to-Line (see attached).

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

COMMENTS: See Attachment

SIGNATURE: Harry Budo
ADDRESS: 8508 Liberty Grove Road

Your written comments are being solicited in the above case. Additional information is available in the Department of Development Services/Planning Division at 3901 Main Street. The Planning and Zoning Commission of the City of Rowlett, Texas, will hold a public hearing at 7:00 p.m. on the 13th of October 2015, and the City Council will hold a public hearing at 7:30 p.m. on the 20th day of October 2015. The Planning and Zoning Commission hearing will be held in the Annex Conference Room at 4004 Main Street, Rowlett, Texas. The City Council hearing 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. The protest must be received by the Planning Division by 5 pm on Wednesday, September 30th to be included in the Planning and Zoning Commission packet and Friday, October 2nd to be included in the City Council packet. The protest shall object to the Major Warrant, contain a legal description of the property on behalf of which the protest is made, and be signed by the owner of the property.

<p>If you have any questions concerning this request, please contact the Planning Division Phone 972-463-3904 FAX 972-412-6228 dacevedo@rowlett.com</p>	<p>RETURN by Mail City of Rowlett Planning Division 3901 Main Street Rowlett, TX 75088</p>
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Response to Notice of Public Hearing, 9401 Princeton Road

I am neither in favor nor do I oppose this request for an amendment to the minimum build line, since it does not affect my property in any way.

I must state, the developer did know the rules when the original plats were presented to the City of Rowlett for development, since those plats were acceptable to the city.

Based on my perception of these believes, I do question the overall ethics of this developer. Has the developer chose this change method to squeeze in a few more lots, and circumvent the rules within their original and accepted plat proposal?

Larry Bush, 8508 Liberty Grove Road.

A handwritten signature in black ink that reads "Larry Bush". The signature is written in a cursive style with a large, looped initial "L".



10-19-15 4:47 PM
**Development Services
 Department/Planning Division**

Please note that the P&Z public hearing is being rescheduled to the 27th day of October and the City Council hearing to the 3rd day of November 2015.

COURTESY NOTICE OF PUBLIC HEARING

TO: Property Owner
RE: Application for Major Warrants
LOCATION: The subject property is located at 9401 Princeton Road, 27 Princeton Road and 8701 Liberty Grove Road, being 103.95 +/- acres in the James M Hamilton, Abstract 544, Page 560, Tract 23 and 26.4, Rowlett, Dallas County, Texas. A location map depicting a 500-ft notification area is attached for reference. This notice and the notification area are required under Chapter 211.007 of the Texas Local Government Code.
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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: *traffic + habitat loss*

SIGNATURE: *Dr. Sheniqua Miller*
ADDRESS: *1920 Lake Valley Ct. Rowlett 75089*

Your written comments are being solicited in the above case. Additional information is available in the Department of Development Services/Planning Division at 3901 Main Street. The Planning and Zoning Commission of the City of Rowlett, Texas, will hold a public hearing at 7:00 p.m. on the 27th day of October 2015, and the City Council will hold a public hearing at 7:30 p.m. on the 3rd day of November 2015. The Planning and Zoning Commission and City Council hearings will be held at the Municipal Center located at 4000 Main Street, Rowlett, Texas.

Please legibly respond in ink. If the signature and/or address are missing, your comments will not be recorded. The protest must be received by the Planning Division by 5 pm on Wednesday, October 21st to be included in the Planning and Zoning Commission packet and Friday, October 23rd to be included in the City Council packet. The protest shall object to the Major Warrant, contain a legal description of the property on behalf of which the protest is made, and be signed by the owner of the property.

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Development Services
Department/Planning Division

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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:

N/A

SIGNATURE:

[Handwritten Signature]

ADDRESS:

9310 Inverness Dr. 75089

Your written comments are being solicited in the above case. Additional information is available in the Department of Development Services/Planning Division at 3901 Main Street. The Planning and Zoning Commission of the City of Rowlett, Texas, will hold a public hearing at 7:00 p.m. on the 13th of October 2015, and the City Council will hold a public hearing at 7:30 p.m. on the 20th day of October 2015. The Planning and Zoning Commission hearing will be held in the Annex Conference Room at 4004 Main Street, Rowlett, Texas. The City Council hearing will be held at the Municipal Center, 4000 Main Street, Rowlett, Texas.

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If you have any questions concerning this request, please contact the Planning Division
Phone 972-463-3904
FAX 972-412-6228
dacevedo@rowlett.com

RETURN by Mail
City of Rowlett Planning Division
3901 Main Street
Rowlett, TX 75088

10-23-15A10:42 RCVD



Development Services Department/Planning Division

Please note that the P&Z public hearing is being rescheduled to the 27th day of October and the City Council hearing to the 3rd day of November 2015.

COURTESY NOTICE OF PUBLIC HEARING

TO: Property Owner
RE: Application for Major Warrants
LOCATION: The subject property is located at 9401 Princeton Road, 27 Princeton Road and 8701 Liberty Grove Road...
EXPLANATION OF REQUEST: The subject property is located within the Woodside Living, New Neighborhood Form Based District...

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

COMMENTS: I believe it will negatively impact my property value.

SIGNATURE: Laura Appling
ADDRESS: 8106 Lake Valley Ct Rowlett, Tx 75089

Your written comments are being solicited in the above case. Additional information is available in the Department of Development Services/Planning Division at 3901 Main Street. The Planning and Zoning Commission of the City of Rowlett, Texas, will hold a public hearing at 7:00 p.m. on the 27th day of October 2015...

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Table with 2 columns: Contact information for Planning Division and Return by Mail address.