



City of Rowlett

Meeting Minutes

City Council

4000 Main Street
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Rowlett, TX 75030-0099
www.rowlett.com

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Tuesday, June 16, 2009

5:30 P.M.

Municipal Building – 4000 Main Street

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item herein.

The City of Rowlett reserves the right to reconvene, recess or realign the Regular Session or called Executive Session or order of business at any time prior to adjournment.

Present: Mayor Harper, Mayor Pro Tem Gottel, Deputy Mayor Pro Tem Maggiotto, Councilmember Phillips, Councilmember Rushing, and Councilmember Jackson.

Absent: Councilmember Kilgore

1. CALL TO ORDER

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

CONVENE INTO EXECUTIVE SESSION

Convened into Executive Session at 5:30 p.m.

2. EXECUTIVE SESSION

2A. The City Council shall convene into executive session pursuant to the TEXAS GOVERNMENT CODE, §551.071 and §551.087 to seek legal advice and to deliberate on economic development incentives and financial prospects for property located at or around Pecan Grove Park. (10 minutes)

2B. The City Council shall convene into executive session pursuant to the TEXAS GOVERNMENT CODE, §551.074 (Personnel) to deliberate on the evaluation and duties of the City Manager. (20 minutes)

RECONVENE INTO OPEN SESSION

Reconvened into open session at 6:09 p.m.

3. WORK SESSION ITEMS (6:00 P.M.)

- 3A.** Update by Commissioner Mike Cantrell – Dallas Criminal Justice; Transportation-Regional & County; Dallas County Parks & Trail; etc. (30 minutes)

Commissioner Cantrell presented a 23 slide PowerPoint overview regarding Dallas County's budget, the County's Strategic Plan, the Criminal Justice Advisory Board, and various transportation projects.

Council voiced concern regarding water conservation used during projects.

Mayor Harper presented Commissioner Cantrell with a framed artwork of the DART project for all his efforts in getting the project back on track.

- 3B.** Presentation on options for credit card acceptance and processing fees within the City. (15 minutes)

Staff spoke concerning credit card transactions within the City and the varied processing fee from the different credit card companies. Stated there are areas where average transactions are not large enough to maintain a uniformity of \$2.50 across the system. Stated if the City is permitted to charge varying rates it will depend on the location. Stated the City is only interested in recuperating the costs the City incurs. Stated if the City was interested in setting a fee in any other area, a more extensive analysis would be necessary.

Staff recommended using a varying rate according to the use.

Council brought forth several scenarios as to when a fee could be applied.

Council gave a consensus to access fees and requested staff return with a proposal for the Council to vote on.

- 3C.** Presentation on the North Central Texas Council of Governments (NCTCOG) Sustainable Development Call for Projects. (15 minutes)

Staff presented a brief presentation of thirteen slides in a PowerPoint presentation to the Council explaining the NCTCOG Sustainable Development Call for Projects.

Council asked if the Dalrock Park and Ride would be a part of this Call for Projects or funded separately.

Staff stated the Dalrock Park and Ride project is a separate issue.

Council questioned staff regarding air quality and the reduction of automobiles being driven to improve the environment.

Staff stated that the work plan for next year will include a review of all of the City's bicycle trails in conjunction with the Master Park Plan. Taking advantage of available stimulus money and grant funding has not yet been utilized. Private partnerships are vital to the plan and must be in place by October 2.

Council asked how the Rowlett Downtown area would be connected to the City Center and development.

Staff stated there are opportunities for planning.

3D. Discuss the minute format in relation to workload. (10 minutes)

Council stated with the current technology and in order to conserve the time of the staff, this is the best time to revamp the current summary minute format to an action minute format and lessen the detail.

Staff received a consensus to change the current minute format to the action minute format.

4. DISCUSS CONSENT AGENDA ITEMS

Item 10C was pulled from the Consent Agenda to be considered individually.

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

Convened into regular session at 7:35 p.m.

5. INVOCATION

The invocation was led by Pastor Kent Cox, Crossroads Baptist Church.

6. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Harper.

7. **TEXAS PLEDGE OF ALLEGIANCE**

The Texas Pledge of Allegiance was led by Mayor Harper.

8. **PRESENTATIONS AND PROCLAMATIONS**

8A. Update on the Five-Year Capital Improvement Spending Plan.

Staff presented to Council an update on the Five-Year Capital Improvement Spending Plan in a power point presentation, which is summarized as follows (35 slides):

Capital Improvement Plan Update

Update on progress with the Rowlett Road Corridor

The City is coordinating with DART and the NTTA to ensure the construction of Rowlett Road minimizes the delay and congestion during the construction periods of the PGBT and DART LRT. By the time work begins on the PGBT, the SH 66 intersection, RRP1, and the intersection of Miller Road will be complete. This will mean that all the signalized intersections will be at full capacity. Intersections are the primary area where delays occur for projects under construction. RRP3 will result in closing two lanes at a time but the delay should be minimal since the intersections will not be reduced. The project completion for RRP3 will be sooner for the rehabilitation work in lieu of the full reconstruction. The same is true for RRP2 regarding the delay due to lane closures since the signalized intersections will be open.

Rowlett/SH 66 Intersection

Project is complete. TxDOT project.

Rowlett Rd Phase 1

Project is substantially complete. Contractor finishing up punch list. Once punch list is complete, City will begin negotiating LD's. 168 days behind schedule (\$84,000). Anticipate Council considering final acceptance in July.

Rowlett Rd, Phase 2

TxDOT process. Designed at 60% level. Project was at a stand still because the ENV study was in Austin under review by TxDOT/FHWA ENV group. Been there since Sept. 2008. City held a meeting with Area Engineer and Mayor was gracious enough to attend to stress the importance of getting the ENV document reviewed and processed. Subsequently in a couple of weeks (coincidence or not) the document was reviewed and comments returned. The engineer is addressing the comments. City begin ROW acquisition phase. PSA with ROW agent on 6-16-09 agenda. Bid April 2010.

Design continues on Phase 2

Phase 2 is at approximately 60% complete

- TxDOT review process ongoing.

- Submitted the final drainage analysis at Long Branch Creek complete to TxDOT .
- Schematic was approved by the Dallas District and Austin.
- Environmental and archeological work was completed and has been reviewed by the TxDOT/FHWA Austin office.
- Begin ROW acquisition.
- Bid in April 2010

Rowlett Rd, Phase 3

Phase 3 is approximately 7% complete

- Anticipated to be complete in January 2010
- Having to remove and replace more concrete than anticipated. Possible change order to increase quantities
- Waterline 40% complete

Picture of Rowlett Road progress – Phase 3

Picture of Rowlett Road progress – Phase 3

Miller Road, Phase 1

Project is substantially complete. Contractor completing final punch list items. Dallas County in process of getting letter from Harbor Pointe HOA stating repair work completed is accepted. The City received a final cost breakdown from Dallas County and the City is obligated to pay \$275K for extra work that was done by contractor to replace irrigation systems and construct additional City utility improvements which were not in original contract. Over \$1M remaining in Miller Road CIP accounts to cover these cost. The balance goes to CIP for use on other projects and staff is in the beginning stages of updating the CIP spending plan as part of the budget process. Anticipate Council final payment approval and project acceptance in July.

Dallas County Commissioners committed to complete the repairs to Miller Road east of Kirby at no cost to the City.

Picture of Miller Road progress – Phase 1

Picture of Miller Road progress – Phase 1

Kenwood Heights, Phase 1

Phase 1:

- Project substantially complete since end of March.
- Contractor completing last few remaining items on punch list.
- Anticipate project acceptance in July by Council.

Picture of Kenwood Heights progress – Phase 1

Picture of Kenwood Heights progress – Phase 1

Kenwood Heights, Phase 2

Phase 2:

- Design is complete and will be advertising this month for bids
- Anticipate project starting end of July or early August

2007 Alleys

Includes reconstruction of alleys behind:

- Grant
- Vernon
- Miami
- Deerwood
- Chesham
- High Gate
- Pebble Beach
- Mariner
- Mediterranean
- Brownlee
- College Park

Picture of 2007 Alleys progress

Picture of 2007 Alleys progress

Picture of 2007 Alleys progress

Concrete Repair & Rehab

- *Two contracts are underway*
- *Waterview Parkway is almost complete*
- *Estates Way in progress*
- *Chimneywood repairs ongoing*
- *Bayview in progress*
- *Evinrude ongoing*
- *Sunnybrook in progress*
- *Sunnybrook in progress*
- *Dandridge in progress*

Picture of Concrete Repair & Rehab progress

Picture of Concrete Repair & Rehab progress

Picture of Concrete Repair & Rehab progress

Project Map of the Princeton Road Rehab

Princeton Road Rehab

- Includes installation of 24" WL from Liberty Grove to Dalrock
- Replace pavement for NB lanes
- Project bid on June 5
- Project anticipated to begin end of July

Main Street and Rowlett Road Lift Stations

- Projects bid on June 5
- Award on July 21
- Begin late July or early August

Project Map of Delia Street (CDBG)

Delia Street (CDBG)

- CDBG project
- Council consider awarding project June 2
- Begin in July after neighborhood meeting is held with contractor
- Includes installing a 8" WL, storm drain system, concrete pavement, sidewalks.
- Includes a portion of Commerce from Christine to Delia

SSES Status (*Sanitary Sewer Evaluation Survey*)

- Flow monitors were installed in 25 locations throughout the City
- Received three flow reports since the beginning of May
- Begin the basin prioritization over the next few months after flow data is analyzed

CIP Projects in Design

- Merritt Road – Interconnector Roadway
 - Staff has received and reviewed a proposal from engineer for the alignment study and design of reconstruction of Merritt Road from PGBT in Sachse to PGBT at Merritt-Liberty Grove Interconnector interchange
 - Council consider design proposal at July 7, 2009 meeting
 - TxDOT Interlocal Agreement for project is on the August RTC Meeting Agenda.
 - Council will consider ILA in August after RTC approval.

CIP Projects in Design

- Martin Drive
 - Acquired one parcel
 - Council consider ROW agent PSA on June 16 for remainder of ROW parcels
 - Design 65% complete
- 2009 Alleys
 - Engineering is 30% complete
 - Engineering complete December
- Chaha Road
 - Survey work complete
 - Traffic study and alignment study complete
 - 70% plans to be submitted to City for review later this month

- Engineering complete July

CIP Projects in Design

- Miller Road, Phase 2
- Dallas County MCIP project
- Plans 60% complete
- Council consider ROW agent PSA on August 4 for acquisition of ROW parcels
- SH 66 Signalization Timing Study
- TxDOT funded project
- Preliminary report drafted and submitted to City and TxDOT for review
- Optimize signal timing for signals on Lakeview Parkway during peak times

PGBT Status (*President George Bush Turnpike*)

- Section 29 is 15% complete
- Section 30 is 27% complete
- Section 31 is 10% complete
- Section 32 (TxDOT) is 20% complete
- Staff continues to coordinate with the NTTA and the project managers on issues such as utility construction, truck routes, lane closures, and working hours

DART Status

- Preliminary engineering is beginning for the design-build team
- Geotechnical work will be conducted over the next few weeks along the rail corridor
- Staff is coordinating City utility relocation efforts with the design-build team designers

Questions?

Several comments and questions were asked and responded to during the slide presentation as well as after the presentation. A consensus was reached by Council to not pursue the design phase of improvements for Chaha Road from Kirby to Creekbluff Drive.

- 8B.** Proclamation recognizing the citizenry of Mark Petrick.

Mayor Harper read aloud a proclamation recognizing Mark Petrick.

- 8C.** Update from the Mayor: Financial Position, Major Projects, Operational Issues, Upcoming Dates of Interest.

Mayor Harper gave a brief review of the City's financial position, major projects, operational issues, and upcoming dates of interest.

9. CITIZENS' INPUT

There were no citizens to speak during Citizens' Input.

10. CONSENT AGENDA

10A. Consider approving minutes from the June 2, 2009 Regular Council Meeting.

This Matter was approved on the Consent Agenda.

10B. Consider a resolution approving a Professional Services Agreement with United States Right of Way, Incorporated for the acquisition of the right-of-way and easements for the Martin Drive Street Improvements in the amount of twenty-seven thousand seven hundred dollars and no cents (\$27,700).

This Matter was approved as RES-070-09 on the Consent Agenda.

10C. Consider an ordinance amending Ordinance Number ORD-026-08, representing the 2008-2009 Fiscal Year Budget, in accordance with the terms and conditions of the final judgment in the Rowlett v. Martin Condemnation Suit in the amount of one hundred thirty-eight thousand seven hundred fourteen dollars and seventeen cents (\$138,714.17).

This item was pulled from the Consent Agenda and considered individually.

A motion was made by Mayor Pro Tem Gottel, seconded by Councilmember Phillips to approve the payment of judgment in the amount of one hundred forty-three thousand forty-eight dollars and no cents (\$143,048.00) and revise the budget amendment amount to sixty-four thousand three hundred sixteen dollars and no cents (\$64,316.00). This Matter was adopted as ORD-017-09. The motion carried by the following vote:

Ayes: 6 – Mayor Harper, Mayor Pro Tem Gottel, Deputy Mayor Pro Tem Maggiotto, Councilmember Phillips, Councilmember Rushing, and Councilmember Jackson

Absent: 1 – Councilmember Kilgore

10D. Consider a resolution appointing Councilmember Steve Maggiotto as Mayor Pro Tem as prescribed in the City Charter.

This Matter was approved as RES-071-09 on the Consent Agenda.

10E. Consider a resolution appointing Councilmember Todd Gattel as Deputy Mayor Pro Tem as prescribed in the City Charter.

This Matter was approved as RES-072-09 on the Consent Agenda.

10F. Consider a resolution appointing Councilmember Patrick Jackson to serve on the Board of Directors for the Rockwall Emergency Services Corporation.

This Matter was approved as RES-073-09 on the Consent Agenda.

Passed The Consent Agenda

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

Ayes: 6 – Mayor Harper, Mayor Pro Tem Gattel, Deputy Mayor Pro Tem Maggiotto, Councilmember Phillips, Councilmember Rushing, and Councilmember Jackson

Absent: 1 – Councilmember Kilgore

11. **ITEMS FOR INDIVIDUAL CONSIDERATION**

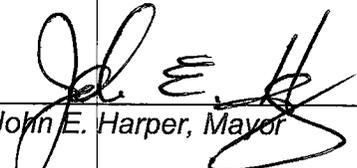
There were no items under Individual Consideration.

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

No action was taken following the Executive Session.

12. **ADJOURNMENT**

Mayor Harper adjourned the meeting at 8:23 p.m.



John E. Harper, Mayor



Susie Quinn, City Secretary

Date Approved: July 7, 2009