



Minutes - Final
City Council

Tuesday, August 7, 2012

4:30 PM

Council Chambers

Call to Order

Mayor Pro Tem Jensen called the meeting to order at 4:33 p.m.

Present 8 -

Mayor Charles England; Mayor Pro Tem Ron Jensen; Deputy Mayor Pro Tem Ruthe Jackson; Council Member Richard Fregoe; Council Member Mark Hepworth; Council Member Tony Shotwell; Council Member Jim Swafford and Council Member Bill Thorn

Absent 1 -

Council Member Greg Giessner

Staff Presentations

1

Discussion of Funding/Operation of the Grand Prairie Metropolitan Utility Reclamation District - Presented by Tannie Camarata, Cash & Debt Manager

Tannie Camarata, Cash and Debt Manager, showed a map of the Grand Prairie Metropolitan Reclamation District (GPMURD). He said the district was established in 1985 by the State Legislature to reclaim land from the flood plain. The district paid off outstanding debt in April 2012. Mr. Camarata said with the exception of maintenance for the levee and pump system, the district can be eliminated and the District Board has asked the city to take over the district. GPMURD assets include: 400 acres of land; rights to royalties relating to natural gas production and a pooled lease arrangement; and certain water rights that permit withdrawal from the West Fork of the Trinity River. Liabilities include: ongoing maintenance of the levee and pump system; and the aging infrastructure. The District's FY13 Budget includes: M&O \$166,000; Administrative Expense \$86,000; an operating reserve of \$20,000; for a total of \$272,000. Mr. Camarata said the city has three options: 1) do nothing and let GPMURD operate as in the past; 2) City can dissolve the district and take over operations; 3) City can contract with GPMURD to provide funds to operate.

Mr. Camarata said if the district remains intact, they would have to levy a tax of \$1.52 per \$100 of valuation which would double the taxes on property owners. If the city dissolves the district, it could be integrated into the city's stormwater utility and could operate at \$250,000. The city collects stormwater fees of about \$200,000 from current businesses in the district. It could also operate as a Public Improvement District (PID), but Pollock Paper, as a majority real property owner, would have to approve the PID. In addition, the Sports Corporation could contribute funds for the real property owners in the district.

Council Member Swafford asked who would own GPMURD property if the city dissolves the district. Mr. Camarata said the city would own the property and could put it into a PID.

Mr. Camarata said another option would be that GPMURD would continue to operate

and would levy a 60 cents per \$100 valuation which would generate \$107,000. The city would enter into a Payment in Lieu of Taxes (PILOT) Agreement of \$165,000 with the payment funded in the city's Stormwater Utility budget.

Tom Hart, City Manager, said that Option 1 is a non-option because this is a "what's right" situation. Mr. Hart said if Council chooses to implement Option 2, he would like to explore the PID option. He added that Option 3 is fine and would be fair and equitable. Mr. Hart recommend that Council consider either Option 2 or 3. Mayor Pro Tem Jensen said the Sports Corp had been briefed and they do not want to injure Pollock Paper since they have been a good corporate system. He said the Sports Corp is leaning toward Option 3 and at some point creating a PID (Option 2). Council Member Swafford said Mr. Jensen summarized Sports Corp's stance well, and the preference of the Sports Corp was Option 3 (Mr. Swafford noted that the Sports Corp had not taken a formal vote on this option). Mr. Swafford asked how much administrative cost could be absorbed by the city in Option 2. Mr. Hart said there was money in the drainage budget to handle Option 3, and there is some savings in Option 2 for administrative costs (such as Legal, etc.). He stated there was not a whole lot of cost difference between Options 2 and 3. Mayor Pro Tem Jensen stated that one issue that came up during the Sports Corp discussion was that Option 3 gave more protection in case of a breach and the city could possibly get federal funds. Mr. Hart said the GPMURD Board was working in a tight timeframe and recommended Council approval for Option 3, with Option 2 as an alternative at some point in the future. Council Member Hepworth said he felt Option 3 was a good recommendation. Council Member Shotwell asked if Mr. Hart was comfortable that they will keep the tax rate with Pollock as it is now. Mr. Hart replied "yes."

Presented

2

FY 2013 Proposed Budget - Presented by Kathleen Mercer, Budget Director

Kathleen Mercer, Budget Director, gave an overview of the proposed FY 2012-13 Budget. She stated that proposed General Fund Revenues are \$97,544,905. This amount includes a property value decrease of approximately \$325,000; a sales tax increase of 5.7%; and court fees increase of 9%.

Proposed Expenditures for the FY 2012-13 budget total \$97,544,905. Ms. Mercer said this includes an increase in health insurance employer participation; a Civil Service Step Plan of 5%; and a compensation plan for employees.

Ms. Mercer said the Water Wastewater Fund will have an average 4% increase to rates for residential, commercial and industrial customers. An increase for the Solid Waste fund is not proposed at this time; Storm Drainage fees will increase an average 8.15% for commercial customers.

Important dates for the budget are the August 24 budget workshop; the first public hearing on the proposed budget will be held at the September 4 Council Meeting; and budget adoption is set for the September 18 Council Meeting.

Council Member Shotwell asked if \$895,000 would be taken out of the budget and put into health insurance. Council Member Swafford said there were 20 claims this year that are over \$100,000. The Insurance Fund is \$1.7 million underwater for this fiscal year. He said the \$895,000 will get the fund to a flat position. Mr. Swafford said when the economy gets in trouble, the following year claims go up, but hopefully those large claims will come down and stabilize the fund. He said there are still significant reserves. Mr. Swafford reminded Council that the fund was exceeding reserves a year ago and Council decided not to take funds out of the General Fund and funded from the reserves instead. Employee premium increases will be

absorbed by the city, not the employee, however, there will be an increase in deductible in all three plans and in co-pays.

Presented

3 DFW Midstream Pipeline Crossings - Presented by Jason Panek, DFW Midstream

Mayor Pro Tem Jensen declared a conflict of interest and left the Briefing Room during discussion of this item.

Bill Crolley, Planning Director, introduced Jason Panek, DFW Midstream, and Tommy Janik, VP for Midstream. Mr. Janik said DFW Midstream is a privately held company which had acquired rights-of-way from TXU and has used Oncon rights-of-way to install pipeline in Grand Prairie. DFW Midstream is currently operating in seven municipalities. He said there are 110 miles of pipe underneath Grand Prairie and Arlington and they will collect gas from 13 padsites in Grand Prairie. The system is pressuring up and DFW needs to lower pressure and the pipeline will enable them to do this as well as to bring in additional gas north of I-30. There are two ways to do this: add compression and build high pressure pipes or build low pressure lines to connect gas east of SH360 and future production north of I30 and put in a low pressure line over to the Arlington facility.

Mr. Panek said these would be 16" low pressure pipelines installed through a bored technique at 20-35 feet. Pipeline on Matthew Road would be 50 feet deep. Council Member Fregoe asked what the significance of the low pressure lines was. Mr. Panek said much lower pressure would be a safety factor. Mr. Janik said they are required to follow federal regulations and the design is dictated by population density along the route—the greater the population, the greater the safety features.

Council Member Hepworth said he had heard three safety features: lower pressure lines; a protective cap; and pipeline 6 feet down instead of 3 feet. Mr. Panek said there are some high pressure lines in Arlington. Mr. Janik said everything in Grand Prairie is low pressure. Council Member Shotwell asked about the construction phase if permits are let, would that involve any disruption of traffic or tearing up streets. Mr. Panek said there would be minor disruption of traffic. Mayor England asked what was the expected start date. Mr. Janik said the first of September. Mr. Crolley said they would be starting on the north side and would go south. There would be a bore fit on Camp Wisdom so traffic on Camp Widsom and Lake Ridge should not be disrupted. Mr. Crolley said the next step would be to place this on a Council agenda to approve the licensing agreement, but wanted to point out that the only thing in the city right-of-way is on Matthew, Lake Ridge and Camp Wisdom and this would be for a 20-year agreement.

Presented

4 Economic Development Update - Presented by Bob O'Neal, Economic Development Director

Bob O'Neal, Economic Development Director, introduced his staff: Terry Tate; Rita Heep; and Terry Jones. Mr. O'Neal stated that industrial vacancy has been declining in the last six months is now back to what it was in 2008 (9%). He said existing businesses are doing better and are expanding their businesses. Public projects that are due to open and under construction include: Parkland Clinic and the Dallas County Sub-Courthouse (opening in March). He said sales tax is trending up for the first time since 2008. Mr. O'Neal said there is strength against all sectors of sales tax

producers. With regard to the Main Street facade program, Rita Heep and architects have been working diligently and Phase 1 should be complete this fall and Phase 2 should be starting soon (all but two owners have signed up in the second phase). Subway is now building their store. Paragon Outlets open on August 16. He said all city departments have worked together to ensure the success of this project. Transportation infrastructure is improving access to more than 3,000 undeveloped acres: Beltline, MacArthur, I-30 new access roads, future Entertainment Parkway. Forum is now completed to SH161; Lake Ridge is being extended; Lynn Creek Parkway is being completed from SH360 to Lake Ridge which creates great possibilities at these main corners. He said staff will need to get the word out to developers and promote these sites along I-30, SH161 and Lynn Creek.

Presented

Agenda Review

Council Member Shotwell asked Mr. Hills if the lot at 713 College Street for the Net 0 Energy home build (Ref. Item 10) follows zoning regulations. Mr. Hills stated that the lot complies with city zoning.

Executive Session

Mayor England convened a closed session at 5:35 p.m. pursuant to Chapter 551, Subchapter D of the Government Code, V.T.C.A., Section 551.072 "Deliberation Regarding Real Property." The closed session was adjourned at 5:50 p.m.

Recess Meeting

Mayor England recessed the meeting at 5:50 p.m.

6:30 PM Council Chambers

Mayor England reconvened the meeting at 6:50 p.m.

Chaplain Emil Balliet, Grand Prairie Police Department, gave the Invocation. The Police Department Honor Guard presented the US Flag and the Texas Flag and the Pledge of Allegiance to US Flag and to the Texas Flag was led by Deputy Mayor Pro Tem Ruthe Jackson.

Presentations

- 5** Employee of the Month for August - Brent Redd, Environmental Services Department
- Jim Cummings, Environmental Services Director, introduced Brent Redd as Employee of the Month for August. City Manager Tom Hart presented Mr. Redd with a city shirt and engraved clock and thanked him for his dedication to the city.*

Presented

Consent Agenda

Deputy Mayor Pro Tem moved, seconded by Council Member Fregoe, to approve Items 6 through 24 on the Consent Agenda. The motion carried unanimously.

- 6** Minutes of the July 17, 2012 Meeting
- Approved on the Consent Agenda**
- 7** Final Reconciliation/Change Order No. 1 with Manhattan Construction for City Council Chamber Remodel in the amount of \$425,568
- Approved on the Consent Agenda**
- 8** Purchase of Protective Body Armor from Aardvark Tactical in the amount of \$58,819.
- Approved on the Consent Agenda**
- 9** Price Agreement for Water Storage Tank Inspections from U.S. Underwater Services, LLC in the estimated amount of \$60,070 annually, for one year with the option to renew for two additional one year periods totaling \$180,210 if all extensions are exercised; and authorize the City Manager to execute the renewal options with aggregate price fluctuations of the lesser of up to \$50,000 or 25% of the original maximum price so long as sufficient funding is appropriated by the City Council to satisfy the City's obligation during the renewal terms.
- Approved on the Consent Agenda**
- 10** Authorize the purchase of a tax foreclosure lot located at 713 College Street for the construction of a "Net 0 Energy House"
- Approved on the Consent Agenda**
- 11** One year maintenance agreement with Motorola, a sole source provider, in the amount of \$283,582.20 for maintenance and management of the City-wide Radio Communications System from October 1, 2012 through September 30, 2013.
- Approved on the Consent Agenda**
- 12** Authorize the City Manager to execute the third of ten available annual renewals for the city's Wrecker/Towing Service Contract with Dave's Hi-Way Wrecker Service with options to renew annually for up to ten years.
- Approved on the Consent Agenda**
- 13** Change Order No.6 for Cook Drive Drainage, Water and Wastewater

Improvements with Circle C Construction in the net amount of \$24,088

Approved on the Consent Agenda

- 14** Annual Price Agreement for the purchase of Motorola Radios and repair/replacement parts from Motorola through an inter-local agreement with Houston-Galveston Area Council (HGAC) with an initial purchase of \$232,624.48 and subsequent purchases through the term of the current contract and any subsequent renewals or rearwards by HGAC.

Approved on the Consent Agenda

- 15** Award bid for the completion of a residential reconstruction project as part of the HOME reconstruct program to Symone Construction Services in the amount of \$79,400

Approved on the Consent Agenda

- 16** Construction contract for the South Sector Wastewater Force Main with McInnis Construction Company, Inc. in the amount of \$2,606,990.05, plus a contingency amount of \$130,349, material testing in the amount of \$71,270, in-house engineering in amount of \$130,349, for a total project cost of \$2,938,958.05.

Approved on the Consent Agenda

- 17** Change Order No. 1 in the negative amount of (\$132,546.55) with ED Bell Construction for Sara Jane Parkway Extension from East Dead-end to Forum Drive.

Approved on the Consent Agenda

- 18** Consider placing a proposal on the September 18, 2012 agenda to adopt a 2012 tax rate of \$0.669998/\$100 valuation, and call two public hearings on a tax rate that exceeds the effective tax rate for August 21, 2012 and September 4, 2012

Approved on the Consent Agenda

- 19** Resolution authorizing the City Manager to execute a master interlocal purchasing agreement between the City of Grand Prairie and the City of Seagoville, Texas

Adopted

- 20** Resolution authorizing the City Manager to execute a master inter-local purchasing agreement between the City of Grand Prairie and the City of Wylie, Texas

Adopted

- 21** Ordinance amending the Traffic Register to rescind the existing school zone

on Southeast 14th Street from 650' north of Turner Parkway to 300' south of Turner Parkway

Adopted

- 22** Ordinance amending the Traffic Register to establish recommended speed limits for new portions of Forum Drive (Robinson Road to Waterwood Drive); and Sara Jane Parkway (from SH 360 to 600 ft. east of Link Drive)

Adopted

- 23** Ordinance amending the FY 2011/2012 Capital Improvement Projects Budget by \$62,907; Engineering Contract in the amount of \$59,912 with the Firm of Cobb-Fendely, Inc., for Jefferson Bridge #2 Rehabilitation, and a 5% contingency of \$2,995, for a total of \$62,907

Adopted

- 24** Ordinance amending the City Code of Ordinances, Chapter 2 "Administration," Section 2-8, recognizing the change in the number of members that constitute a quorum for the Zoning Board of Adjustment and Appeals.

Adopted

Items for Individual Consideration

- 25** Resolution authorizing the City of Arlington the use of the power of eminent domain for public use to acquire street right-of-way and easements parcels, located in the City of Grand Prairie that are needed for the reconstruction of Abram Street, pursuant to an Interlocal Agreement with the City of Arlington

Council Member Hepworth moved, seconded by Deputy Mayor Pro Tem Jackson, that the City of Grand Prairie, Texas, finds that this project is a public use and in cooperation with the City of Arlington, the City of Grand Prairie authorizes the use of the power of eminent domain by the City of Arlington to acquire those certain parcels listed in the condemnation resolution for public use project known as Abram Street reconstruction project. The motion carried unanimously.

Ayes: 8 -

Mayor Charles England; Mayor Pro Tem Ron Jensen; Deputy Mayor Pro Tem Ruthe Jackson; Council Member Richard Fregoe; Council Member Mark Hepworth; Council Member Tony Shotwell; Council Member Jim Swafford and Council Member Bill Thorn

- 26** Public Hearing and Resolution authorizing the City Manager to submit a FY 2013 grant application with the Federal Transit Administration (FTA) and the Texas Department of Transportation (TxDOT) for a total project amount of \$1,349,397 for Grand Prairie's transit system, "*The Grand Connection*"

Jim Sparks, Transportation Director, stated that this item sets the budget for the Grand Connection and allows the city to receive state and federal funding. Mayor England asked if funding was less this year. Mr. Sparks said funding was up by \$20-25,000. Mr. Sparks added that staff is re-bidding the Grand Connection side of the Service Center.

Council Member Fregoe moved, seconded by Mayor Pro Tem Jensen, to approve the resolution authorizing submission of the 2013 grand applications to TXDOT and FTA for The Grand Connection. The motion carried unanimously.

Ayes: 8 -

Mayor Charles England; Mayor Pro Tem Ron Jensen; Deputy Mayor Pro Tem Ruthe Jackson; Council Member Richard Fregoe; Council Member Mark Hepworth; Council Member Tony Shotwell; Council Member Jim Swafford and Council Member Bill Thorn

27

Board and Commission Appointments

Deputy Mayor Pro Tem Jackson moved, seconded by Mayor Pro Tem Jensen, to appoint Paul White to the Public Health Advisory Committee. The motion carried unanimously.

Ayes: 8 -

Mayor Charles England; Mayor Pro Tem Ron Jensen; Deputy Mayor Pro Tem Ruthe Jackson; Council Member Richard Fregoe; Council Member Mark Hepworth; Council Member Tony Shotwell; Council Member Jim Swafford and Council Member Bill Thorn

Citizen Comments

There were no citizen comments.

Deputy Mayor Pro Tem Jackson announced that the pastor of Crosspoint Church of Christ had passed away at the age of 59 years and asked for prayers for his family and the congregation.

Council Member Shotwell stated that Dallas County had been spraying for mosquitoes in reaction to the West Nile virus and that a Grand Prairie citizen had passed away. He added that this may have increased the fear of West Nile and asked why the city was not more proactive in spraying. He asked the City Manager to put something on the next Council Briefing on vector control.

Mr. Hart asked Mr. Cummings to address the Council. Mr. Cummings said the city is split between Tarrant and Dallas Counties and typically Grand Prairie has stayed with the cities on the Dallas County side. He said all Dallas County cities use the Integrated Pest Management Program. These cities work together with the local health authority in Dallas County. Mr. Cummings said the most effective measure of control is education. Mosquitoes that have West Nile are found in people's back yards in standing water, in bird baths, etc. Mosquitoes like stagnant, still water and the city tries to eliminate this or will take enforcement action against citizens who have these types of standing water. The city also uses larvicide to prevent mosquitoes from hatching. The city has tested each week for mosquitoes and has them analyzed for species and presence of virus. If the virus is present, then spraying is done. All of these measures are combined to minimize impact. He said staff analyzes what is going on in neighborhoods with mosquitoes that have positive samples. In human cases of West Nile it takes 14 days from the time someone gets bit until they show symptoms. Twenty percent of people who get bit by a West Nile

mosquito will show symptoms. Mr. Cummings said if the entire city were to be sprayed, it could not be done in a timely manner. Spraying is done at night so this would take resources away during the day to educate and treat standing water. Staff looks at all pieces to work together in an integrated system.

Council Member Fregoe stated that on Wednesday, August 8, at 3:30 p.m. in the Council Briefing Room, the Public Health and Safety Committee will be briefed on the West Nile virus. He invited Council Members as well as citizens to attend. Mr. Cummings said that any citizens who have questions should call 237-8055.

Adjournment

The meeting was adjourned at 7:18 p.m.

The foregoing minutes were approved at the August 21, 2012 meeting.

Catherine E. DiMaggio, City Secretary