



Minutes - Final  
City Council

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Tuesday, February 4, 2014

4:30 PM

City Hall - Briefing Room  
317 College Street

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**Call to Order**

**Mayor Jensen called the meeting to order at 4:30 p.m.**

**Present** 9 - Mayor Ron Jensen  
Mayor Pro Tem Greg Giessner  
Deputy Mayor Pro Tem Richard Fregoe  
Council Member Jorja Clemson  
Council Member Jeff Copeland  
Council Member Tony Shotwell  
Council Member Jim Swafford  
Council Member Lila Thorn  
Council Member Jeff Wooldridge

**Staff Presentations**

**1** Update on Sales Tax Election for the EPIC - Presented by Tom Hart, City Manager

*Council Member Swafford stated there was still some work to do with the total scope of this project but it should be ready in the next few weeks. Operational costs are still being discussed along with other related costs.*

*Mayor Jensen stated the project would be funded by a quarter cent sales tax when the ballpark and Summit are paid off. He said the project would include outdoor features, amphitheatre, recreation facility, etc.*

*Tom Hart, City Manager, said comments he had received from Council have been favorable. He said he would like to have Council's opinion on whether to go to the voters in May or next year, but a decision needs to be made soon because if the election is to be held this May, the election must be called at the February 18 Council meeting.*

*Mayor Jensen said that regardless if the election is this May or next May, the tax starts at the same time (October 2015), but if it is held this May it would allow some pre-planning with design. Mr. Hart said the ballpark and the Summit could be paid off early with savings. But we need some excess funds in those accounts to spend on issues that have arisen with the Summit and QT. He said he plans to pay off both venues on 9/30/2015. On October 1, 2015 the new sales tax would start. There would be approximately \$3 million remaining in QT to use for some issues there; and \$1 million in Summit for issues (such as drainage). If we go to voters with the question in May 2014 and it is approved, we can spend money on design and we would do a payback resolution and take excess cash to do the design and reimburse from bonds when they are sold. By October 2014, we would try to begin design which would take one year. In October 2015 the new sales tax would be effective and at that time we would go to the bond market and sell bonds. Mr. Hart said*

construction should take around 15 months (first or second quarter of 2017 it would be finished). Mayor Jensen stated that before Council votes on calling the election on February 18, results of a citizen survey will be available. He said he wants this to be one of its kind in the country but must be sure to price it right so that Grand Prairie kids can use the facility but it must also have a tourist component. Mr. Hart said one of the top companies is working on a feasibility analysis with regard to what to include and rates because we want it to be self-sustaining as much as possible. Mayor Jensen said staff and others have looked at state-of-the art facilities all around the country. Council Member Copeland asked if there was enough time to give the voters the vision of the "Epic". Mr. Hart said Amy Sprinkles, Marketing Director, has plans to educate and inform the community. Mayor Jensen said he and others would be speaking at civic groups. Mr. Hart said citizens would be told up front this is the range, and we do not know the total cost and then let them vote on the vision. Council Member Swafford said we know what the ¼ cent will fund in a bond issue and this is driving the bond issue. Mr. Copeland asked if voters do not approve the sales tax proposition, can it be brought back the following May. Mr. Hart said he would need to get a definitive answer on that question.

Council Member Shotwell said he was In favor of putting the project on the ballot early because of surveys while it is fresh in people's minds. He said he has access to financial records of those at Wisconsin Dells and Hawaiian Falls.

#### **Presented**

2

#### Grand Prairie Police Department Updates - Presented by Chief Steve Dye

Don Trask, Assistant Chief over Field Operations, went over crime statistics for 2013 including calls for service, traffic stops, citations, and arrests. He said that in 2011 there was a 7% decrease in crime; in 2012, there was a 24% decrease; and in 2013 there was a 1% increase. He said staffing in 2013 was the same as in 2010.

Council Member Copeland commented that the number of arrests went up while the crime rate went down. Chief Trask said the department wanted criminals to go somewhere else and because of hard work that is what's happening. Chief Dye said there has been a focus on intelligence led policing so he is putting officers in a better position where crime hotspots are and they have a good grasp on repeat active offenders. Deputy Mayor Pro Tem Fregoe asked if the Municipal Court is able to keep up with the increased numbers of citations. Chief Dye said that electronic ticket writers have helped. Chief Trask said video cameras also help because when they show the defendant they usually ask where they can pay. Council Member Copeland asked about towing in the case of no proof of insurance. Chief Trask said there are applications in place where officers can check insurance. Chief Dye added that officers have been trained to use some judgment with regard to towing. Rick Herold, Parks and Recreation Director, thanked Chief Dye because his officers have made a concentrated effort in the parks and there has been a huge decrease in issues in the parks.

Chaplain Emil Balliet spoke to Council regarding volunteers in the Police Department. He said that volunteers have contributed 16,097 hours of volunteer service with a monetary value of \$363,309. Volunteers provide assistance both to officers and civilian employees. Some volunteer activities include: Citizens on Patrol; Citizen Police Academy Alumni Association; Internships; Reserves; RACES (Ham Radio Operators); Victim Relief Ministries; Volunteers in Police Service. Chaplain Balliet said that In 2013, the department had over 100+ volunteers, and 10 volunteers gave over 500+ hours and they will be given special recognition at awards banquet. Council Member Thorn referred to the Victim Relief program and asked if there was someone to call in case someone wanted to donate, and how do citizens know.

*Chaplain Balliet said Hearts and Hoses provide for the needs of victims. Chief Dye said Council can always direct them to him or to Chaplain Balliet, and Hearts and Hoses are a component in this partnership.*

*In conclusion, Chief Dye said 39 to 40 additional officers have been approved and as they are added it will increase levels of service.*

**Presented**

**3**

"Flock to the Library" Promotion - Presented by Amy Sprinkles,  
Marketing/Library Director

*Amy Sprinkles, Marketing/Library Director, stated that a Tech Café starts February 5 at the main library and branch libraries on the first Wednesday of each month from 10:00 a.m. to noon through June 2014. Library staff will answer questions on wireless devices and how to access the library's apps and electronic services. Ms. Sprinkles also invited Council Members to decorate a flamingo to kick off the "Flock to the Library" contest and fundraiser now through April.*

**Presented**

## **Agenda Review**

*Mayor Pro Tem Giessner asked if Council had any comments or questions on the Consent Agenda. Mayor Jensen stated that the proclamation on Kawasaki Disease awareness would not be presented because the young man to whom the proclamation was to be presented was ill. Council Member Shotwell referred to Item 11 and commented that it is a good idea to get a price on propane at this time. Mayor Pro Tem Giessner thanked everyone for their kindness and support after the death of his father.*

*Bob O'Neal, Economic Development Director, reviewed Item 15 and stated this was an assignment of a previously approved partial tax abatement to a new owner. Council Member Copeland asked Mr. O'Neal if he knew how much profit they made on the sale. Mr. O'Neal replied he did not. Mr. Copeland said he would hate for them to have made a lot of money from the sale and then have the city give them a tax abatement. Mr. O'Neal said that Item 16 was a separated sales contract to incentivize them to assign the tax value of construction materials to Grand Prairie. Item 17 is an agreement with CHII/Wildlife Park (Crow Holdings) which council approved in November 2013, but their attorneys have asked Council to do a formal resolution with the deal points to coincide with the agreement, but there are no changes from what was previously approved.*

## **Executive Session**

**Mayor Jensen convened an executive session at 5:30 p.m. pursuant to Chapter 551, Subchapter D of the Government Code, V.T.C.A., to discuss Section 551.071 "Consultation with Attorney"; Section 551.072 "Deliberation Regarding Real Property"; and Section 551.076 "Deliberations Regarding Security Devices or Security Audits". The executive session was adjourned at 6:03 p.m.**

## **Recess Meeting**

**Mayor Jensen recessed the meeting at 6:03 p.m.**

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### 6:30 PM Council Chambers

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*NOTE: Mayor Pro Tem Giessner left the meeting at the recess of the meeting at 6:05 p.m.*

**Mayor Jensen reconvened the meeting at 6:35 p.m.**

**Pastor Everette Pafford, Abundant Life Church, gave the invocation and the Pledge of Allegiance to US Flag and to the Texas Flag was led by Council Member Jorja Clemson.**

#### **Presentations**

*Mayor Jensen acknowledge Scout Master Vance Roper, and scouts from Troops 500 and 540 sponsored by Church of Jesus Christ of Latter Day Saints. The scouts attended the meeting as part of the requirements for a citizenship badge.*

*Mayor Jensen also stated that Maureen Forrester passed away last Friday. He said Ms. Forrester worked tirelessly as a volunteer at the Chamber and in the community. Mayor Jensen also stated that Mr. Ralph Giessner also passed away. He said he will be missed by many of those in the city and sent thoughts and prayers to his wife, Angela.*

- 4** Employee of the Month - Lee Harriss, Special District Administrator, Finance Department - Presented by Diana Ortiz, Chief Financial Officer

*Diana Ortiz, Chief Financial Officer, introduced Lee Harriss, Special District Administrator, as Employee of the Month for February. Tom Cox, Deputy City Manager, presented Ms. Harriss with an engraved clock and city shirt and thanked her for her dedication to the city.*

**Presented**

- 5** Kawasaki Disease Awareness Proclamation - Presented to Christina Morales

*The presentation of this proclamation was postponed to the March 4 meeting.*

**Postpone**

### **Consent Agenda**

**Deputy Mayor Pro Tem Richard Fregoe moved, seconded by Council Member Thorn, to approve Items 6 through 14 on the Consent Agenda. The motion carried unanimously.**

- 6** Minutes of the January 7, 2014 and January 21, 2014 Meetings

**Approved on the Consent Agenda**

- 7 Price agreement for Hot-Applied Joint & Crack Sealing Services with Curtco Inc (\$150,000), for one year with the option to renew for four additional one year periods totaling \$750,000 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**

- 8 Price agreement for water meter boxes and lids from Bass and Hays Foundry Inc. (\$173,704 annually) for one year with the option to renew for four additional one year periods totaling \$868,520, 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**

- 9 Price agreement for fire hydrants and water valves from Fortiline Inc (\$242,696 annually) for one year with the option to renew for four additional one-year periods totaling \$1,213,480, 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 Price agreement for light bar installation with Kerr Industries of Texas, Inc. (\$18,080 annually) for one year with the option to renew for ---four additional one year periods totaling \$90,400 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**

- 11 Price agreement renewal #3 for liquid propane, with Ferrellgas, at an estimated annual cost of 36,848 and authorize the City Manager to execute any additional 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 term(s)

**Approved on the Consent Agenda**

- 12 Construction contract with Texas Standard Construction, Inc. for the FY 2012-2013 Storm Drain Outfall Rehabilitation and Improvements Project in the amount of \$299,455; material testing in the amount of \$9,095; in-house engineering in the amount of \$14,973; and 5% construction contract contingency in the amount of \$14,973; for a total project cost of \$338,496  
**Approved on the Consent Agenda**
- 13 Ratify Change Orders 1 and 2 to the Granicus contract to live stream and archive the city's government access channel, GPTV Channel 16, on the website  
**Approved on the Consent Agenda**
- 14 Transfer funds and authorize payment in the amount of \$313,411.50 to reimburse the City of Cedar Hill for City of Dallas Water Capacity (Stand-by) Charges incurred on behalf of the City of Grand Prairie  
**Approved on the Consent Agenda**

### Items for Individual Consideration

- 15 Resolution authorizing an assignment for a partial tax abatement from FS RP900 DFW LLP to LIPT Trinity Boulevard LLC for the ad valorem real estate improvements of the 277,200 square foot distribution facility located at 3325 Trinity Boulevard, Grand Prairie, Dallas County, Texas  
*Bob O'Neal, Economic Development Director, stated this item was for the assignment of a partial tax abatement to LIPT Trinity Boulevard LLC. Council Member Shotwell clarified that this was a 50%/7-year abatement that was granted to the previous owner and assigns the same terms to the new owner.*  
**Council Member Clemson moved, seconded by Council Member Shotwell to approve Agenda Item 15. The motion carried unanimously.**  
**Ayes:** 8 - Mayor Ron Jensen; Deputy Mayor Pro Tem Richard Fregoe; Council Member Jorja Clemson; Council Member Jeff Copeland; Council Member Tony Shotwell; Council Member Jim Swafford; Council Member Lila Thorn and Council Member Jeff Wooldridge  
**Excused:** 1 - Mayor Pro Tem Greg Giessner

Enactment No: RES 4672-2014

- 16 Resolution authorizing the implementation of a separated sales tax contract with CRP Oakmont Grand Prairie, LLC.  
*Mr. O'Neal stated this resolution would authorize a separated sales tax contract whereby the builder has the option as to where to assign sales tax for construction materials for new constructions. If the builder assigns it to Grand Prairie the city would rebate a portion of the General Fund sales tax (one cent) to the owner. He said that the projected real estate improvements are estimated at \$14,000,000 and projected sales tax revenue is \$196,000 at 2% with a projected tax abatement.*

*Council Member Shotwell stated CRP Oakmont is just getting a rebate on the sales tax and may or may not come in later and ask for property tax abatement. Mr. O'Neal said at this point it is a speculative building and so he did not know who would be occupying the building.*

**Council Member Clemson moved, seconded by Council Member Shotwell, to approve Agenda Item 16. The motion carried unanimously.**

**Ayes:** 8 - Mayor Ron Jensen; Deputy Mayor Pro Tem Richard Fregoe; Council Member Jorja Clemson; Council Member Jeff Copeland; Council Member Tony Shotwell; Council Member Jim Swafford; Council Member Lila Thorn and Council Member Jeff Wooldridge

**Excused:** 1 - Mayor Pro Tem Greg Giessner

Enactment No: RES 4673-2014

17

Resolution authorizing the City Manager to enter into an Economic Development Agreement with CHI/Wildlife Park, L.P.

*Mr. O'Neal stated that in November 2013, the City Council approved an agreement with Crow Holdings to some infrastructure investments and this resolution affirms the deal points that had previously been approved. There is no change in any deal points.*

*Council Member Shotwell stated that one of the deal points is a separated sales tax agreement, but that is not stated in the resolution about how much it would be. Mr. O'Neal said after looking at their development plan he anticipated a buildout of 3 million sq. ft. Don Postell, City Attorney, stated that the agreement does require a 50% rebate on the separated sales tax agreement. Mr. Shotwell said the property is in the TIF which expires in 2020. He said this resolution talks about extending the TIF benefits to 2039. He asked why this project should have special treatment. Mr. O'Neal said he believed this property is not developable unless this type of benefit is provided to the developer. He said it is in the best interest of the city to get this property on the tax rolls because of its location in the entertainment district. Mayor Jensen said the amount to get it out of the floodplain is substantial and it would not be economically feasible to a developer without some assistance from the city. Council Member Shotwell said the developer knew it was undevelopable when they bought it and now they are asking the city to give them money we have not given to any other developer, and, therefore he could not support this item. He said that this is a warehouse distribution center and will result in more trucks on Beltine Road in the entertainment center. Mayor Jensen pointed out that the zoning is already in place and he said it was his opinion that no one could develop this land without the incentive.*

**Council Member Clemson moved, seconded by Council Member Swafford to approve Agenda Item 17. The motion carried.**

**Ayes:** 7 - Mayor Ron Jensen; Deputy Mayor Pro Tem Richard Fregoe; Council Member Jorja Clemson; Council Member Jeff Copeland; Council Member Jim Swafford; Council Member Lila Thorn and Council Member Jeff Wooldridge

**Nays:** 1 - Council Member Tony Shotwell

**Excused:** 1 - Mayor Pro Tem Greg Giessner

Enactment No: RES 4674-2014

18

Resolution and Public Hearing to Expand High Hawk Public Improvement District No. 9 to include Annexation of High Hawk at Martin's Meadow Phase 3 Subdivision (City Council District 6)

*Ms. Harriss stated that the annexation had met all legal requirements. She explained that when High Hawk PID was designed, the boundary was aligned with old Camp Wisdom S curve, but subsequently Camp Wisdom was redesigned and this would annex that property.*

**Council Member Wooldridge moved, seconded by Council Member Thorn to close the public hearing and adopt an ordinance for the expansion of High Hawk PID. The motion carried unanimously.**

**Ayes:** 8 - Mayor Ron Jensen; Deputy Mayor Pro Tem Richard Fregoe; Council Member Jorja Clemson; Council Member Jeff Copeland; Council Member Tony Shotwell; Council Member Jim Swafford; Council Member Lila Thorn and Council Member Jeff Wooldridge

**Excused:** 1 - Mayor Pro Tem Greg Giessner

Enactment No: RES 4675-2014

### **Citizen Comments**

*Lt. Col. Jay Tanner (retired), 716 Barnes Road, Cleburne, invited Council to the "Young Eagles Rally" to be held at the Grand Prairie Airport on March 22, 2014.*

### **Adjournment**

*The meeting was adjourned at 7:07 p.m.*

*The foregoing minutes were approved at the February 18, 2014 meeting.*

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*Catherine E. DiMaggio, City Secretary*