



# City of Grand Prairie

City Hall  
317 College Street  
Grand Prairie, Texas

## Minutes - Final City Council

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Tuesday, May 6, 2014

5:00 PM

City Hall - Briefing Room  
317 College Street

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### Call to Order

Mayor Jensen called the meeting to order at 5:00 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

*Council Member Copeland was not present at the 5:00 p.m. portion of the meeting, but was present at the 6:30 p.m. portion of the meeting.*

### Staff Presentations

**1** Atmos Gas Rate Increase - Presented by Andy White, Assistant to City Manager for Special Projects

*Andy White, Assistant to the City Manager, presented the rate increase request from Atmos Energy. He said the increase would amount to \$2.02 to each residential customer and rates would go into effect in June. He said Atmos is requesting the increase to recover capital expenses; O&M expenses; return on investments set by the Railroad Commission; and usage charges. Mr. White said Grand Prairie is a member of the ACSC Coalition of 164 cities in Texas. The coalition utilizes the Rate Review Management Process to negotiate rate increases. The current contract will end June 1, 2017.*

*Mr. White said the reasons for requesting denial of the increase include: 1) Excessive bonuses for managers and executives; 2) Classification of expense items for customer services computer system improvement; and 3) The Railroad Commission Gas Reliability Infrastructure Process guidelines were not followed.*

*Mayor Jensen noted that just because the Council votes to deny the increase, the Railroad Commission could still grant the increase. Mayor Pro Tem Giessner asked if Atmos could charge more than the \$45 million they asked for. Mr. White said Atmos asked for \$57 million initially. He said Atmos will go to the Railroad Commission and ask for \$45 million. Mayor Jensen said Atmos is given a guaranteed rate of return. Tom Hart, City Manager, said Grand Prairie has made a policy decision where we feel there is strength in numbers and we normally follow the ACSC recommendation.*

*He said they have topflight legal and financial advisors. This puts us in a position that we sometimes have to vote for a rate increase. Mr. White said the city has an option to opt out of the participation in the ACSC, but you would need to negotiate on your own.*

*Council Member Shotwell said this is the first time that the Atmos rate increase has been looked at by the Railroad Commission instead of the PUC. He said the city may get a better rate from the elected body (Railroad Commission) versus the PUC which is appointed. Mr. White said the head of the Railroad commission is pro-utility and he is going out in July and he might grant the Atmos request. Therefore, we need to get our position clearly stated to the Railroad Commission. Council Member Shotwell commented that two or three years ago Atmos got a huge increase to replace old metal gas lines and that has not been used properly. Mayor Pro Tem Giessner said it appears we are just trying to hold the rate increase down as low as possible because there will be an increase inevitably.*

*Council Member Shotwell said he read in the newspaper today that the City of Dallas (they are not part of the coalition) agreed to a \$2.03 increase. Mr. Hart said the city is currently buying aggregate power through TCAPP as a group to get a better rate. That has a benefit to the city long-term and there is strength in numbers.*

**Presented**

## **Agenda Review**

*Bill Crolley, Planning Director, asked to table Item 22 Zoning Case Z 131102, until the May 20, 2014 Meeting.*

## **Executive Session**

*There was no executive session.*

## **Recess Meeting**

**Mayor Jensen recessed the meeting at 5:20 p.m.**

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## **6:30 PM Council Chambers**

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**Mayor Jensen reconvened the meeting at 6:30 p.m.**

**The Invocation was given by Pastor Kathi Johnson, Our Redeemer Lutheran Church. The Pledge of Allegiance to US Flag and to the Texas Flag was led by Council Member Jim Swafford.**

## Presentations

- 2 Employee of the Month - Robert Meyers, Budget Department

*Kathleen Mercer, Budget Director, introduced Robert Meyers, Employee of the Month for May. Tom Hart, City Manager, presented Mr. Meyers with an engraved clock and thanked him for his dedication to the city.*

**Presented**

- 3 Certificate of Appreciation - Hector Montoya & Firefighters

*Council Member Clemson presented a certificate of appreciation to Hector Montoya, honoring him for initiating a program to distribute fire detectors to those in need.*

**Presented**

- 4 Heterotaxy Syndrome Awareness Day - Presented to Czarina Hounsel

*Mayor Pro Tem Giessner read a proclamation for Heterotaxy Syndrome Awareness Day and presented it to the Hounsel family.*

**Presented**

## Consent Agenda

**Mayor Pro Tem Giessner moved, seconded by Deputy Mayor Pro Tem Fregoe, to approve Items 5 through 21 on the Consent Agenda. The motion carried unanimously.**

- 5 Minutes of the April 15, 2014 Meeting

**Approved on the Consent Agenda**

- 6 Price agreement for pool chemicals from Leslie's Poolmart, DCC, Inc and Sunbelt Pools through a national inter-local agreement with Buyboard at an estimated annual cost of \$35,000 for one year with the option to renew for ---- two (2) additional one year periods totaling \$105,000 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**

- 7 Price agreement for irrigation repair from Grey Construction (\$20,000 annually) and secondary to Denali Construction for one year with the option to renew for ----four additional one year periods totaling \$100,000 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 ground maintenance material from Turf Materials (\$111,317), Lowery Sand & Gravel (82,996), and Texas Sand & Gravel (69,000) and secondary to Texas Sand & Gravel, Lowery Sand & Gravel, and Texas Sports Sands, Inc. for one year with the option to renew for four additional one year periods totaling \$1,316,565 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 hydrant and valve parts stock from HD Supply Waterworks, LTD (\$25,000 annually)-sole bidder for one year with the option to renew for four additional one year periods totaling \$125,000, 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**

- 10 Price agreement for electrical services for Water/Wastewater sites with George-McKenna Electrical Contractors, Inc (\$45,440 annually) through a Master Interlocal Agreement with City of Irving for one year with the option to renew for ---one additional one year period totaling \$90,880 if extension is exercised; and authorize the City Manager to execute the renewal option 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

**Approved on the Consent Agenda**

- 11 Price agreement for street sweeping services from Sweeping Services of Texas (\$65,466 annually) for one year with the option to renew for four additional one year periods totaling \$327,332 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**

- 12 Price agreement for full service glass, mirror and window tint installation and repair services from City Glass and Mirror (\$55,000 annually for one year with the option to renew for ----four (4) additional one year periods totaling \$275,000 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**
- 13 Contract for veterinary services with Relief Services for Veterinary Practitioners (RSVP) in the amount of \$67,500 annually, for one year with the option to renew for four additional one year periods, totaling \$337,500 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**
- 14 Interlocal agreement with Dallas County Flood Control District #1 for joint submittal of the Storm Water Management Program to the Texas Commission on Environmental Quality (TCEQ)
- Approved on the Consent Agenda**
- 15 Final Change Order/Amendment No. 10 in the net negative amount of (\$30,490) with Barson Utilities, Inc for FY 2011/2012 I & I Replacement Improvements
- Approved on the Consent Agenda**
- 16 Final Reconciliation Change Order/Amendment No. 17 with Barson Utilities for FY 2011/2012 Wastewater Replacements in the net negative amount of (\$26,478.75)
- Approved on the Consent Agenda**
- 17 Resolution authorizing the City Manager to enter into a Local Project Advanced Funding Agreement (LPAFA) with TXDOT for installation of CCTV cameras at SH 360 Northbound and Southbound Frontage Roads and Camp Wisdom Road.
- Adopted**
- Enactment No: RES 4691-2014
- 18 Resolution authorizing the City Manager to apply for a grant from the Texas Department of Transportation 2014 Memorial Day Click It or Ticket (CIOT)

Mobilization for the enforcement of safety belt and child safety seat laws in the amount of \$4,950.97.

**Adopted**

Enactment No: RES 4692-2014

- 19** Ordinance amending the FY 2013/2014 Capital Improvement Projects Budget and authorize the City Manager to enter into an agreement with the North Central Texas Council of Governments (NCTCOG) for Signal Timing Optimization of 94 traffic signals for total project cost of \$520,102 of which \$416,082 is COG, \$55,330 is State funded and \$48,690 is the City match.

**Adopted**

Enactment No: ORD 9695-2014

- 20** Ordinance amending the FY 2013/2014 Capital and Lending Reserve Fund for the Library System to buy hard-bound and e-books for the Children's section in both English and Spanish

**Adopted**

Enactment No: ORD 9696-2014

- 21** Ordinance amending the FY 2013/2014 Capital Improvement Projects Budget; Amendment/Change Order No. 3 with Gra-Tex Utilities FY 2011/2012 Water Replacements in the amount of \$53,114

**Adopted**

Enactment No: ORD 9697-2014

### **Public Hearing on Zoning Applications**

- 22** Z131102 - Zoning Change - Mira Lagos PD-298A Amendment (City Council District 6). Approval of a zoning change from Agriculture (A) District and Planned Development 298A (PD-298A) District to PD-298A with single family and townhouse residential uses. The 124-acre property, zoned PD-298A, is located at the northeast corner of the Charles England Parkway/Arlington Webb Britton Road intersection and is within the Lake Ridge Overlay District. The agent is Thomas Juhn, JBI Partners, Inc., the applicant is Ben Luedtke, Hanover Property Company, and the owner is Robert Morris. (On November 4, 2013, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0. On April 15, 2014, the City Council tabled this case to the May 6, 2014 meeting; on May 6, 2014 the City Council tabled this case to the May 20, 2014 meeting.)

**Council Member Wooldridge moved, seconded by Council Member Thorn, to close the public hearing and table Case Z131102 until the May 20, 2014 meeting. The motion carried unanimously.**

**Ayes:** 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 and Council Member Jeff Wooldridge

### Items for Individual Consideration

23

Public Hearing and Standards of Care Ordinance for 2014 After School Programs and Summer Camps

*Danny Boykin, Parks and Recreation Manager, stated the State law requires the adoption of standards of care for the city's recreation centers, summer camps and other recreation programs.*

**Council Member Shotwell moved, seconded by Council Member Clemson, to adopt the Standards of Care ordinance. The motion carried unanimously.**

**Ayes:** 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 and Council Member Jeff Wooldridge

Enactment No: ORD 9698-2014

24

Resolution Denying Atmos Mid-Tex's Proposed Rate Increase

*Mayor Jensen noted that the Atmos rate increase request had been discussed at length earlier in the briefing session and that Atmos has a contract where they are guaranteed a rate of return. He said the City Council could vote "no" for any increase requests, but the PUC in the past could dictate the rate. Mayor Jensen said Grand Prairie belongs to a consortium of 164 Texas cities and that consortium is recommending that participating deny the rate increase because they felt the increase was too high. The Railroad Commission is an elected body and they may listen to the 164 cities and their recommended rate.*

**Council Member Shotwell moved, seconded by Deputy Mayor Pro Tem Fregoe, to adopt a resolution denying the Atmos Energy rate request. The motion carried unanimously.**

**Ayes:** 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 and Council Member Jeff Wooldridge

Enactment No: RES 4693-2014

### Citizen Comments

*Larry Payne, 4416 Crane Drive, asked for assistance from the city for an abandoned property at 4408 Crand Drive. Mr. Payne presented photographs of the deterioration of the property and high grass and weeds.*

## **Adjournment**

**Mayor Jensen adjourned the meeting at 7:20 p.m.**

*The foregoing minutes were approved at the May 20, 2014 Meeting.*

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*Catherine E. DiMaggio, City Secretary*