City of Grand Prairie

City Hall
317 College Street
Grand Prairie, Texas

Minutes - Final
City Council

Tuesday, September 18, 2012 | **4:30 PM** | **Council Chambers**

Call to Order

Mayor England called the meeting to order at 4:35 p.m.

Present 8 -
Mayor Charles England; Mayor Pro Tem Ron Jensen; Council Member Richard Fregoe; Council Member Greg Giessner; Council Member Mark Hepworth; Council Member Tony Shotwell; Council Member Jim Swafford and Council Member Bill Thorn

Absent 1 -
Deputy Mayor Pro Tem Ruthe Jackson

Staff Presentations

1 Update on Texas General Hospital - Presented by Tom Hart, City Manager

Tom Hart, City Manager, introduced Fire Chief Clif Nelson and Lt. Randy Overton. Mr. Hart said the city's Medical Director felt comfortable at this time to release the city to make certain types of ambulance runs to the Texas General Hospital emergency room. He said that possibly by January 2013 city ambulances will be able to go there. Lt. Overton said trauma patients would be transported to a certified trauma center (i.e. Methodist; Parkland; Harris; JPS). Cardiac patients could go to several hospitals in Dallas and Arlington. He said Texas General Hospital will be working on cardiac certification and respiratory patients will not be taken there until they get certification. Lt. Overton said if an emergency qualifies to go to this hospital, the decision will still be left up to the patient. If the patient does not give a specific hospital, the paramedic suggests the closest hospital. Mr. Hart said the hospital is now able to bill Medicaid and Medicare and they are taking out of network insurance, however the city's plan does not allow out of network.

Council Member Swafford request a list of approved physicians. Mr. Hart asked Chief Nelson to provide this list to Mr. Swafford. Mayor England said if the patient wants to be transported to the hospital of their choice and that hospital does not take out of network, the patient needs to be informed of that. Chief Nelson said that is part of the written protocols and this information will be provided to the paramedics. Lt. Overton said there may be legal issues telling the patient that Texas General does not take out of network. Lisa Norris, Human Resources Director, said she would inform employees. Mr. Hart indicated that directional signs to the hospital have now been erected.

Council Member Fregoe asked the restriction as to how far a patient can be taken. Chief Nelson said it was originally a 10-mile radius, but they have gone outside for special circumstance. He said there are 25 emergency rooms within the 10 mile radius. Normally, patients are taken to the closest, appropriate hospital, depending on the symptoms of the patient (i.e. cardiac, respiratory; child, etc.). Council Member

Shotwell commented that when Texas General Hospital opened, they said even though they were not in network they would accept whatever out of network would pay and for city employees that is $0.

Presented

2 Beltline/I-30 Economic Development - Presented by Tom Hart, City Manager

Mr. Hart asked to discuss this item under Executive Session.

Presented

3 Eastbound IH 30 frontage road betwwen NW 7th and Beltline - Presented by Jim Sparks, Transportation Director

Jim Sparks Transportation Director, said that Dallas County moved $446,700 to I-30 projects from I-20 projects. On the portion of the I-30 frontage roads from Beltline to MacArthur there were $298,400 in change orders and Dallas County paid half ($149,200). On the I-30 frontage road at the Park and Ride Lot, the design cost was $521,760 and Dallas County paid half ($260,880). On the I-30 Frontage Road from NW 7th to Beltline, the design contract with Halff was $366,200. The RTC approved funds for construction of the frontage road; in addition they approved RTR funds for 80%. Dallas County agreed to pay half of the cost for NE15th Street from the I-30 frontage road to Tarrant Road. There were overruns of $488,537, and a total project cost of $1,268,537, with a total city cost of $253,707. Mayor Pro Tem Jensen commented that Mr. Sparks works very well with the RTC and does a great job managing these projects.

Council Member Shotwell asked about the timeline for completion of the I-30 frontage roads. Mr. Sparks said they should open in March or April of next year.

Mr. Hart asked if TXDOT was still anticipating the opening of SH161 in October. Mr. Sparks said by mid-October, everything at I-20 should be open to traffic; at I-30 5 of 8 connectors should be open in October; and the other three should open in January. The railroad underpass should be open in December of this year.

Presented

4 SH 161 Video - Presented by Tom Cox, Deputy City Manager

Tom Cox, Deputy City Manager, presented a video on the various construction phases of SH161.

Presented

Agenda Review

Bill Crolley, Director of Planning, asked that Council table Item 14 (purchase of tax foreclosure property at 3599 Ridgewood).

Executive Session

Mayor England convened an executive session at 5:10 p.m. pursuant to Chapter 551, Subchapter D of the Government Code, V.T.C.A. to discuss Section 551.072 "Deliberation Regarding Real Property" and Section 551.076 "Deliberation Regarding Security Devices or Security Audits." The executive session was adjourned at 5:55 p.m.

Recess Meeting

Mayor England recessed the meeting at 5:55 p.m.

6:30 PM Council Chambers

Mayor England reconvened the meeting at 6:46 p.m.

Mayor Pro Tem Ron Jensen gave the invocation. The Pledge of Allegiance to US Flag and to the Texas Flag was led by Council Member Tony Shotwell.

Consent Agenda

Mayor Pro Tem Jensen moved, seconded by Council Member Fregoe, to approve Items 5 through 13 on the Consent Agenda, table Item 14, and approve Items 15 through 35. The motion carried unanimously.

5 Minutes of the September 4, 2012 Meeting

Approved on the Consent Agenda

6 Change Order No. 2 with Durable Specialties, Inc. in the amount of $91,443 for installation of traffic signal at Forum Drive and SH 161

Approved on the Consent Agenda

7 Agreement with United Health Care (UHC) for Medical and Prescription Claims Administration Services and an onsite Wellness Coordinator beginning January 1, 2013 in the amount of $504,000. Guaranteed renewal rates are quoted through December 31, 2015 with annual renewal options beginning January 1, 2016 if authorized and approved by the City Manager so long as the renewals do not increase by more than 25% of the originally quoted fees and such fees are appropriated annually in the Employee Insurance Fund budget.

Approved on the Consent Agenda

8 Trinity River Authority Laboratory Services Contract for Analysis of Water and Wastewater in an amount not to exceed $260,000

Approved on the Consent Agenda

9 Price Agreement with Barnsco Incorporated for Reinforced Steel (Rebar) and Smooth Slip Dowels, at an estimated annual cost of $100,890; and authorize the City Manager to execute future renewals as long as sufficient funding is appropriated by the City Council to satisfy the city's obligation during the renewal term (one year price agreement with four one-year optional renewals), and the total cost of the price agreement does not increase by twenty-five percent (25%) or more of the original contract

Approved on the Consent Agenda

10 Emergency Mosquito Control Interlocal Agreement with Dallas County

Approved on the Consent Agenda

11 Interlocal Agreement with the City of Fort Worth for the collection and disposal of household hazardous waste at the Environmental Collection Center at a cost of $47.00 per household, based on utilization, and not to exceed a total cost of $81,000 for FY 2013

Approved on the Consent Agenda

12 Interlocal Agreement with Dallas County for Health Services in FY 2013 at an annual cost of $38,854

Approved on the Consent Agenda

13 Routine Airport Maintenance Grant (RAMP) from Texas Department of Transportation-Aviation Division (TxDOT-Aviation) in the amount of $100,000 ($50,000 City/$50,000 TxDOT-Aviation)

Approved on the Consent Agenda

14 Authorize the purchase of a tax foreclosure property located at 3599 Ridgewood

Tabled

15 Professional design services contract with Komatsu Architecture in the amount of $51,260, a 5% contingency in the amount of $2,563, for a total of $53,823 for complete design and construction administration services for Transit Office Additions and Renovations at the City's Maintenance Service Center; and $5,000 for subsurface geotechnical services and other necessary related costs for a total request of $58,823

Approved on the Consent Agenda

16 Change Order No. 3 in the net negative amount of ($53,595.16) with McMahon Contracting LP for Lake Ridge Widening Project

Approved on the Consent Agenda

17 Contract for the Congregate Meal Program at The Summit with Visiting Nurses Association of Texas in the amount of $111,000, and authorize the city manager to execute the annual contract with up to four one-year renewal options, with aggregate price fluctuations of the lesser of up 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

18 Authorize the City Manager to enter into an Advance Funding Agreement (AFA) with TxDOT for the use of SH 121 Subaccount Regional Toll Revenue (RTR) funds for the construction of the NE 15th Street connection between Tarrant Road and the eastbound IH 30 frontage road

Approved on the Consent Agenda

19 One year maintenance agreement with Motorola, a sole source provider, in the amount of $74,898.72 for maintenance of the wireless communication network from September 15, 2012 through September 30, 2013

Approved on the Consent Agenda

20 Resolution authorizing the filing of an application requesting financial assistance from the Texas Water Development Board in an amount not to exceed $2,285,000 to provide costs of replacement of deteriorated sanitary sewer pipe, and designating authorized representatives

Adopted

21 Resolution Seeking Designated Management Agency Status for The City of Grand Prairie's Wastewater System

Adopted

22 Resolution authorizing the City Manager to enter into the First Amendment to the Dallas County CIP Supplemental Agreement to the Master Agreement for the purpose of constructing Transportation Improvements to the Interstate Highway 30 and Interstate Highway 20 Service and Access Roads

Adopted

23 Resolution approving City of Grand Prairie Investment Policy to become effective upon passage and approval

Adopted

24 Resolution approving revisions to the City of Grand Prairie Debt Management Policy to become effective upon passage and approval

Adopted

25 Resolution authorizing implementation of a 9-year 75% partial tax abatement and Chapter 380 Agreement for Restoration Hardware, Inc., and partial tax abatement and a separated sales tax contract for W.R. Pioneer Parkway, LLC

Adopted

26 Resolution declaring expectation to reimburse expenditures with proceeds of future debt in the amount of $292,852; for professional design services contract with Komatsu Architecture for the Station 1 Relocation Project.

Adopted

27 Ordinance amending the FY 2011/2012 Capital Improvement Projects Budget; and approve a professional design services contract with Komatsu Architecture in the amount of $367,463, a 5% contingency in the amount of $18,374, for a total of $385,837 for comprehensive design and construction administration services for the new Fire Station No 1; and $165,000 to cover environmental site cleanup and demolition costs, plus site survey, replatting, and other necessary related costs, for a total request of $550,837.

Adopted

28 Ordinance authorizing collection of paving assessments for Forum Drive from Waterwood to SH 161

Adopted

29 Ordinance amending Chapter 13.5, Article II, "Fair Housing," of the Code of Ordinances, to include familial status as a protected class

Adopted

30 Ordinance amending the 2012 Calendar Year Section 8 budget

Adopted

31 Ordinance amending the FY 2011/2012 Capital Improvement Projects Budget; and authorize the City Manager to enter into an Advance Funding Agreement with TxDOT for the use of SH 121 Subaccount Regional Toll

Revenue (RTR) Funds for design, in the amount of $292,960; and Engineering Services contract with Halff Associates for the design of eastbound IH 30 frontage road between NW 7th and Beltline Road, in the amount of $366,200

Adopted

32 Ordinance amending the FY 2011/2012 Capital Improvement Projects Budget and award bid to Mart, Inc., for a shelter structure at the Service Center in the amount of $127,200, and use city price agreement with R&R Electric for electrical and lighting for the project in the amount of $15,000, plus a 5% contingency of $7,110, for a project total of $149,310

Adopted

33 Ordinance defining the Police Department's authorized positions in each classification for Fiscal Year 2013, which totals 234 Civil Service positions

Adopted

34 Ordinance amending Ordinance 9276, defining the number of authorized civil service positions and overhires in each classification for FY 2013 in the Fire Department

Adopted

35 Ordinance amending the FY 2011/2012 Capital Improvement Projects Budget in order to reimburse the LRPM GRANT shortage of $413,094 for the Lake Ridge Extension Project

Adopted

Public Hearing Consent Agenda

36 SU120804 - Specific Use Permit - 1702 W. Main Street (City Council District 5). Approval of a Specific Use Permit for tire sales and installation in an existing auto repair shop on 0.385 acres. The subject property is zoned Commercial (C) District and is generally located west of State Highway 161 at the northwest corner of W. Main Street and N.W. 17th Street. The property is within Central Business District One (CBD-1) and the State Highway 161 (SH-161) Overlay District. The owner is Al-Aboody Abrhamim, the applicant is M.S. Keeton, and the agent is Joe Diaz.

Council Member Fregoe moved, seconded by Mayor Pro Tem Jensen, to close the public hearing and table Case SU120804. The motion carried unanimously.

Ayes: 8 -
Mayor Charles England; Mayor Pro Tem Ron Jensen; Council Member Richard Fregoe; Council Member Greg Giessner; Council Member Mark Hepworth; Council Member Tony Shotwell; Council Member Jim Swafford and Council Member Bill Thorn

37 S120901 - Site Plan - Western Dental (City Council District 6). Approval of a Site Plan for a dentist office and restaurant located on 1.38 acres. The subject property is zoned Planned Development 114A (PD-114A) District and is located on the northwest corner of W. Camp Wisdom Road and Magna Carta Boulevard. The property is within the State Highway 360 (SH-360) Overlay District. The owner is The Trilogy Group and the applicant is Icon Consulting Engineers, Bruce Dunne. (On September 10, 2012, the Planning and Zoning Commission tabled this case by a vote of 6-0 until the applicant reactivates the case.)

Council Member Fregoe moved, seconded by Mayor Pro Tem Jensen, to close the public hearing and table Case S120901. The motion carried unanimously.

Ayes: 8 -
Mayor Charles England; Mayor Pro Tem Ron Jensen; Council Member Richard Fregoe; Council Member Greg Giessner; Council Member Mark Hepworth; Council Member Tony Shotwell; Council Member Jim Swafford and Council Member Bill Thorn

38 SU120903 - Specific Use Permit - 2815, 2849, 3001, 3049, 3101, 3149, 3201 E. Main Street (City Council District 5). Approval of a Specific Use Permit for outside storage of portable buildings and storage containers on 29.75 acres. The subject property is zoned Light Industrial (LI) District and is situated on the south side of E. Main Street, being generally located east of N.E. 29th street. The property is within Central Business District 4 (CBD-4) Overlay District. The owner/applicant is McGrath 180 LLC (Randle F. Rose, CAD) and the agent is William Winkelmann & Associates, Inc. (On October 1, 2012, the Planning and Zoning Commission tabled this case by a vote of 9-0 until the applicant reactivates the case.)

Council Member Fregoe moved, seconded by Mayor Pro Tem Jensen, to close the public hearing and table Case SU120903. The motion carried unanimously.

Ayes: 8 -
Mayor Charles England; Mayor Pro Tem Ron Jensen; Council Member Richard Fregoe; Council Member Greg Giessner; Council Member Mark Hepworth; Council Member Tony Shotwell; Council Member Jim Swafford and Council Member Bill Thorn

Public Hearing on Zoning Applications

39 SU120901 - Specific Use Permit - Nueva Vida Day Care Center - 1729 Avenue B (City Council District 3). Approval of a Specific Use Permit for a child day care center in an existing building on 1.04 acres The subject property is currently zoned Single Family-Four (SF-4) District and is

generally located east of S. Belt Line Road and north of E. Marshall Drive. The owner is Antonio Delgado and the applicant is Mack Santoyo. (On September 10, 2012, the Planning and Zoning Commission recommended approval of this request by a vote of 6-0.)

Bill Crolley, Planning Director, reviewed Case SU120901 and stated that the Planning and Zoning Commission and staff recommended this case for approval.

Council Member Thorn stated that the applicant has agreed to install some heavy landscaping to prevent light shining on the adjacent neighborhood.

Mack Santoyo, 135 W. Wintergreen, DeSoto, submitted a card in favor of this case and asked for Council support.

Vicente Delgado, Jr., 135 W. Wintergreen, DeSoto, submitted a speaker card in support of this case and asked for Council support.

Council Member Thorn moved, seconded by Council Member Shotwell, to close the public hearing and approve Case SU120901. The motion carried unanimously.

Ayes: 8 -

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

40 SU120902 - Specific Use Permit - 2717, 2801, 2805 E. Main Street (City Council District 5). Approval of a Specific Use Permit for an autobody and paint shop with auto sales retail and wholesale as a part of an automotive use facility located on 19.86 acres. The subject property is zoned Light Industrial (LI) District and is situated on the south side of E. Main Street, being generally located east of N.E. 29th Street. The property is within Central Business District 4 (CBD-4) Overlay District. The owner/applicant is P. Lawler Enterprises LTD and the agent is Winkelmann & Associates, Inc. (On September 10, 2012, the Planning and Zoning Commission recommended approval of this request by a vote of 6-0.)

William Winkelmann, 6750 Hillcrest Plaza #325, Dallas, TX 75230, submitted a speaker card in support of this item.

Council Member Shotwell moved, seconded by Council Member Swafford, to close the public hearing and table Case SU120902. The motion carried unanimously.

Ayes: 8 -

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

41 Z120901/CP120901 - Zoning Change/Concept Plan - Lakeview West Section 2 (City Council District 6). Approval of a Zoning Change from Agriculture (A) District to a Planned Development District and a Concept Plan for single family homes on 48.3 acres. The subject property is zoned Agriculture (A)

District and is generally located east of State Highway 360 and southwest of Lake Ridge Parkway. The property is in the Lake Ridge Parkway Overlay District. The owner is Daniel Gonzales, the applicant is Don Allen, and the agent is Thomas Juhn. (On September 10, 2012, the Planning and Zoning Commission recommended approval of this request by a vote of 6-0.)

Mr. Crolley stated that the applicant had met all the requirements of Resolution 3924 and that staff recommended support of this case.

Mr. Don Allen, 6751 North Freeway, Fort Worth, 76131, was present to answer questions and submitted a speaker card in support of this item.

Tom Juhn, 16301 Quorum Drive, Addison, submitted a card in support of this item.

Mayor Pro Tem Jensen moved, seconded by Council Member Giessner, to close the public hearing and approve Case Z120901/CP120901. The motion carried unanimously.

Ayes: 8 -

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

42 Z120902/SU080802A - Zoning Change/Specific Use Permit - 425 S.E. Dallas Street (City Council District 5). Approval of a Zoning Change from Commercial (C) District, Central Area (CA) District and Single Family-Four (SF-4) District to Planned Development (PD) District with chemical etching operations as an associated use by Specific Use Permit. The site is a part of an existing manufacturing facility located on 1.35 acres. The site is zoned Commercial (C) District, Central Area (CA) District, and Single Family Four (SF-4) District, and is generally located west of S.E. 5th Street and south of S.E. Dallas Street. The owner/applicant is Harris Manufacturing. (On September 10, 2012, the Planning and Zoning Commission recommended approval of this request by a vote of 6-0.)

Mr. Crolley pointed out that this is typically not where you would have this type of zoning (i.e. adjacent to residential). He said the applicant has worked with Environmental Services and has added safety features to the existing building. He said the chemicals are corrosive in nature, not flammable. Mr. Crolley said the Planning and Zoning Commission and staff recommended approval.

Steve Robertson,425 SE Dallas Street, stated he was present to answer questions and to ask for Council approval.

Council Member Swafford noted that this site was adjacent to an elementary school and asked if the school district had voiced an opinion on this case. Mr. Crolley said he had spoken to GPISD officials, and they were comfortable with the request as presented tonight.

Council Member Shotwell said the applicant runs a good business.

Council Member Shotwell moved, seconded by Mayor Pro Tem Jensen, to close the public hearing and approve Case Z120902/SU080802A. The motion carried unanimously.

Ayes: 8 -
Mayor Charles England; Mayor Pro Tem Ron Jensen; Council Member Richard Fregoe; Council Member Greg Giessner; Council Member Mark Hepworth; Council Member Tony Shotwell; Council Member Jim Swafford and Council Member Bill Thorn

43 TA120901 - Text Amendment - Article 4, “Permissible Uses” and Article 30, “Definitions,” of the Unified Development Code. Approval of a Text Amendment to Article 4, "Permissible Uses," and Article 30, “Definitions,” of the Unified Development Code to amend Article 4, Permissible Use Charts, to add a section to Article 4 to address Correctional Facilities, to revise, clarify and amend Article 30 for definitions and cross references. The owner is the City of Grand Prairie Planning Department and the applicant is Mary Elliott, AICP. (On September 10, 2012, the Planning and Zoning Commission recommended approval of this request by a vote of 6-0.)

Mr. Crolley stated that this UDC text amendment clarifies definitions in the Use Chart that were outdated.

Council Member Hepworth moved, seconded by Council Member Shotwell, to close the public hearing and approve Case TA120901. The motion carried unanimously.

Ayes: 8 -
Mayor Charles England; Mayor Pro Tem Ron Jensen; Council Member Richard Fregoe; Council Member Greg Giessner; Council Member Mark Hepworth; Council Member Tony Shotwell; Council Member Jim Swafford and Council Member Bill Thorn

44 TA120902 - Text Amendment - Article 22, “Fee Schedule,” of the Unified Development Code. Approval of a Text Amendment to Article 22, “Fee Schedule,” of the Unified Development Code and Section 7-56 and Section 7-105 of the Code of Ordinances to amend and update fees charged for certain building, electrical, mechanical, sign and certificate of occupancy permits. The owner is the City of Grand Prairie Planning Department and the applicant is Mary Elliott, AICP. (On September 10, 2012, the Planning and Zoning Commission recommended approval of this request by a vote of 6-0.)

Mr. Crolley stated that this UDC text amendment reflects changes in various permit fees.

Council Member Swafford moved, seconded by Council Member Hepworth, to close the public hearing and approve Case TA120902. The motion carried unanimously.

Ayes: 8 -
Mayor Charles England; Mayor Pro Tem Ron Jensen; Council Member Richard Fregoe; Council Member Greg Giessner; Council Member Mark Hepworth; Council Member Tony Shotwell; Council Member Jim Swafford and Council Member Bill Thorn

Items for Individual Consideration

45 Ordinance Amending the FY 2011/2012 Operating Budgets

Council Member Swafford stated that the FY2011-12 Operating Budgets are being amended in the amount of $19,491,082.

Council Member Swafford moved, seconded by Mayor Pro Tem Jensen, to adopt an ordinance amending the FY2011-12 Operating Budgets. The motion carried unanimously.

Ayes: 8 -
Mayor Charles England; Mayor Pro Tem Ron Jensen; Council Member Richard Fregoe; Council Member Greg Giessner; Council Member Mark Hepworth; Council Member Tony Shotwell; Council Member Jim Swafford and Council Member Bill Thorn

46 Second Public Hearing on the FY 2012/2013 Operating Budgets and adopt an Ordinance adopting the FY 2012/2013 City Operating Budgets

Mayor England opened a public hearing on the FY2012-13 Operating Budgets. There were no citizens who wished to speak.

Council Member Swafford moved, seconded by Council Member Giessner, to close the public hearing and adopt an ordinance approving the FY2012-13 Operating Budgets. The motion carried unanimously.

Ayes: 8 -
Mayor Charles England; Mayor Pro Tem Ron Jensen; Council Member Richard Fregoe; Council Member Greg Giessner; Council Member Mark Hepworth; Council Member Tony Shotwell; Council Member Jim Swafford and Council Member Bill Thorn

47 Second Public Hearing on the FY 2012/2013 Capital Improvement Projects Budget and an Ordinance Adopting the FY 2012/2013 Capital Improvements Projects Budget

Mayor England opened a public hearing on the FY2012-13 Capital Operating Budget. There were no citizens who wished to speak.

Council Member Swafford moved, seconded by Jensen, to close the public hearing and adopt an ordinance approving the FY2012-2013 Capital Improvements Projects Budget. The motion carried unanimously.

Ayes: 8 -
Mayor Charles England; Mayor Pro Tem Ron Jensen; Council Member Richard Fregoe; Council Member Greg Giessner; Council Member Mark Hepworth; Council Member Tony Shotwell; Council Member Jim Swafford and Council Member Bill Thorn

48 Ordinance amending the Code of Ordinance, Chapter 26, "Utilities and Services" relating to fees for water, wastewater and stormwater utilities.

Ron McCuller, Public Works Director, stated this item was to adopt an ordinance for a 4% increase to water, wastewater and stormwater rates.

Council Member Swafford moved, seconded by Council Member Shotwell, to

adopt an ordinance approving increased rates for water, wastewater and stormwater. The motion carried unanimously.

Ayes: 8 -
Mayor Charles England; Mayor Pro Tem Ron Jensen; Council Member Richard Fregoe; Council Member Greg Giessner; Council Member Mark Hepworth; Council Member Tony Shotwell; Council Member Jim Swafford and Council Member Bill Thorn

49 Resolution authorizing the City Manager to negotiate and acquire right-of-way for the FY 2012/2013 Capital Improvement Projects

Council Member Swafford moved, seconded by Council Member Fregoe, to adopt a resolution authorizing the city manager to negotiate and acquire right-of-way for capital improvements projects. The motion carried unanimously.

Ayes: 8 -
Mayor Charles England; Mayor Pro Tem Ron Jensen; Council Member Richard Fregoe; Council Member Greg Giessner; Council Member Mark Hepworth; Council Member Tony Shotwell; Council Member Jim Swafford and Council Member Bill Thorn

50 Resolution Accepting the FY 2013-2017 Capital Improvements Plan

Council Member Swafford stated that the 5-year projected CIP plan was presented to Council and discussed at the budget workshop.

Council Member Swafford moved, seconded by Council Member Fregoe, to accept the 5-Year Projected CIP Plan. The motion carried unanimously.

Ayes: 8 -
Mayor Charles England; Mayor Pro Tem Ron Jensen; Council Member Richard Fregoe; Council Member Greg Giessner; Council Member Mark Hepworth; Council Member Tony Shotwell; Council Member Jim Swafford and Council Member Bill Thorn

51 Ordinance adopting and levying the ad valorem tax for the Fiscal Year 2012/2013 at a rate of $.669998 per $100 of assessed value on all taxable property within the corporate limits of the city on January 1, 2012, not exempt by law; providing revenues for payment of current municipal expenses, and for interest and sinking fund on outstanding City of Grand Prairie bonds; providing for enforcement of collections; providing for a severability clause; and providing an effective date

Council Member Swafford explained how the tax rate is established. He said the city's total valuation was lower than last year, so with the same tax rate, the city had a lower amount to budget. The tax rate was advertised as a proposal to increase total tax revenues. The proposed tax rate will keep the same tax rate but will have a lower valuation to apply it to. State law requires the city in this situation to make a motion that is in conflict with the previous explanation.

Mayor England noted that the city's tax rate has been the same for many years.

Council Member Hepworth asked Mr. Swafford to provide an example how the city's tax rate would affect a typical home. Mr. Swafford said a homestead with a valuation of $103,895 at last year's tax rate would pay $696.09. That same homestead this year would be valued at $101,523. If the city adopted the effective tax rate the

amount of taxes would be $672.26. So, the average home in the city last year paid $696.09 in city taxes, but this year will pay $680.20 -- and the State calls that a tax increase!

Council Member Shotwell pointed out that the valuation on his property did not change, so since the tax rate is not changing, his tax amount would not change.

Council Member Swafford moved, seconded by Mayor Pro Tem Jensen, that the property tax rate be increased by the adoption of a tax rate of .669998, which is effectively a 1.18% increase in the tax rate. The motion carried unanimously.

Ayes: 8 -
Mayor Charles England; Mayor Pro Tem Ron Jensen; Council Member Richard Fregoe; Council Member Greg Giessner; Council Member Mark Hepworth; Council Member Tony Shotwell; Council Member Jim Swafford and Council Member Bill Thorn

52 Ordinance for the 2012 tax roll resulting in a tax levy in the amount of $62,804,427 based on the Certified Appraisal Rolls approved by the Dallas Central, Tarrant and Ellis Central Appraisal Districts.

Council Member Swafford moved, seconded by Council Member Hepworth, to adopt the 2012 tax roll in the amount of $62,804,427 based on the Certified Appraisal Rolls. The motion carried unanimously.

Ayes: 8 -
Mayor Charles England; Mayor Pro Tem Ron Jensen; Council Member Richard Fregoe; Council Member Greg Giessner; Council Member Mark Hepworth; Council Member Tony Shotwell; Council Member Jim Swafford and Council Member Bill Thorn

53 Public Hearing and adoption of the FY 2012/2013 Grand Prairie Crime Control and Prevention District Budget

Mayor England opened a public hearing on the FY2012-13 Budget for the Grand Prairie Crime Control and Prevention District. There were no citizens who wished to speak.

Council Member Swafford moved, seconded by Council Member Fregoe, to adopt the FY2012-13 Grand Prairie Crime Control and Prevention District Budget.

Ayes: 8 -
Mayor Charles England; Mayor Pro Tem Ron Jensen; Council Member Richard Fregoe; Council Member Greg Giessner; Council Member Mark Hepworth; Council Member Tony Shotwell; Council Member Jim Swafford and Council Member Bill Thorn

54 Fairway Bend PID (City Council District 1).
a. Public Hearing - Service Plan - Assessment Roll and Rate;
b. Adoption of the Fairway Bend PID 5-year Service Plan;
c. Ordinance approving the assessment roll and rate;
d. PID Advisory Board Membership

Lisa Muller, 2723 Meadow Lake Drive, completed a card in opposition to Item 55, Parkview PID.

Jon Shook, 2312 Festival Park Lane, stated that he objected to the Parkview PID assessment and how it is assessed between the two parts of the PID (townhomes and single family homes). He said the single family homes contribute a much larger portion and receive a dramatically less benefit. Mr. Shook said he felt the assessment should be tiered so it is more equitable. He said that PIDs are not allowed to maintain private facilities but the PID built a structure over the mail kiosks for the townhomes. Mr. Shook questioned the wording of an easement for fences with regard to maintaining the fences and retaining wall structures. He also questioned dual membership of certain members on both the PID Board and the townhome HOA Board as this may present a conflict of interest. He asked for the city's help to make this a more equitable situation since the townhome members can out vote the single family homeowners.

Gary LaGray, 4508 Westbriar Lane, spoke about the Westchester PID assessment. He said the assessment increase request is too low. He stated that masonry fences are starting to fall apart and the cost of maintenance on the fences is exorbitant. He said uninsured drivers slam through the walls and the PID must pay for replacement. Mr. LaGray said the city needs to figure out how the neighborhoods would be maintained if the PID failed. He said a certain amount of masonry upkeep should be borne by the city and the city should review how much money they are allowing for PIDs not just by how much is being mowed but how much needs to be maintained.

Mark Meyer, 4544 Knights Crossing, stated he was the current president of the Westchester PID. He said the PID is requesting an assessment increase of 2 1/2 cents (from $.085 to $.11 per $100 valuation). He said home values have dropped approximately $45,000. Because of this, maintenance has been decreased. Mr. Meyer said the PID Board had met with all the HOA presidents in the PID and invited residents to public meetings and provided a 37 page presentation of all things that will need to be maintained in the next 7 years. The 2 1/2 cent increase in assessment will mean $3 to $5 per month, per homeowner.

Jennifer Liles, 716 Caspian Way, submitted a card in support of Item 62 (Westchester PID).

Carl Allen, 3511 Daisy Lane, spoke in opposition to the Forum Estates PID,. He said there is a lack of things being done and there is aging infrastructure (fences, walls, sidewalks). He added that access to SH360 or Great Southwest Parkway with the Paragon Mall traffic on weekends is bad. Mr. Allen said we need to look at where PID money is being spent. He said a new floodplain map came out, and his house is now considered to be in the floodplain and he will now have to pay flood insurance. He asked if the city would lower valuation of houses in the floodplain.

Alexandra Lynch, 3514 Daisy Lane, submitted a speaker card in opposition to Item 63 (Forum Estates PID).

Mr. V.J. Rowland, 4214 Sheffield Drive, submitted a card in opposition to Item 66 (Oak Hollow PID).

Bob Richards, 4437 Meadow Drive in Forum Estates, problems with walls, fences and sidewalks. Those that front on the road on Forum. PID needs to be empowered to replaces these walls and fence to maintain the value of the development.

Tom Varacky, 2050 LaSalle Trail, in Lake Parks PID, thanked Premier Communities for their management of the PID. He also thanked the people who spoke from other PIDs. Mr. Varacky discussed the possibility of replacing a wall on Camp Wisdom.

Alisa Muller, 2723 Meadow Lake Drive, Parkview PID, asked how rates are arrived at. Mayor England said the board looks to see what is needed in a PID and they set their budget accordingly with available funds.

Rosemary Reed, Westchester Homeowners Association, said she was in support of the Westchester PID assessment increase.

Council Member Swafford asked how the city contribution to PIDs is figured. Lee Harriss, Special Districts Administrator, said the total budget for mowing right-of-way is divided by the number of total maintained acres in the city. The rate is $1,100 per acre. Mr. Swafford asked if fencing or administration was taken into consideration when figuring the amount the city contributes and Ms. Harriss replied they were not.

Council Member Hepworth asked if the Parkview PID (Item 55) was tabled what would happen to their ability to continue to govern. Ms. Harriss replied that the rate had to be sent to Dallas County for tax bills and it needed to be approved at this time. She added that the budget could be postponed. Ms. Harriss said the PID is having a reserve study done to determine what rate is needed for future repairs.

Council Member Shotwell asked Ms. Harriss to explain how PIDs work. Ms. Harriss said the advisory boards are made up of property owners, but there are still some developer driven PIDs which have developers on boards. The board members prepare a budget and recommend that and the assessment rate and what projects and maintenance should be done. Council Member Shotwell stated that anyone can run for the board and all meetings are open to the public and are posted on the website. Ms. Harriss said annual meetings are announced by letters or signs in neighborhoods.

Council Member Jensen stated that an established PID cannot be divided. He said Council approves the budget and it is difficult to work out inequities when different neighborhoods are involved in the same PID. He suggested that Council Member Mr. Hepworth get involved with the board to work out inequities. Mr. Hepworth said he appreciated Mr. Jensen's advice.

Mayor Pro Tem Jensen moved, seconded by Council Member Thorn, to approve Items 54 through 69, to approve the 5-year service plan, the assessment roll and rate and Advisory Board Membership for the following Public Improvement Districts: Fairway Bend; Parkview; Southwest Village; Walingford Village; Brookfield; Monterrey Park; Whispering Oaks; Country Club; Westchester; Forum Estates; Silverado Springs; Lone Star Meadows; Oak Hollow/Sheffield Village; Lake Parks; Peninsula; and High Hawk. The motion carried unanimously.

55 Parkview PID (City Council District 1)
a. Public Hearing - Service Plan - Assessment Roll and Rate;
b. Adoption of the Parkview PID 5-year Service Plan;
c. Ordinance approving the assessment roll and rate;
d. PID Advisory Board Membership

Adopted

56 Southwest Village PID (City Council District 1).
a. Public Hearing - Service Plan - Assessment Roll and Rate
b. Adoption of the Southwest Village PID 5-year Service Plan;
c. Ordinance approving the assessment roll and rate

d. PID Advisory Board Membership

Adopted

57 Walingford Village PID (City Council District 2)
a. Public Hearing - Service Plan - Assessment Roll and Rate;
b. Adoption of the Walingford Village PID 5-year Service Plan;
c. Ordinance approving the assessment roll and rate;
d. PID Advisory Board Membership

Adopted

58 Brookfield PID (City Council District 2)
a. Public Hearing - Service Plan - Assessment Roll and Rate
b. Adoption of the Brookfield PID 5-year Service Plan;
c. Ordinance approving the assessment roll and rate
d. PID Advisory Board Membership

Adopted

59 Monterrey Park PID (City Council Districts 2 and 5)
a. Public Hearing - Service Plan - Assessment Roll and Rate;
b. Adoption of the Monterrey Park PID 5-year Service Plan;
c. Ordinance approving the assessment roll and rate;
d. PID Advisory Board Membership

Adopted

60 Whispering Oaks PID (City Council District 3)
a. Public Hearing - Service Plan - Assessment Roll and Rate;
b. Adoption of the Whispering Oaks PID 5-year Service Plan;
c. Ordinance approving the assessment roll and rate;
d. PID Advisory Board Membership

Adopted

61 Country Club Park PID (City Council District 3)
a. Public Hearing - Service Plan - Assessment Roll and Rate;
b. Adoption of the Country Club Park PID 5-year Service Plan;
c. Ordinance approving the assessment roll and rate;
d. PID Advisory Board Membership

Adopted

62 Westchester PID (City Council Districts 3 and 6)
a. Public Hearing - Service Plan - Assessment Roll and Rate;
b. Adoption of the Westchester PID 5-year Service Plan;
c. Ordinance approving the assessment roll and rate;
d. PID Advisory Board Membership

Adopted

63 Forum Estates PID (City Council District 4)
a. Public Hearing - Service Plan - Assessment Roll and Rate;
b. Adoption of the Forum Estates PID 5-year Service Plan;
c. Ordinance approving the assessment roll and rate;
d. PID Advisory Board Membership

Adopted

64 Silverado Springs PID (City Council District 4)
a. Public Hearing - Service Plan - Assessment Roll and Rate;
b. Adoption of the Silverado Springs PID 5-year Service Plan;
c. Ordinance approving the assessment roll and rate;
d. PID Advisory Board Membership

Adopted

65 Lone Star Meadows PID (City Council District 4)
a. Public Hearing - Service Plan - Assessment Roll and Rate;
b. Adoption of the Lone Star Meadows PID 5-year Service Plan;
c. Ordinance approving the assessment roll and rate;
d. PID Advisory Board Membership

Adopted

66 Oak Hollow/Sheffield Village PID (City Council District 4)
a. Public Hearing - Service Plan - Assessment Roll and Rate;
b. Adoption of the Oak Hollow/Sheffield Village PID 5-year Service Plan;
c. Ordinance approving the assessment roll and rate;
d. PID Board Membership

Adopted

67 Lake Parks PID (City Council District 6)
a. Public Hearing - Service Plan - Assessment Roll and Rate;
b. Adoption of the Lake Parks PID 5-year Service Plan;
c. Ordinance approving the assessment roll and rate;
d. PID Advisory Board Membership

Adopted

68 Peninsula PID (City Council District 6)
a. Public Hearing - Service Plan - Assessment Roll and Rate;
b. Adoption of the Peninsula PID 5-year Service Plan;
c. Ordinance approving the assessment roll and rate;
d. PID Advisory Board Membership

Adopted

69 High Hawk PID (City Council District 6)

a. Public Hearing - Service Plan - Assessment Roll and Rate;
b. Adoption of the High Hawk PID 5-year Service Plan;
c. Ordinance approving the assessment roll and rate;
d. PID Advisory Board Membership

Adopted

Citizen Comments

Guadalupe Gomez, 4316 Hemingway Drive, asked how to get speed bumps on Fairmont. Mayor England referred Ms. Gomez to Jm Sparks, Transportation Director.

Joseph Buentello, 1906 Montana Trail, stated that he is a member of the neighborhood crime watch in the Trailwood neighborhood. He thanked Council for the job they do. He said the city is repairing sewer lines and then patching the street and the patches sink. Mr. Buentello said many houses are now rent houses and are not being maintained (for example, the house on the corner of Stockton and Matthew). He said he is trying to get the Trailwood Association active again. Mayor England said staff would look into these issues and get back with him.

Adjournment

Mayor England announced that Council Member Bill Thorn was celebrating his 80th birthday and extended best wishes.

Council Member Swafford said he had received a copy of a letter from Karen Yates, the ER Cardiac Coordinator at Methodist Mansfield Hospital who sent it to Joseph Plackett complimenting him on EMS service. The patient was taken to the hospital within one hour after stroke symptoms began. Ms. Yates was extremely complimentary of Mr. Placket.

Mayor England stated that the Rotary golf tournament held in Council Member Swafford's honor had raised over $40,000 for a dental program for children in the Grand Prairie ISD schools. Methodist Mansfield Hospital was a title sponsor. Mr. Swafford said the Rotary Club held a great tournament and thanked them for naming him as this year's honoree.

Council Member Shotwell announced that each Wednesday until Halloween the Uptown Theatre will feature the Vince Vance Comedy Club.

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

The foregoing minutes were approved at the October 16, 2012 meeting.

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Catherine e. DiMaggio, City Secretary