



Minutes - Final  
City Council

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Tuesday, March 5, 2013

4:30 PM

Council Chambers

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Call to Order

Mayor Pro Tem Jackson called the meeting to order at 4:34 p.m.

- Present** 6 -  
Mayor Charles England; Deputy Mayor Pro Tem Ruthe Jackson; Council Member Greg Giessner; Council Member Tony Shotwell; Council Member Jim Swafford and Council Member Bill Thorn
- Absent** 1 -  
Council Member Richard Fregoe

Staff Presentations

- 1                    2012 Comprehensive Annual Financial Report - Presented by Jerry Gaither, Weaver Tidwell Audit Firm
- Greg Brown, Weaver & Tidwell, presented the 2012 Comprehensive Annual Financial Report. He stated that the auditors issued an unqualified opinion with no deficiencies on internal procedures. Council Member Swafford noted that this was the best audit since he has been on the Council Finance and Government Committee. He said the auditors recommended stamping invoices with dates stamps as they are received. City Manager Tom Hart said that the Finance Department staff had done a great job.*
- Presented**
- 2                    Effects of Sequestration on City Departments - Presented by Department Managers
- Mr. Hart asked staff to update Council on the effects of sequestration as it relates to city departments. He said there was no immediate impact, but if nothing changes, there will be. Bill Hills, Housing and Neighborhood Services Director, said that HUD will make 5% cuts across the board, but under the CDBG and HOME budgets there was a 6.2% in previous years so in effect is is really an 11.2% cut. He said the CDBG and HOME budgets will remain the same through this fiscal year but there would be a bigger impact on the administrative side. Mr. Hills said it is fortunate that a \$2 million surplus has resulted from careful budgeting over the past few years.*
- Police Chief Steve Dye said the Police Department has several grants but none were immediately affected. He said there are 11 officers funded by the COPS grant and he did not know the exact effect the sequestration will have on that grant. Chief Dye spoke for Fire Chief Robert Fite who was at the scene of an apartment fire. He said the Fire Department has no current FEMA grants, but there will be a 2% (\$16,000) decrease in Medicaid payments.*
- Anna Doll, Deputy City Manager, said the Airport contract tower is paid by FAA and as a result of the sequestration, a lot of contract towers will not be funded. The City's*

contract is worth \$½ Million annually. Mr. Hart said there may be an alternative to operate the tower with less people. Ms. Doll said the tower is in operation during daylight hours, 7 days a week.

Council Member Shotwell asked Mr. Hills if CDBG funds are granted once a year. Mr. Hills said they are granted once a year. The current year is fiscal year 2013 and program year 2012, so money being expended now is 2012 funding.

### Presented

3

Rock Island Bridge at Bear Creek - Presented by Ron McCuller, Public Works Director, and Brad Tribble, Kimley Horn Engineers

Mayor England entered the meeting at 4:45 pm.

Ron McCuller, Public Works Director, updated Council on the most recent offer from Dallas County Commissioner Elba Garcia with regard to the city annexing Rock Island Road. He said Commissioner Garcia agreed to do an interim fix to the Rock Island bridge and that the city would not annex the road until the interim fix is completed. Mayor England said he agreed with this proposal. Mr. McCuller introduced Brad Tribble, Kimley Horn Engineers, who was present to answer questions. Council Member Swafford asked Mayor England to repeat the county's proposal. Mayor England said the county would keep the road and bridge, make interim repairs to bridge, then the city would annex the road, but the county would keep the bridge. He added that once the final fix is done to the bridge, the city would annex the bridge.

Council Member Shotwell asked what constituted an interim fix and how long would that fix last. Mr. Tribble said that question could not be answered. He said the county would try to stabilize the slope and put a structural beam across the columns to stabilize them. As the columns become more exposed because of erosion they could move. With high velocities of water, soil evacuates quickly. The columns could get washed out in a strong storm. Mr. Tribble advised that the bridge would need to be monitored after any significant rain event.

Council Member Shotwell asked if the Flood Control District shared responsibility for the bridge. Mr. McCuller said he had spoken with their engineer, their attorney and the interim director, and they are not willing to participate. Mr. Shotwell said the District directed extra water into that creek, so legally it seemed that they should participate. He said Mr. Hart should look at the Flood Control District to see what their responsibility might be. Mr. Shotwell asked if there was any progress on the east end at the city limits past the bridge. Mr. McCuller said there is a group working on the city limit adjustments, but the City of Irving does not seem inclined to give up those city limits. Mr. Hart asked John Mears, Dallas County Assistant Public Works Director, to report back to the Commissioner that the city appreciates the Commission's willingness to compromise and he would place this on the next agenda.

Council Member Shotwell said he agreed with the compromise but was concerned that it may be thirty years before the County has to spend any money to make a permanent fix or it could be much sooner and the city has no guarantee that the County will fix it. If the engineers say the bridge needs to be closed, the city has a road on each side of the closed bridge and no guarantee from the County that they will fix it. Mr. McCuller said the County has agreed to the interim fix right now to stabilize the bridge within the next twelve months, but as Mr. Tribble indicated, it needs to be monitored. Mr. Mears said the Commissioner is committed to fix the bridge in the next five years with mitigation of the bridge in the next year. Council

*Member Shotwell clarified with Mr. Mears that the County Commission would place the permanent fix to the bridge on a capital projects plan. Mr. Mears said he thought the County would expect cooperation from the city or cities to participate in a CIP project if the bridge needs to be replaced. Mayor England said the Commissioner agreed to do the interim repairs in the next twelve months. The funds are not budgeted to build a new bridge but they have committed to find the funds to do the intermediate fix. Council Member Shotwell commented that the County Line Road bridge was closed for many years and that could very well be a possibility in this case. Council Member Giessner asked if the agreement could contain the stipulation that the County would keep the bridge and road open until they have the funds to replace the bridge.*

**Presented**

- 4** Parks and Recreation End of Year Report - Presented by Rick Herold, Parks and Recreation Director

*Rick Herold, Parks and Recreation Director, distributed the 2012 Parks, Arts and Recreation Year-End Report. He said the department was able to accomplish so much throughout the year because of the great support they received from the City Council and citizens. He said he was excited about the opening of the Dalworth Recreation Center project this year. He thanked the Marketing staff for their assistance with the report.*

**Presented**

- 5** Prairie Lights Overview for 2012 - Presented by Beverly Grogan

*Ms. Beverly Grogan said that Prairie Lights was very well attended this year due to beautiful weather, great media coverage, and unique marketing. She said social media played a big part in the increase in attendance this year including the use of Groupon, Facebook, Twitter and Instagram. Ms. Grogan said that they had marketed to known groups during slow times. Over 168,000 people attended which was a record-breaking number. She said 276 communities were represented, as well as 11 countries and 21 states. Prairie Lights also received unprecedented TV coverage including live broadcasts on FOX; ABC Good Morning Texas; NBC; and Channel 33. Ms. Grogan said in addition to TV coverage, Prairie Lights also received great print coverage including the Dallas Morning News Guide and GO! and the Metro Section of Fort Worth Star Telegram. She said that every area was up in revenue and they exceeded \$1 million in gross revenue. The City of Round Rock showed last year's Prairie Lights display and Grand Prairie received a portion of the revenue.*

**Presented**

## Agenda Review

*Mr. Hart noted that Item 25 on the agenda was a vote to reconsider the Bowles Group contract which was approved at the February 19, 2013 meeting. If the vote to reconsider passes, then Council would consider Item 26 to vote again on the contract. Mayor England said he had some discussions with staff on this contract and hoped that Council would agree to reconsider this item.*

*Council Member Shotwell asked how the "amount not to exceed" worked in Agenda Item 15 (Gas Well Inspector). City Attorney Don Postell said the inspector is paid per inspection and the gas well drillers pay for these inspections. Cindy Mendez, Environmental Services, said they paid Mr. Hulsey about \$180,000, but in any given year this amount could go up or down based on activity.*

### Executive Session

*Mayor England convened an executive session at 5:30 p.m. pursuant to Chapter 551, Subchapter D of the Government Code, V.T.C.A., Section 551.087 "Deliberations Regarding Economic Development Negotiations." The executive session was adjourned at 5:55 p.m.*

### Recess Meeting

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

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### 6:30 PM Council Chambers

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**Mayor England reconvened the meeting at 6:42 p.m.**

**Pastor Carl Allen, Fairview Baptist Church, gave the invocation. The Pledge of Allegiance to US Flag and to the Texas Flag was led by Council Member Greg Giessner**

### Presentations

- 6** Employee of the Month - Chris Ginapp, Parks and Recreation
- Rick Herold, Parks and Recreation Director, introduced Chris Ginapp, Employee of the Month for March. Mr. Hart thanked Mr. Ginapp for his dedication to the city and presented him with an engraved clock and certificate.*
- Presented**
- 7** DeMolay Month Proclamation - Presented by Council Member Tony Shotwell
- Council Member Shotwell read a proclamation for DeMolay Month and Mayor England, Council Members Swafford, Giessner and Shotwell presented the proclamation to the DeMolay youth in attendance.*
- Presented**
- 8** Recognition of Officer Greg Parker, recipient of the Texas Municipal Police Award - Presented by Steve Dye, Police Chief
- Police Chief Steve Dye recognized Officer Greg Parker, the recipient of the Texas Municipal Police Award for the most DWI arrests in the State.*
- Presented**

## Consent Agenda

**Deputy Mayor Pro Tem Ruthe Jackson moved, seconded by Council Member Swafford, to approve Items 9 through 24 on the Consent Agenda. The motion passed unanimously.**

- 9** Minutes of the February 5, 2013 and the February 19, 2013 Meetings
- Approved on the Consent Agenda**
- 10** Renewal #2 for a Price Agreement for Street Sweeping Services, with Flagship Sweeping Services, Inc., at an estimated annual cost of \$40,323 for a total of \$201,615 if all renewal options are exercised. 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**
- 11** Renewal #1 for a Price Agreement for Portable Toilet Rental, with United Site Services of Texas, Inc., at an estimated annual cost of \$23,925 for a total of \$119,625 if all renewal options are exercised. 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** Renewal #2 for a Price Agreement for Concrete Saw Blades, with National Diamond Enterprises, at an estimated annual cost of \$23,583 for a total of \$117,915 if all renewal options are exercised. 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**
- 13** Contract with Metheny Commercial Lawn Maintenance, Inc. for landscape maintenance (\$378,816) in Peninsula PID (Council District 6)
- Approved on the Consent Agenda**
- 14** Price Agreement for printing services for specific items from AC Printing \$4,760, Alphagraphics \$18,261, Bankers Products \$3,000, Logan Graphics \$14,556 and Mastercraft Products \$6,344 for an annual total of \$46,921. These agreements will be for one year with the option to renew for ----four

additional one year periods totaling \$234,605 if all extensions are exercised. 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**

- 15** Contract with Larry O. Hulse & Co. for engineering services as the City's Gas Well Inspector for a one year period renewable for four years in an amount not to exceed \$325,000 in the first year and \$400,000 per year in years two through five.

**Approved on the Consent Agenda**

- 16** Change Order/Amendment No. 5 with Barson Utilities for FY 2011/12 Wastewater Replacements in the net amount of \$9,840

**Approved on the Consent Agenda**

- 17** Engineering contract for construction administration of FY13 CWSRF Wastewater Replacements with Espey Consultants, Inc., dba as RPS Espey, in the amount of \$50,250, a 5% internal labor distribution cost of \$2,512, plus a 5% contingency of \$2,512, for a total of \$55,274

**Approved on the Consent Agenda**

- 18** Accept the City's Comprehensive Annual Financial Report for Fiscal Year Ending September 30, 2012

**Approved on the Consent Agenda**

- 19** Engineering consultant services contract with Halff Associates in the maximum amount of \$530,800 for the Fish Creek Watershed Internal Storm Drain Master Plan Detail Study (General Trunk Main)

**Approved on the Consent Agenda**

- 20** Change Order No. 4 in the net amount of \$162,196.08 with McMahon Contracting LP for Lake Ridge Widening Project

**Approved on Consent Agenda**

- 21** Price Agreement for sidewalk repairs per the Davis-Bacon Act from Admiral Construction (\$870,150 annually), and secondary to New Star Grading. This agreement will be for one year with the option to renew for four additional one-year periods totaling \$4,350,750 if all extensions are exercised. 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**

- 22** Final reading of an ordinance approving renewal of the Franchise for Solid Waste Collection Services with Republic Waste Services of Texas Ltd., doing business as Grand Prairie Disposal

**Approve on First Reading**

- 23** Ordinance authorizing the abandonment of an unneeded portion of a 15-foot utility easement at 2709 North Forum Drive.

**Adopted**

Enactment No: ORD 9494-2013

- 24** Ordinance amending the FY 2012/2013 Capital Improvements Projects Budget for the production and management of a diverse native plant community for the wetlands project at the Grand Prairie Landfill by the University of North Texas Institute of Applied Sciences at a cost of \$74,000

**Adopted**

Enactment No: ORD 9495-2013

### **Items for Individual Consideration**

- 25** Reconsideration of a price agreement for the lease of full-time and part-time employees for the City Of Grand Prairie Parks, Arts, & Recreation Department from The Bowles Group dba Workforce. This agreement is based on a leasing rate of 21.85% per each dollar of gross earnings from leased employees; annually this agreement is estimated to be \$1,462,200 to include the leased employee wages and 21.85% lease rate. This agreement will be for two years with the option to renew for -two additional one-year contracts by mutual written consent; and authorize the City Manager to execute the renewal options with aggregate price fluctuations of up to 25% of the original price so long as sufficient funding is appropriated by the City Council to satisfy the City's obligation during the renewal terms. (This item was approved at the February 19, 2013 Council Meeting.)

**Council Member Swafford moved, seconded by Deputy Mayor Pro Tem Jackson to reconsider a price agreement for the lease of full-time and part-time employees from the Bowles Group dba Workforce. The motion carried unanimously.**

**Ayes:** 6 -

Mayor Charles England; Deputy Mayor Pro Tem Ruthe Jackson; Council Member Greg Giessner; Council Member Tony Shotwell; Council Member Jim Swafford and Council Member Bill Thorn

- 26** Reconsideration of a price agreement for the lease of full-time and part-time

employees for the City Of Grand Prairie Parks, Arts, & Recreation Department from The Bowles Group dba Workforce. This agreement is based on a leasing rate of 21.85% per each dollar of gross earnings from leased employees; annually this agreement is estimated to be \$1,462,200 to include the leased employee wages and 21.85% lease rate. This agreement will be for two years with the option to renew for -two additional one-year contracts by mutual written consent; and authorize the City Manager to execute the renewal options with aggregate price fluctuations of up to 25% of the original price so long as sufficient funding is appropriated by the City Council to satisfy the City's obligation during the renewal terms (this item was tabled at the March 5, 2013 meeting)

**Council Member Swafford said that staff had requested time to provide Council with an analysis of this item, and therefore moved to table this item. Deputy Mayor Pro Tem Jackson seconded the motion. The motion carried unanimously.**

**Ayes:** 6 -

Mayor Charles England; Deputy Mayor Pro Tem Ruthe Jackson; Council Member Greg Giessner; Council Member Tony Shotwell; Council Member Jim Swafford and Council Member Bill Thorn

**27**

**Public Hearing and Ordinance - Street Name Change Case Number SNC130302:** Lynn Creek Parkway (City Council District 6) - Approval of a Street Name Change for the purpose of changing Lynn Creek Parkway to Lynn Creek/Mildred Walker Parkway. The public street is generally located east of State Highway 360 and west of Lakeridge Parkway.

*Bill Crolley, Planning Director, stated that this proposed street name change would change Lynn Creek Parkway to Lynn Creek/Mildred Walker Parkway. He said this was a city-initiated request to honor the years of service that Ms. Walker has made to Grand Prairie. He said there were no business or residential addresses on this street and that there have been precedents for have two names on a street (SH360/Angus Winn Parkway; I-30 (Tom Landry Hwy); I-20 (Ronald Reagan). Mayor England said Ms. Walker came to Grand Prairie in 1946 and opened a minnow shop and grew it into the marina and Oasis Restaurant. Mayor England noted several civic organizations and awards which Ms. Walker had received. He asked for Council support of this street name change.*

*The following citizens submitted speaker cards in support of this item: Lee King, 2761 Fairway Park; Jerry King, 2761 Fairway Park; Pat Capps; Bobby Donaldson, 2309 Tiago; Fred Knox, 2314 Little John; Myrle Knox, 2314 Little John Drive; Linda McNeff, 3626 Green Hollow Drive; and Loni Haran, 1018 Kaylie Street.*

**Deputy Mayor Pro Tem Jackson moved, seconded by Council Member Shotwell, to approve Street Name Change SNC130202. The motion carried unanimously.**

**Ayes:** 6 -

Mayor Charles England; Deputy Mayor Pro Tem Ruthe Jackson; Council Member Greg Giessner; Council Member Tony Shotwell; Council Member Jim Swafford and Council Member Bill Thorn

Enactment No: ORD 9496-2013

### **Citizen Comments**

*There were no citizen comments.*

### **Adjournment**

*Council Member Jim Swafford announced that the South Grand Prairie High School Basketball Team would be going to the State Finals. The team has a 34-3 record. He said he would like to have Coach Bennett and the team at a future Council meeting for recognition.*

*Council Member Shotwell said that long-time supporter of the Grand Prairie Library System, Joan Longorio Claybourn passed away recently. She was a founding member of the Grand Prairie Library Foundation.*

**Mayor England adjourned the meeting at 7:14 p.m.**

*The foregoing minutes were approved at the March 19, 2013 Meeting.*

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*Catherine E. DiMaggio, City Secretary*