



Minutes - Final
City Council

Tuesday, June 18, 2013

4:30 PM

City Hall
317 College Street

Call to Order

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

Present 6 -

Mayor Ron Jensen; Deputy Mayor Pro Tem Ruthe Jackson; Mayor Pro Tem Greg Giessner; Council Member Jorja Clemson; Council Member Jim Swafford and Council Member Bill Thorn

Absent 2 -

Council Member Richard Fregoe and Council Member Tony Shotwell

Staff Presentations

1 Update on Legislative Session - Presented by Focused Advocacy

Brandon Aghamalian, Focused Advocacy, provided an end of session briefing to Council on the 83rd session of the Texas Legislature. He stated that 6,061 bills had been introduced, with 1,700 of those being city-related. Mr. Aghamalian said that 220 city-related bills were passed. With regard to the State budget, he said that \$3.9 billion had been spent from the Rainy Day Fund for water and to undo the deferral of August 2013 state aid to schools. In November, voters will be asked to approve the establishment of a special revolving fund to be used to fund water infrastructure projects. \$15.5 million was allocated to the local parks grant program which will restore funds cut in 2011-12. Mr. Aghamalian reviewed Sunset Bills and noted that the Texas Education Agency and Railroad Commission did not pass. Snapper Carr, Focused Advocacy, reviewed legislation specific to Grand Prairie including HB 1222 (Municipal Court venue for water safety violations) which passed; TMRS definition of a part-time employee (HB 626) was defeated; Groundwater District Exemption (HB 2169) was left pending in committee but is still in place until the next legislative session; designation of Grand Prairie as the Purple Martin Conservation Capitol was passed; HB 618 (TMRS COLA) was left pending in committee, as was the gaming bill (SJR 64) and Mr. Carr stated that the reality of getting gaming to a public vote is a long way off.

Mayor Pro Tem Giessner stated he had been in Austin recently and spoke with Sen. Carona who indicated that perhaps in the special session on school finance the legislature may re-introduce the gaming bill. Mr. Aghamalian said the plan has always been that gaming would be considered when the legislature looks at funding for schools where gaming could be seen as a revenue stream.

Presented

2 Fight the Bite Commercial - Presented by Amy Sprinkles, Marketing and Communications Director

Amy Sprinkles, Marketing Director, showed a Fight the Bite Campaign commercial which was produced to educate citizens about measures that can be taken to prevent West Nile Virus. Ms. Sprinkles said the commercial was produced in both English and Spanish and is currently playing on Time Warner Channels.

Presented

3 Briefing on Downtown and Gateway Initiative - Presented by Rick Herold, Parks and Recreation Director

Duane Strawn, Parks Maintenance Manager, stated that he and his crew have identified the gateways to the city where they want to make a great first impression for the city. These gateways will receive special attention with color in flower beds and increased maintenance.

Council Member Thorn stated that funds had been budgeted for several years for the entryway at I-20 off of FM1382 but it has not been done. Mr. Strawn said that this intersection has been identified in the CIP budget.

Parrish Lowery, Parks Maintenance Supervisor, introduced members of the "First Impressions Crew": Crew Leader Jesus Coronado; Jose Alvarado, Maintenance Worker; and Juan Luna, Seasonal Employee.

Deputy Mayor Pro Tem Jackson said she was concerned about the newly planted landscaping in the heat of July and August. Mr. Strawn said the landscaping will be watered as much as they are allowed to do within the drought contingency plan and most beds are drip irrigated so they do not fall under the first part of the contingency plan. He added that most plants being planted in the gateways are drought tolerant.

Tom Hart, City Manager, said that staff will also look at improvements to the Dalworth intersection as traffic coming from the north from SH161 will turn at Dalworth.

Presented

Agenda Review

Mayor Jensen introduced Jeff Wooldridge, who was recently elected to the office of Council Member, District 6, in the June 15, 2013 Runoff Election. Mayor Jensen also congratulated Gary Walters and Bill Hills, Housing and Neighborhood Services, for the great job their department did with the open house at the Zero Energy home on Saturday, June 15.

Lisa Norris, Human Resources Director, explained the Compass Professional Health Services contract (Item 6) which is a new service to begin on August 1 to help employees understand the cost of medical services and give them the option to check on another provider or location by using Compass Health Services. Council Member Swafford stated this program was reviewed by the Finance and Government Committee two weeks ago and recommend it to Council. He said the city will need a 3 to 1 return on investment and the city of Mesquite's return was 10 to 1.

Diana Ortiz, Chief Financial Officer, stated that bids came in last week on the Water Wastewater System Revenue Bonds. She explained that Item 16 was a loan forgiveness agreement with the Texas Water Development Board which provides a

very low lending rate and for a percentage of loan forgiveness.

Bill Hills, Housing and Neighborhood Services Director, stated that the city received an increase of \$83,000 in CDBG funds because of population change; and an increase of \$20,000 in HOME funds. Public Service Activities received a 6.3% increase across the board for the same groups as in the past. The Housing and Community Improvement Commission rated the various charities requesting funding: Grand Prairie United Charities, Brighter Tomorrows, Children First; and Lifeline Shelter each received \$37,523. The after school and summer day camps received \$15,000; and the Star Group received \$6,612. Council Member Swafford asked if the Star Group was a new public service activity. Mr. Hills replied that it was a re-entry program that is coordinated by Andy White, Assistant to the City Manager. Mr. Hills said that Mayor Jensen, Mayor Pro Tem Giessner and Deputy Mayor Pro Tem Jackson all attended the ribboncutting for the Zero Energy Home at 713 College Street. He said the home has received Energy Star Certification and will be pushing energy back into the grid.

Mr. Hart referred to Item 22 on the agenda (Zoning Case Z130601) to build a single family residence where a mobile home had previously been situated. He said this issue needs to be reviewed by the Council Development Committee because in many cases where mobile homes are situated there are small private water systems and roads that have not been improved and city services cannot get access.

Executive Session

There was no executive session.

Recess Meeting

Mayor Jensen recessed the meeting at 5:52 p.m.

6:30 PM Council Chambers

Rev. Edward Miller gave the invocation and the Pledge of Allegiance to the US Flag and to the Texas Flag was led by Deputy Mayor Pro Tem Ruthe Jackson.

Presentations

- 4** Employee of the Month - John Lusk, Senior IT Analyst, Information Technology Department

Bob O'Neal, IT Director, introduced John Lusk, Senior IT Analyst, as Employee of the Month for June. City Manager Tom Hart thanked Mr. Lusk for his dedication to the city and presented him with an engraved clock and certificate.

Presented

Consent Agenda

Deputy Mayor Pro Tem Jackson moved, seconded by Council Member Swafford, to approve Items 5 through 17 on the Consent Agenda. The motion carried unanimously.

- 5** Minutes of the June 4, 2013 Council Meeting

Approved on the Consent Agenda

- 6** Contract with Life Account LLC dba Compass Professional Health Services for \$9.75 per plan participant per month beginning August 1, 2013 for a not to exceed amount of \$133,000 to help identify high quality providers and offer price transparency and concierge services to covered employees and family members on the city's health plan to reduce claims costs, through a Master Inter-local Agreement with the City of Frisco and will be for three years with the option to renew for three additional one year periods; and authorize the City Manager to execute the renewal options with aggregate price fluctuations of the lesser of up to \$50,000 as annualized or 25% of the original per plan participant 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 renewal #1 with price redetermination, for EZ-IO Infusion System, with Vidacare, at an estimated annual cost of \$20,000 for a total of \$60,000 if all renewal options are exercised 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

- 8** Price agreement for temporary fencing from Construction Rent-a-Fence (\$45,000 annually) for one year with the option to renew for four additional one year periods totaling \$225,000 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

- 9** Interlocal Agreement with Irving for Water and Wastewater Services for certain properties on the south side of Hunter Ferrell Road and on the west side of Beltline Road

Approved on the Consent Agenda

- 10 Purchase of 15 handheld ticket writers from Tyler Technologies in the amount of \$59,730
Approved on the Consent Agenda
- 11 Ordinance amending the FY 12/13 Capital Improvement Project Budget for an engineering contract for the preliminary design of Day Miar Road/Ragland Road Water Line with Freese and Nichols, Inc. in the amount of \$90,310 with 5% contingency of \$4,515, for a total request of \$94,825
Adopted
Enactment No: ORD 9540-2013
- 12 Ordinance amending the Unobligated Balance of the Waterwater Capital Projects Fund by appropriating \$300,000 for road repairs due to utility repairs and new installations
Adopted
Enactment No: ORD 9541-2013
- 13 Ordinance authorizing the issuance of Water Wastewater System Revenue Bonds, Series 2013A
Adopted
Enactment No: ORD 9542-2013
- 14 Ordinance amending the FY 2012/2013 Capital Improvements Projects Budget in the amount of \$45,950 for the purchase of 10 litter fences for the landfill from Metta Technologies, Inc., Toledo, Ohio.
Adopted
Enactment No: ORD 9543-2013
- 15 Resolution appointing Councilmember Jorja Clemson to the Boards of Directors for three Tax Increment Financing (TIF) Zones.
Adopted
Enactment No: RES 4627-2013
- 16 Resolution approving and authorizing the execution of a Loan Forgiveness Agreement between the Texas Water Development Board and the City of Grand Prairie, Texas
Adopted
Enactment No: RES 4628-2013
- 17 Resolution in support of a Justice Assistance Grant (JAG) application for

\$43,406.00 in total funding with an agreement for \$13,021.80 to be allocated to funding Dallas County projects and \$2,126.89 to be allocated to the City of Dallas for fiscal administration fees and expenditures leaving a net amount of \$28,257.31 to the City of Grand Prairie

Adopted

Enactment No: RES 4629-2013

Public Hearing on Zoning Applications

18

S130503/Z130501 - Site Plan/Zoning Change - Greenhouse (City Council District 1). Consideration of a request for the approval of a Zoning Change to amend the Planned Development to allow for a drug and alcohol treatment facility and a Site Plan for a drug and alcohol treatment facility on 5.615 acres. The subject property is zoned Planned Development 329 (PD-329) District and is located south of Avenue J East and west of 107th Street. The property is located within the Highway 360 Overlay District. The agent is John Wheeler and the owner/applicant is Michael Cartwright, Green House Real Estate. (On June 3, 2013, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0.)

Mr. Hinderaker reviewed Case S130503/Z130501 for a drug and alcohol treatment facility. He said this request was for an expansion of the Green House Spa and they are proposing 60 additional beds. The original Planned Development did not show drug rehabilitation. The planned expansion will be 34,602 square feet in addition to the existing 56,000 square feet. The new addition will mirror the existing facility that is a masonry structure.

Michael Cartwright, 1071 107th Street, stated he was the owner and was present to answer questions.

Mike Stetar, 1171 107th Street, stated he was present in support of this case.

Margo Johnson, Hannibal, Massachusetts, stated she was a client at Greenhouse and has been there for the past few months. She said that any expansion of this facility would be a benefit to staff and clientele.

David Lee, 1171 107th Street, said he was in support of this case and would speak if needed.

Archelans Johnson, Greenhouse, said he had been at Greenhouse for three years. He said he learned coping skills and felt the expansion would be a benefit for clientele.

Mr. Postell read into the record those who submitted cards in support of this case but who did not wish to speak: William Diesen, Greenhouse; Stephanie Masters, Greenhouse; Jeremy Levernoch, 849 Washington Road, Hin State, MA; Lincoln Davis, 1171 107th Street; Jose Orozco, 1171 107th Street; Robert Escalon, 1171 107th Street; Patricia Sylve, 2309 Holly Drive, Euless, TX; Reed Shandoff, 1171 107th Street; Marcelo Cortes, 1171 107th Street; Melissa Wong, 1171 107th Street; John Wheeler, 6455 Stichter Avenue, Dallas, TX.

Council Member Clemson moved, seconded by Deputy Mayor Pro Tem

Jackson, to close the public hearing and approve Case S130503/Z130501 as recommended by the Planning and Zoning Commission. The motion carried unanimously.

Ayes: 6 -

Mayor Ron Jensen; Deputy Mayor Pro Tem Ruthe Jackson; Mayor Pro Tem Greg Giessner; Council Member Jorja Clemson; Council Member Jim Swafford and Council Member Bill Thorn

Enactment No: ORD 9544-2013

19

SU130601/S130601 - Specific Use Permit/Site Plan - 3020 Camp Wisdom Road- Bank of America Lake Prairie (City Council District 6). Consideration of a request for a Specific Use Permit and Site Plan approval for a bank with drive-through on 1.377 acres. The subject property is zoned Planned Development 114A (PD-114A) District and is located north of W. Camp Wisdom Road and east of S. Highway 360. The property is located within the State Highway-360 (SH-360) Overlay District. The applicant/agent is Kelly Gomez, KRG Civil Engineers Inc. and the owner is John Sell. (On June 3, 2013, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0.)

Mr. Hinderaker reviewed case SU130601/S130601 for a bank with a drive-through in the SH 360 overlay district. He said the site plan is for 1.38 acres and the applicant has met the required landscaping and parking requirements and the plan also meets the material standards of the overlay district. The applicant asked for an appeal for primary facades requiring 50% glass along the elevation on buildings less than 10,000 sq. ft. (east elevation view from Magna Carta).

Rob Baldwin, 3904 Elm #13, Dallas, and Kelly Gomez, 1700 Redbud, Suite 325, McKinney, TX, submitted a speaker card in support of this item.

Mayor Pro Tem Giessner moved, seconded by Council Member Thorn, to close the public hearing and approve Case SU130601/S130601. The motion carried unanimously.

Ayes: 6 -

Mayor Ron Jensen; Deputy Mayor Pro Tem Ruthe Jackson; Mayor Pro Tem Greg Giessner; Council Member Jorja Clemson; Council Member Jim Swafford and Council Member Bill Thorn

Enactment No: ORD 9545-2013

20

SU130602/S130602 - Specific Use Permit/Site Plan - 950 W. Pioneer Parkway- SpeedClean Car Wash (City Council District 2). Consideration of a request for a Specific Use Permit and Site Plan approval for a new car wash operation on 1.51 acres. This site is currently zoned General Retail (GR) District and is generally located north of Pioneer Parkway and west of S. Carrier Parkway. The property is located within the State Highway-161 (SH-161) Overlay District. The owner/applicant is Peter Adossi, SpeedClean Car Wash GP LLC. (On June 3, 2013, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0.)

Mr. Hinderaker reviewed Case SU130602/S130602 for a SpeedClean Car Wash on a 1.5 acre parcel. He said the surrounding uses are GR Retail and on the south the

Berkshire Park residential is 540' from this parcel. Mr. Hinderaker said the applicant exceeded parking requirements and has met all building elevation requirements. The applicant has asked to keep the existing pole sign but the overlay district does not allow pole signs nor does it allow digital signs.

Council Member Swafford pointed out on the site plan that the city had put in storm water drainage inlets and asked if this would affect those. Mr. Hinderaker stated it would not. Mr. Swafford said that this is the only area between the Yes Buffet and the shopping center on the east that does not have a sidewalk. He asked if the owner would be amendable to putting in a sidewalk. Mr. Hinderaker said there had been no discussion at the Planning and Zoning meeting or at the staff Development Review Committee about a sidewalk. Mr. Swafford said to the north the contractor got permission when working on Freetown to use this property for access to Pioneer Parkway near the Advantage Academy. He said the gate is still there and he asked what will happen to that gate. Bill Crolley, Planning Director, said they had not talked about the gate but the easement during construction was temporary until the school construction was complete. He said he would talk to the school and the owner to see if there would be any use for the gate. Council Member Swafford said he understood the city would put it back to the original state and asked if the city would then be obligated. Mr. Crolley said he did not know if there were discussions with the contractor and that he would investigate. Mr. Swafford asked if it was staff's recommendation to remove the pole sign. Mr. Hinderaker said staff recommended removal of the sign and a monument sign would take its place. Mr. Swafford asked what would be done with the floodlights at the southwest corner and northwest corner. Mr. Hinderaker said they were not shown on the site plan so they will be taken out.

David Awe, 902 W. Pioneer, stated that signage is a critical item for the project. He said when they looked at this property they assumed they would have signage as it is (existing pole sign). He said the pole sign had been there for 20 years and is a critical part of this \$2.5 million project. He said this project will change the entire look of the area and asked that Council approve the case and allow them to keep the existing pole sign.

Council Member Swafford asked if they would include the installation of a sidewalk. Mr. Awe said he would include the sidewalk. Mr. Swafford said he was not a proponent of the sign because it did not fit the sign ordinance and is in the SH161 Overlay District and is out of compliance. He said he liked the project and the landscaping is outstanding and it will dress up this site but he could not support the pole sign. Mr. Awe stated he did not think the project would be possible without the pole sign.

Council Member Swafford moved, seconded by Council Member Thorn, to close the public hearing and approve Case SU130602/S130602 as recommended by the Planning and Zoning Commission with the stipulation that the existing pole sign be removed, and a sidewalk added on the property next to Pioneer Parkway. The motion carried unanimously.

Ayes: 6 -

Mayor Ron Jensen; Deputy Mayor Pro Tem Ruthe Jackson; Mayor Pro Tem Greg Giessner; Council Member Jorja Clemson; Council Member Jim Swafford and Council Member Bill Thorn

Enactment No: ORD 9546-2013

Specific Use Permit for a church with childcare center on 4.174 acres. The subject property is currently zoned Agriculture (A) District and is generally located north of W. Bardin Road and east of Matthew Road. The agent is Jill Jackson, The Woods United Methodist and the applicant is Jane A Lamb, The Woods United Methodist. (On June 3, 2013, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0.)

Mr. Hinderaker reviewed Case SU130603 for a childcare center at Woods United Methodist Church. He said there will be no changes to the church facility. The child care center will accommodate 100 children and there will be no food preparation. Mayor Jensen said his children attended the Mother's Day Out program at this church and they are a good neighbor.

Michael Tollefson, 5007 Bama Drive, Arlington, stated he was present to answer questions. Rev. Jill Jackson Sears, 1350 W. Bardin Road, submitted a speaker card in support of this case.

Mayor Pro Tem Giessner moved, seconded by Council Member Swafford, to close the public hearing and approve Case SU130603. The motion carried unanimously.

Ayes: 6 -

Mayor Ron Jensen; Deputy Mayor Pro Tem Ruthe Jackson; Mayor Pro Tem Greg Giessner; Council Member Jorja Clemson; Council Member Jim Swafford and Council Member Bill Thorn

Enactment No: ORD 9547-2013

22

Z130601 - Zoning Change - 1714 Ranch Road (City Council District 6). Consider a request for approval of a Zoning Change from Agriculture (A) District to Single Family-Five (SF-5) District for the construction of a Single Family Detached Residence. The subject property is currently zoned Agriculture (A) District, and is located south of Camp Wisdom Road and east of Matthew Road. The owner/applicant is Eddie and Mirta Parra. (On June 3, 2013, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0.)

Mr. Hinderaker reviewed Case Z130601 and stated that the mobile home park is a non-conforming use, therefore, if a mobile home is removed it cannot be replaced with a mobile home. He said the owner applicant is asking to build a single family detached residence. There is an existing septic system. The proposed home would be 1600 square feet. Staff's concern is that there is a lack of services (water, road in poor condition, septic). The Council Development Committee will discuss this issue for future consideration by the Council.

Mirta Parra, 1919 W. Freeway, Apt. #7, was present to answer questions if needed.

Council Member Swafford asked Mr. Hart if the area was trending toward upgraded development and would it be possible to create a special TIF district in that area to help pay development costs. Mr. Hart said this might be the right thought but might be a redevelopment PID. He said staff would bring some options for financing mechanisms. Mr. Swafford said a neighboring city did a special PID district for that development.

Council Member Swafford moved, seconded by Mayor Pro Tem Giessner, to close the public hearing and approve Case Z130601. The motion carried

unanimously.

Ayes: 6 -

Mayor Ron Jensen; Deputy Mayor Pro Tem Ruthe Jackson; Mayor Pro Tem Greg Giessner; Council Member Jorja Clemson; Council Member Jim Swafford and Council Member Bill Thorn

Enactment No: ORD 9548-2013

Items for Individual Consideration

23

Public hearing and ordinance adopting the PY 2013 CDBG and HOME Program budgets.

Bill Hills, Housing and Neighborhood Services Director, stated that CDBG received and increase of \$83,950 this year as a result of HUD changing how they make their allocations based on population growth. He said Program Administration is capped at 20% (\$270,769). Rehab, Code and Housing is budgeted at 755,001 allocation with \$75,000 for code inspections and for direct delivery inspection services. The third area is the Public Service Activities and the Housing and Community Improvement Commission recommended an increase for Grand Prairie United Charities; Brighter Tomorrows; Children First; and Lifeline Shelter; and a small increase for Grand Prairie Wellness Center, Star and for city daycamps. Also, \$125,000 for sidewalk repairs and installation in CDBG areas and around schools. The HOME Program is funded at \$391,596 for the reconstruct program. Mr. Hills said the Zero Energy home which was recently completed is a relocation home for those having their home reconstructed. Grand Prairie CHDO will receive \$91,596 and the Bear Creek CHDO will not be funded.

Council Member Swafford said that with regard to the HOME program, that is budgeted at about the same as last year and Habitat has gone to \$0 and those funds have been reallocated to Grand Prairie CHDO.

Debra Blubaugh, 1417 Densman Street, on behalf of Grand Prairie United Charities and the citizen they serve, thanked Council for their support. Ms. Blubaugh said GPUC served 20,000 residents with 26,000 services last year.

Kendra Roper, GPUC, 1417 Densman Street, thanked the city for their continued support of GPUC.

Council Member Swafford moved, seconded by Mayor Pro Tem Giessner, to close the public hearing and approve the PY 2013 CDBG and HOME Program budgets. The motion carried unanimously.

Ayes: 6 -

Mayor Ron Jensen; Deputy Mayor Pro Tem Ruthe Jackson; Mayor Pro Tem Greg Giessner; Council Member Jorja Clemson; Council Member Jim Swafford and Council Member Bill Thorn

Enactment No: ORD 9549-2013

Citizen Comments

Linda Hoyt, 2214 Spikes, spoke during Citizen Comments.

Adjournment

Mayor Jensen adjourned the meeting at 7:24 p.m.

The foregoing minutes were approved at the July 16, 2013 meeting.

Catherine E. DiMaggio, City Secretary