



City of Grand Prairie

City Hall
317 College Street
Grand Prairie, Texas

Minutes - Final City Council

Tuesday, November 5, 2013

4:30 PM

City Hall - Briefing Room
317 College Street

Call to Order

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

Present 7 -

Mayor Ron Jensen; Mayor Pro Tem Greg Giessner; Deputy Mayor Pro Tem Richard Fregoe; Council Member Jorja Clemson; Council Member Tony Shotwell; Council Member Jim Swafford and Council Member Jeff Wooldridge

Staff Presentations

Tom Hart, City Manager, announced that Amy Sprinkles, Marketing Director, would be taking on the added duties as Library Director.

1

Urban Shield Regional Disaster Drill - Presented by Chief Robert Fite

Robert Fite, Fire Chief, briefed Council on the upcoming Urban Shield emergency exercises taking place at 14 sites in North Central Texas on November 9. He said there would be 27 cities participating and the largest site would be at the Trinity River Authority facility in Grand Prairie. He invited Council to ride on a VIP bus that would be taking the Governor, State Representatives, Mayors and Council Members to visit the participating sites.

Presented

Agenda Review

Council Member Wooldridge asked Rick Herold, Parks and Recreation Director, if the lease of the baseball field at Turner Park to GPISD included the building (Ref: Agenda Item 21). Mr. Herold replied that it did include the building. Mr. Hart said the attorneys for the city and GPISD had worked out the terms of the lease.

Mr. Hart informed Council of an issue involving the City of Cedar Hill. He said that some years ago a tie in was made between the city's water system at TangleRidge and the Cedar Hill water system. It seems that Cedar Hill may have been supplying TangleRidge a large amount of water over several years. He said Freese & Nichols is currently investigating this issue.

Executive Session

Mayor Jensen convened a closed session at 4:45 p.m. pursuant to Chapter 551, Subchapter D of the Government Code, V.T.C.A., to discuss Section 551.071 "Consultation with Attorney" Huynh v. City of Grand Prairie; and Section 551.074 "Personnel Matters" City Manager's Employment Agreement. Mayor Jensen recessed the executive session at 5:55 p.m.

Recess Meeting

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

6:30 PM Council Chambers

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

Chaplain Glen Cato gave the invocation. The Pledge of Allegiance to the US Flag and to the Texas Flag was led by Council Member Swafford.

Presentations

- 2 International Association of Chiefs of Police (IACP) Community Policing Award - Presented to the Grand Prairie Police Department by Keller P.D. Chief and Mark Hafner, IACP Community Policing Committee Member
Chief Mark Hafner, International Association of Chiefs of Police Community Policing Committee, and President of the Police Chiefs Association, presented Chief Dye and the Police Department with the IACP Community Policing Award for Cities with a population of 100,000 to 250,000.
Presented
- 3 Presentation of Title Sponsorship Check from Gexa Energy for Prairie Lights
Rick Herold, Parks and Recreation Director, stated that 97% of those who attended Prairie Lights last year said they would return and would also tell their neighbors what a great event it is. Beverly Grogan, Parks and Recreation, introduced Gexa Energy, the sponsor for the 2013 Prairie Lights. Duon Stevens, Gexa Energy, stated that again this year they have made a commitment to make Prairie Lights a carbon balanced event and presented the city with a sponsorship check in the amount of \$50,000.
Presented
- 4 Employee of the Month - Ernest Horton, Environmental Services - Presented by Jim Cummings, Environmental Services Director

Cindy Mendez, Environmental Services Manager, introduced Ernest Horton, Employee of the Month for November. Mr. Hart presented Mr. Horton with a city shirt and engraved clock and thanked him for his dedication to the city.

Presented

- 5** TML 2013 Municipal Excellence Award for Communications Programs for Cities over 25,000 (Animal Shelter Adoption Program) - Presented to Amy Sprinkles, Communications and Marketing Director

Mr. Hart presented a Texas Municipal League Excellence Award that the city received for its Animal Shelter marketing program. He congratulated Amy Sprinkles, Patricia Redfearn and Danielle Tate for their excellent work.

Presented

Consent Agenda

Mayor Pro Tem Giessner moved, seconded by Deputy Mayor Pro Tem Fregoe, to approve Items 6 through 29 on the Consent Agenda, remove Item 30 for individual consideration, and approve Items 31 through 41. The motion carried unanimously.

- 6** Minutes of the October 15, 2013 Meeting

Approved on the Consent Agenda

- 7** Price agreement renewal #2 for ground boxes, with Techline, Inc., at an estimated annual cost of \$27,016 for a total of \$127,943 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 reinforced concrete pipe with Hanson Pipe, at an estimated annual cost of \$60,000, for one year with the option to renew for four additional one year periods totaling \$300,000 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** Price agreement for landscaping service from ELS Landscaping LLC (\$29,089 annually) for one year with the option to renew for ----four additional one year periods totaling \$145,445 if all extensions are exercised, and authorize the City Manager to execute the renewal options with aggregate price fluctuations of the lesser of up to \$50,000 or 25% of the original

maximum price so long as sufficient funding is appropriated by the City Council to satisfy the City's obligation during the renewal terms

Approved on the Consent Agenda

- 10** Price agreement for parking lot striping from Action Services (\$55,320 annually) for one year with the option to renew for four additional one year periods totaling \$276,600 if all extensions are exercised, and authorize the City Manager to execute the renewal options with aggregate price fluctuations of the lesser of up to \$50,000 or 25% of the original maximum price so long as sufficient funding is appropriated by the City Council to satisfy the City's obligation during the renewal terms

Approved on the Consent Agenda

- 11** Price agreement for grease and sand traps, and septic tank cleaning services from PSC Recovery Systems, LLC (\$11,061 annually) for one year with the option to renew for four additional one year periods totaling \$55,305 if all extensions are exercised, and authorize the City Manager to execute the renewal options with aggregate price fluctuations of the lesser of up to \$50,000 or 25% of the original maximum price so long as sufficient funding is appropriated by the City Council to satisfy the City's obligation during the renewal terms

Approved on the Consent Agenda

- 12** Price agreement renewal #3 for employment screening services, with First Check Applicant Screening, at an estimated annual cost of \$29,300 for a total of \$146,500 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

- 13** Price agreement with Redi-Mix Concrete, for Ready Mix Concrete, at an estimated annual cost of \$500,000; and secondary with Argos Ready Mix for one year with the option to renew for four additional one year periods totaling \$2,500,000 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

- 14** Price agreement for Fire Station Employee Work Uniforms from Red the Uniform Tailor of Carrollton, TX for \$65,000 annually for one year with the

option to renew for four additional one year periods totaling \$325,000 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

- 15** Price Agreement for heavy equipment maintenance and repair from Frank Bartel Tire (\$180,000.00 annually) for one (1) year with the option to renew for -four (4) additional one year periods totaling \$900,000 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

- 16** Price agreement for hydraulic equipment maintenance and repair from CMB Industries (\$25,000.00 annually) for one (1) year with the option to renew for four (4) additional one year periods totaling \$125,000.00 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

- 17** Lone Star Meadows PID (Council District 4) Contract with Pool Hands, LLC dba Durafence for Fence Construction in the amount of \$84,020.57

Approved on the Consent Agenda

- 18** Purchase of Philips Hadco RX2160 LEDs from John Wright Associates, Inc., through a national inter-local agreement with Tip/Tap for a total amount of \$127,875 to upgrade lighting on Pioneer Parkway

Approved on the Consent Agenda

- 19** Purchase of Golf Maintenance and Park Maintenance Equipment through TASB Buy Board Cooperative Purchase Agreement:
- a. Jacobsen AR3, Triplex Rotary Mower in the amount of \$31,087.48 from Luber Bros.
 - b. Three (3) Jacobsen Eclipse Greens Mowers in the amount of \$156,906.71 from Luber Bros.
 - c. Two (2) Toro Sand Pro Groomers and one (1) Toro 72" Mower in the amount of \$55,999.11, from Professional Turf Products for Parks.

Approved on the Consent Agenda

- 20** Purchase ambulance specific billing software from JefBar Software Services of Folsom, CA at a total cost of \$20,500 to include support and data conversions; \$1,095 to ZirMed of Louisville, KY (clearinghouse vendor integrated with software) for clearinghouse services and mailings implementation fees; price agreement with ZirMed for clearinghouse services and mailings for an estimated amount of \$13,188 annually for one year with the option to renew for four additional one year periods totaling \$65,940 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

- 21** Twenty-five year lease of the lighted baseball field at Turner Park to the Grand Prairie Independent School District (GPISD)

Approved on the Consent Agenda

- 22** Amendment No. 3 for Professional Services with HDR Engineering, Inc. in the amount of \$3,902.36 for 3rd/Alice and Skyline/SW 3rd Storm Drain Improvements

Approved on the Consent Agenda

- 23** Change order #2 for Mountain Creek Park Trail with Falkenberg Construction in the deductive amount of \$16,419.

Approved on the Consent Agenda

- 24** Change order #2 Dalworth Recreation Center Renovation and Improvements Project with Pete Durant and Associates in the amount of \$37,257.46.

Approved on the Consent Agenda

- 25** Purchase SCBA (self-contained breathing apparatus) equipment from Municipal Emergency Services, Inc of Houston, TX utilizing the Fort Worth Scott Contract at a total cost of \$443,767

Approved on the Consent Agenda

- 26** Authorize City Manager to enter into an Economic Development Agreement with CHI/Wildlife Park, L.P.

Approved on the Consent Agenda

- 27** Contract renewal with Conexis effective January 1, 2014 through December 31, 2014 for an estimated amount of \$21,500 annually for Health Care and Dependent Care Account Flexible Benefits administration services for one

year with the option to renew annually unless terminated by either party, and authorize the City Manager to execute the annual renewal options so long as the aggregate price fluctuation is the lesser of \$50,000 or 25% of the original maximum price and funding is appropriated in the annual budget to satisfy the City's obligation during the renewal terms.

Approved on the Consent Agenda

- 28** Professional Engineering Services contract with Teague, Nall and Perkins, Inc. for paving, drainage and waterline design of Freetown Road, Carrier Parkway to SW 3rd Street Ph III in a maximum amount of \$182,200, a 10% in-house engineering of \$18,220, and a 5% contingency in the amount of \$9,110, for a total of \$209,530

Approved on the Consent Agenda

- 29** Contract with Cohesive Automation, Inc. in the amount of \$52,800 for installation of updates of existing HVAC Control Systems hardware and software for Memorial Library, Development Center and Charles V. England Buildings as a sole source acquisition.

Approved on the Consent Agenda

- 30** Resolution authorizing the use, by the power of eminent domain for public use, to acquire street right-of-way and easement parcels, located on MacArthur Blvd. from I.H. 30 to West Fork of the Trinity River

Mayor Pro Tem Giessner moved, seconded by Council Member Clemson to authorize the use of eminent domain for the following parcels: 4W; 5#; and 8W. The motion carried unanimously.

Enactment No: RES 4657-2013

- 31** Resolution approving the current City of Grand Prairie Debt Management Policy without revision to become effective upon passage and approval

Adopted

Enactment No: RES 4658-2013

- 32** Resolution approving the current City of Grand Prairie Investment Policy without changes to become effective upon passage and approval

Adopted

Enactment No: RES 4659-2013

- 33** Resolution updating the City's Financial Management Policy

Adopted

Enactment No: RES 4660-2013

- 34** Ratify an ordinance amending Chapter 27, "Vehicles for Hire", Article III "Emergency Medical Service and Ambulance Services," Section 27-72(b), "Provision of Emergency Services; Fees; Payments and Exceptions; Subscription Program; Auxiliary Ambulances," by ceasing to bill separately disposable supplies and pharmaceuticals and increasing the Fire Department's residential base transport fee to \$700 and non-residential base transport fee \$800
- Adopted**
- Enactment No: ORD 9629-2013
- 35** An ordinance amending the FY 2013/2014 Capital Improvement Projects Budget and award a construction contract to Mart, Inc. in the amount of \$192,500 for a new Spay and Neuter Surgical Suite at the Prairie Paws Adoption Center, plus a 5% construction contingency in the amount of \$9,625 for a total request of \$202,125
- Adopted**
- Enactment No: ORD 9630-2013
- 36** Ordinance amending Schedule II of the traffic register by establishing a 45mph speed limit on Hunter Ferrell Road between Beltline Road and Bear Creek.
- Adopted**
- Enactment No: ORD 9631-2013
- 37** Ordinance amending the FY 2013/2014 Capital Improvements Project Budget in the amount of \$50,000 for landfill road repair at the City of Grand Prairie Landfill utilizing one of the Streets Division's in-house contractors with a current city price agreement
- Adopted**
- Enactment No: ORD 9632-2013
- 38** Ordinance amending the Capital Improvement Projects Budget to purchase SCBA (self-contained breathing apparatus) masks at a cost of \$12,900 from MES (Municipal Emergency Services) utilizing the master inter-local agreement with the City of Fort Worth.
- Adopted**
- Enactment No: ORD 9633-2013
- 39** Ordinance amending the FY 2013/2014 Capital Improvement Projects Budget, and an art commission contract with C Glass Studio, LLC/Catherine Woods in the amount of \$125,000, for a new art tower sculpture to be designed, fabricated, and constructed at the east end of the new Fire Station

No 1 site.

Adopted

Enactment No: ORD 9634-2013

40

Ordinance amending Ordinance 7553, authorizing assignment and special pay for certain Firefighters who perform specialized functions (field training or administrative shift) in the Fire Department to become effective December 1, 2013.

Adopted

Enactment No: ORD 9635-2013

41

Ordinance amending the FY 2013/2014 Capital Improvement Projects Budget and award of a construction contract with Northstar Construction Inc., in the amount of \$516,529, and appropriate an additional 5% contingency of \$25,826, for a total appropriation of \$542,355 for the Main Library Parking Lot Replacement

Adopted

Enactment No: ORD 9636-2013

Items for Individual Consideration

42

Second and final reading of an ordinance approving a negotiated resolution between the Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division and adopting tariffs that reflect rate adjustments

Council Member Shotwell stated he could not support this item and gave examples from media reports that Atmos had recorded record profits.

Council Member Swafford moved, seconded by Deputy Mayor Pro Tem Fregoe, to approve the seconded and final reading of the Atmos ordinance. The motion carried.

Ayes: 6 -

Mayor Ron Jensen; Mayor Pro Tem Greg Giessner; Deputy Mayor Pro Tem Richard Fregoe; Council Member Jorja Clemson; Council Member Jim Swafford and Council Member Jeff Wooldridge

Nayes: 1 -

Council Member Tony Shotwell

Enactment No: ORD 9637-2013

Mayor Jensen reconvened the executive session at 7:00 p.m. and adjourned the executive session at 7:29 p.m.

43 City Manager's Employment Agreement

Council Member Swafford stated that Council had reviewed the city manager's contract in executive session. He outlined the contract as follows: the city manager's annual salary will be \$273,108 which includes his base pay, longevity, TMRS, and auto allowance; a cell phone may be provided by the city manager or the city; an auto allowance is included at \$12,000 a year but if needed, the use of a city vehicle may be provided; vacation rate will be five weeks a year; sick leave will be five weeks a year; the manager may own and operate one piece of rental property in the city; the contract will be for two years which commences on January 1, 2014 through January 31, 2016.

Council Member Swafford moved, seconded by Mayor Pro Tem Giessner, to approve the City Manager's contract as presented. The motion carried unanimously.

Ayes: 7 -

Mayor Ron Jensen; Mayor Pro Tem Greg Giessner; Deputy Mayor Pro Tem Richard Fregoe; Council Member Jorja Clemson; Council Member Tony Shotwell; Council Member Jim Swafford and Council Member Jeff Wooldridge

44 Authorize settlement of a disputed paving assessment on 2800 S. Carrier with Ms. Annie Huynh.

Council Member Swafford stated that in executive session Council had reviewed a dispute of a paving assessment for Arkansas Lane by Annie Huynh and had reached a settlement offer.

(NOTE: The assessment was made in Ordinance 9236 and this Tract No. was No. 8, DR Cameron Abst 295 PG320, TR 4.2 ACS5.174 with an original assessment of \$78,648.13.)

Council Member Swafford moved, seconded by Mayor Pro Tem Giessner, to settle the Huynh paving assessment for paving improvements to Arkansas Lane in the amount of \$25,000, plus out-of-pocket expenses incurred by the city in the acquisition of the property and 5% interest rate on the \$25,000 since the lien was filed.

Ayes: 7 -

Mayor Ron Jensen; Mayor Pro Tem Greg Giessner; Deputy Mayor Pro Tem Richard Fregoe; Council Member Jorja Clemson; Council Member Tony Shotwell; Council Member Jim Swafford and Council Member Jeff Wooldridge

Citizen Comments

Thomas Varacky, 2050 LaSalle Trail, thanked Charles Wray, PID Manager, and Lee Harriss for the great job they do managing PID#7.

Adjournment

Mayor Jensen adjourned the meeting at 7:33 p.m.

The foregoing minutes were approved at the November 19, 2013 Council Meeting.

Catherine E. DiMaggio, City Secretary