



City of Grand Prairie

City Hall
300 W. Main Street
Grand Prairie, Texas

Meeting Agenda

City Council

Tuesday, May 5, 2020

6:30 PM

Videoconference

Due to the Imminent threat to public health and safety arising from the COVID-19 pandemic, this meeting of the City Council will be held via videoconference. Members of the public may participate in the meeting remotely via broadcast, by webinar or telephone through the following:

You are invited to a Zoom webinar.

When: May 5, 2020 06:30 PM Central Time (US and Canada)

Topic: City of Grand Prairie - City Council Meeting

Please click the link below to join the webinar:

<https://gptx.zoom.us/j/91481908918?pwd=V2FYU0JmNzNLdEM1cUxtMmhFbEFqZz09>

Password: 377648

Or iPhone one-tap :

US: +13462487799,,91481908918#,,1#,377648# or

+16699006833,,91481908918#,,1#,377648#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 346 248 7799 or +1 669 900 6833 or +1 253 215 8782 or +1 408 638 0968 or

+1 646 876 9923 or +1 301 715 8592 or +1 312 626 6799

Webinar ID: 914 8190 8918

Password: 377648

All meeting participants will automatically be muted until it is their turn to speak. To be recognized to speak, use the "raise hand" feature in the Zoom meeting platform. Or, if you are joining by phone, you may press *9 to raise your hand. Please call in only during discussion on the item on which you wish to speak. After speaking, re-mute your phone by pressing *6.

Call to Order

Presentations

- 1** [20-9953](#) Update on City Partnerships with Community Organizations Providing COVID-19 Relief - Presented by Steve Dye, Deputy City Manager/Chief Operating Officer

Consent Agenda

The full agenda has been posted on the city's website, www.gptx.org, for those who may want to view this agenda in more detail. Citizens may speak for five minutes on any item on the agenda by completing and submitting a speaker card.

- 2** [20-9951](#) Minutes of the April 21, 2020 Meeting
Attachments: [04-21-2020 Council Minutes.pdf](#)
- 3** [20-9886](#) Ordinance amending the FY 2019/2020 Capital Improvement Projects Budget; Purchase of Falcon, 6 Ton Asphalt Pothole Patcher Hot Box, from Kirby Smith Machinery, Inc. in the total amount of \$66,200 through a national interlocal agreement with BuyBoard
Attachments: [Hot Box Qte P1.jpg](#)
[Hot Box Qte P2.jpg](#)
[20-9886 Falcon Asphalt Pothole](#)
- 4** [20-9890](#) Ordinance authorizing the abandonment of part of an un-needed utility easement containing 60-square feet located at 7056 Playa to John P. Arana, Jr., and Karen L. Arana for \$250.00
Attachments: [EXHIBIT A PROPERTY DESCRIPTION.pdf](#)
[EXHIBIT B AERIAL MAP.pdf](#)
- 5** [20-9891](#) Ordinance amending the FY 2019/20 Capital Improvement Projects Budget; Construction Contract with SEMA Construction, Inc. in the amount of \$6,216,113.75 for Seeton Road Phase II and Taaffe Creek Stream Stability Improvements; Material Testing with TEAM Consultants in the amount of \$108,231.20; 5% contract contingency in the amount of \$310,805.69; In-House labor distribution in the amount of \$310,805.69; Street lighting allowance in the amount of \$39,000 for a total project cost of \$6,984,956.32.
Attachments: [2020.04.15 Recmd of Award - Seeton Rd.pdf](#)
[ESCROW 65.xlsx](#)
[WO 620.48 STRM.xlsx](#)
[WO 620.64.xlsx](#)
[WO 620.96 WTR.xlsx](#)
[WO 620.111 WWST.xlsx](#)
- 6** [20-9932](#) Ordinance amending the FY 2019/2020 Epic Fund Operating Budget; Ratifying the emergency appropriation of \$800,000 to fund minimum operating reserves for Epic Waters and reduce operating revenues due to COVID operational shut down
Attachments: [CC 20-9932 MINI FUND SUMMARY - EPIC.xlsx](#)
[CC 20-9932 EPIC WATERS MONTHLY.pdf](#)

- 7 [20-9933](#) Ordinance amending the FY 2019/2020 Capital Improvement Projects Budget; Ratification of the appropriation of \$100,000 for the purpose of providing funds to assist the local community during the COVID-19 pandemic
Attachments: [Local Assistance Help Budget Summary.xlsx](#)
[Local Assistance Help Funding Considerations.docx](#)
- 8 [20-9940](#) Ordinance amending the FY 2019/2020 Capital Improvement Projects Budget in the amount of \$500,000 for a new parking lot for the Summit at the northwest corner of Warrior Trail and Esplanade
Attachments: [Summit Parking.xlsx](#)
- 9 [20-9942](#) Ordinance appointing Bryan Arnold, Presiding Judge; William Mazur, Associate Judge; and Frank Hagle, Glen Holley, Ann Poston, and Kristine Primrose as Alternate Judges effective April 1, 2020
- 10 [20-9943](#) Ordinance amending the FY 2019/2020 Capital Improvement Projects Budget; Change Order/Amendment No. 16 with Lee Lewis Construction, Inc. in the amount of \$123,633.50 for all remaining agreed upon Change Orders to their contract in order to allow for closeout of The Epic and Epic Waters construction projects (change orders include work associated with added mechanical design, millwork revisions, structural relocation, adjustments to conform with the Americans with Disabilities Act, sports court layout changes, elevator camera additions and alteration of landscape plantings)
Attachments: [615.120.xlsx](#)
- 11 [20-9938](#) Consideration of all matters incident and related to amending Ordinance No. 8051 authorizing the City of Grand Prairie, Texas, Sales Tax Subordinate Lien Revenue Refunding Bonds, Series 2009, including the adoption of an ordinance pertaining thereto
Attachments: [Prelim #'s Grand Prairie TX Sales Tax SubLien Rev Ref Bonds Series 2009 \(Re](#)
- 12 [20-9939](#) Resolution to deny Oncor's Application to Amend its Distribution Cost Recovery Factor (DCRF) to Increase Distribution Rates

Public Hearing Consent Agenda

- 13 [20-9876](#) TA200401 - Text Amendment - Amend Article 4 and Article 30 of the Unified Development Code to update the definition of and to establish regulations for variety stores, small-format grocery stores, and dollar stores. (On April 27, 2020, the Planning and Zoning Commission recommended approval of this request by a vote of 7-2) **(Staff requests tabling of this item for re-hearing by the Planning and Zoning Commission.)**
Attachments: [PZ Draft Minutes 04-27-20.pdf](#)

Public Hearing on Zoning Applications

- 14 [20-9874](#) Z200301 - Zoning Change - SF-6 at Hardy Rd and Sheridan Dr. (City Council District 3). A request to change the zoning from SF-4 Single-Family Four Residential District, to SF-6 Single-Family Six Residential District for residential use. Located at 1841, 1837, 1833, and 1829 Hardy Road. Legally described as Lots 1, 2, 3, & 4, Block F, Lake Crest No 2 Addition, City of Grand Prairie, Dallas County, Texas, zoned SF-4 Single-Family Four Residential District. The consultant is Luke Keeton, Keeton Surveying Co. and the owner is Walter Torres-Martinez, Sekant Development & Investments. **On April 13, 2020, the Planning and Zoning Commission recommended approval of this request by a vote of 8-1. This case was tabled by the City Council on April 21, 2020.**
- Attachments:** [Exhibit A- Location Map](#)
[Exhibit i - Written Opposition.pdf](#)
[PZ Draft Minutes 04-13-2020.pdf](#)
- 15 [20-9925](#) SU200402 - Specific Use Permit for Event Center at 692 W Pioneer Pkwy (City Council District 2). A Specific Use Permit request for an Event Center within a shopping center located at 692 W Pioneer Parkway, Suite 120, legally described as Lot 1, Block 1, Pioneer Court Shopping Center Addition, City of Grand Prairie, Dallas County, Texas, zoned GR General Retail. The owner is Smart Ajayi. (On April 27, 2020, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0).
- Attachments:** [Exhibit A - Location Map.pdf](#)
[Attachment i - Operational Plan.pdf](#)
[Attachment ii - Floor Plan.pdf](#)
[PZ Draft Minutes 04-27-20.pdf](#)
- 16 [20-9926](#) Z200403 - Zoning Change - SF -1 at North St and North Center St (City Council District 5). A request to change the zoning from O Office District, to SF-1 Single-Family One Residential District for residential use. Located at 109 North St, legally described as Lots 4, 5 and 6, Block A, R.L. Hights Addition, City of Grand Prairie, Dallas County, Texas. The agent is E.D. Hill and the owner is Kim Thorne. (On April 27, 2020, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0).
- Attachments:** [Exhibit A - Location Map.pdf](#)
[PZ Draft Minutes 04-27-20.pdf](#)

Items for Individual Consideration

- 17 [20-9905](#) Public Hearing and Standards of Care Ordinance for 2020 After School Programs and Summer Camps
- Attachments:** [Standards of Care](#)

- 18** [20-9952](#) An Ordinance Amending Ordinance No. 10825-2020 Relative to the Continuation of the Proclamation of a Local State of Disaster; Authorizing Additional Authority Related to the Local State of Disaster; Adopting and Approving Certain Rules to Protect the Health of Persons in the City

Citizen Comments

Citizens may speak during Citizen Comments for up to five minutes on any item not on the agenda by completing and submitting a speaker card.

Adjournment

Certification

In accordance with Chapter 551, Subchapter C of the Government Code, V.T.C.A, the City Council agenda was prepared and posted May 1, 2020.

Catherine E. DiMaggio, City Secretary

The Grand Prairie City Hall is accessible to people with disabilities. If you need assistance in participating in this meeting due to a disability as defined under the ADA, please call 972-237-8018 or email Mona Lisa Galicia (mgalicia@gptx.org) at least three (3) business days prior to the scheduled meeting to request an accommodation.



Legislation Details (With Text)

File #: 20-9953 **Version:** 1 **Name:** Update on Providing COVID-19 Relief
Type: Presentation **Status:** Presentations
File created: 4/29/2020 **In control:** City Secretary
On agenda: 5/5/2020 **Final action:**
Title: Update on City Partnerships with Community Organizations Providing COVID-19 Relief - Presented by Steve Dye, Deputy City Manager/Chief Operating Officer
Sponsors:
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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Title
Update on City Partnerships with Community Organizations Providing COVID-19 Relief - Presented by Steve Dye, Deputy City Manager/Chief Operating Officer



Legislation Details (With Text)

File #: 20-9951 **Version:** 1 **Name:** 4-21-2020 Minutes
Type: Minutes **Status:** Consent Agenda
File created: 4/28/2020 **In control:** City Secretary
On agenda: 5/5/2020 **Final action:**
Title: Minutes of the April 21, 2020 Meeting
Sponsors:
Indexes:
Code sections:
Attachments: [04-21-2020 Council Minutes.pdf](#)

Date	Ver.	Action By	Action	Result
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From
Cathy DiMaggio

Title
Minutes of the April 21, 2020 Meeting

Presenter
Cathy DiMaggio, City Secretary

Recommended Action
Approve

Analysis
Minutes are attached.



City of Grand Prairie

City Hall
300 W. Main Street
Grand Prairie, Texas

Minutes - Final

City Council

Tuesday, April 21, 2020

5:30 PM

Zoom Videoconference
317 College Street

Call to Order

Mayor Jensen called the meeting to order at 5:30 p.m. via Zoom videoconference.

- Present** 9 - Mayor Ron Jensen
 Mayor Pro Tem Greg Giessner
 Deputy Mayor Pro Tem Jorja Clemson
 Council Member Jeff Copeland
 Council Member Mike Del Bosque
 Council Member Cole Humphreys
 Council Member John Lopez
 Council Member Jim Swafford
 Council Member Jeff Wooldridge

The Invocation was given by Mayor Pro Tem Jorja Clemson. The Pledge of Allegiance to the US Flag and to the Texas Flag were led by Mayor Pro Tem Clemson.

Presentations

- 1 COVID-19 Update

Steve Dye, Deputy City Manager, Chief Operating Officer, updated Council on the COVID 19 Pandemic. Mr. Dye went over the global timeline and infection rate of COVID 19 and noted that carriers can be asymptomatic. The latest numbers for Grand Prairie were 103 cases and 3 deaths. Among area cities, Grand Prairie had the lowest number of infected cases per the percentage of population infected. The number of cases continues to increase but not as dramatically as between April 9 and 10. Mr. Dye reported one employee had tested positive for COVID 19. He then went over the proactive responses and public outreach the city had initiated. Mr. Dye stated that 22 firefighters were currently under a self-monitoring process and the police department has noted an increase in disturbances, threats and noise calls. Mr. Dye thanked all of the city departments for their diligence in responding to the pandemic. Budgetary implications of the pandemic include a hiring freeze except for public safety and essential positions; reduction of operating costs and review of contracts and purchasing of items that could possibly be postponed or canceled. Mr. Dye said that directors will be planning to phase in employees beginning May 4. He said that cities less than 500,000 population were not eligible for federal funds for the pandemic.

Mayor Jensen said that staff saw a need for funding for city charities and discussion of funding will take place at the May 5 Council Meeting. City Manager Tom Hart said Mayor Jensen had been at City Hall every day assisting staff with COVID-19 decisions.

He thanked Steve Dye for heading up the COVID response.

Council Member Del Bosque asked in which phase salons would come into play. Mayor Jensen said it would depend on what the Governor and the County say. Mr. Dye said it would be up to the County, but they may be able to open up in Phase I and maintain social distancing and limited occupancy. Council Member Wooldridge asked where child care was on the list. Mr. Dye said he hoped it would be back in Phase I with distancing requirements. Council Member Lopez said he was proud of the city team. He asked if staff could provide a ledger of funding provided to city organizations. Mayor Jensen said Council had received a list. Mr. Dye said the organizations had been notified that they must provide invoices to receive incremental payments. He said staff was keeping a spreadsheet of expenditures. He said the next funding will be decided at the next Council meeting. Mr. Hart said Council would be given a weekly update. Council Member Lopez said the Governor has a certain date to extend the orders and the county has a date. He asked which the city would follow. Mr. Dye said the city would follow the County's orders. He added that cities may start jumping ahead of phasing but we need to keep in mind that is probably not the direction we want to go and Council may get pressure from citizens. Mayor Jensen noted that Tarrant County has more deaths than Dallas County per capita so Tarrant County may do something different than Dallas County. Council Member Lopez said that employees have to wash their hands between transactions, so how would that work at places like the mall where that is impractical. Mr. Dye said he had been advised that the Outlet Mall will open on Friday. Chief Scesney will meet with them tomorrow to see what their plan will be as far as sanitizing. Council Member Del Bosque noted a private test site had been opened at 410 E. Pioneer Parkway.

Presented

Consent Agenda

Mayor Pro Tem Giessner moved, seconded by Deputy Mayor Pro Tem Clemson, to approve Items 2 through 6 on the Consent Agenda. The motion carried unanimously.

- 2** Minutes of the March 17, 2020 meeting and the March 19, 2020 Emergency Meeting
- Approved on the Consent Agenda**
- 3** Authorize settlement in lieu of proceeding further with condemnation in the condemnation lawsuit styled *City of Grand Prairie v. Charles N. Fry, Jr. a/k/a C.N. Fry, Jr. and The Charles N. Fry, Jr. and Karen Ann Fry Revocable Living Trust*, pending in Tarrant County Court at Law No. 2, Cause No. 2020-000041-2, for acquisition from condemnees of a parcel of land in Tarrant County for right-of-way for the Ragland Road Widening Project (SH 360 East to Mirabella Blvd), for a total settlement of \$50,000, plus closing costs and title expenses
- Approved on the Consent Agenda**
- 4** Authorize settlement in lieu of proceeding further with condemnation in the condemnation lawsuit styled *City of Grand Prairie v. Thomas Hurford Thom*

and Glennie Elizabeth Thom as trustees of the Thomas and Glennie Thom Family Trust, pending in Tarrant County Court at Law No. 1, Cause No. 2020-002214-1, for acquisition from condemnees of a parcel of land in Tarrant County for right-of-way for the Ragland Road Widening Project (SH 360 East to Mirabella Blvd), for a total settlement of \$50,000, plus closing costs and title expenses

Approved on the Consent Agenda

- 5 Resolution authorizing the City Manager to execute a master inter-local purchasing agreement between the City of Grand Prairie and the Town of Hickory Creek, Texas

Adopted

Enactment No: RES 5077-2020

- 6 Ordinance amending Chapter 12, "Fire Protection and Emergency Management," through the addition of 12-34(C); Providing a penalty clause, a savings clause and a severability clause; and providing an effective date after publication (COVID)

Adopted

Enactment No: ORD 10827-2020

Public Hearing Consent Agenda

Mayor Pro Tem Giessner moved, seconded by Deputy Mayor Pro Tem Clemson, to close the public hearing and withdraw Item 7, table Item 8 to May 19, 2020, and approve Items 9 and 10 on the Public Hearing Consent Agenda. The motion carried unanimously.

- 7 Z200302/CP200301 - Zoning Change/Concept Plan - Truck Repair and Parking at 2625 W Hunter Ferrell Rd (City Council District 1). Request to rezone Planned Development-9 (PD-9) District to PD-Light Industrial (PD-LI) District consisting of 2.23 acres to allow for a Heavy Truck Repair & Heavy Truck Parking Facility. Generally located south of Hunter Ferrell Road and approximately 1,755 feet west MacArthur Boulevard addressed at 2625 Hunter Ferrell Road, out of Isreal Jennings Survey, Abstract 679, Page 570, Tract 33, City of Grand Prairie, Dallas County, Texas. The consultant is John Villarreal, JV CADD, LLC and the owner is Luis Blanco. **(On April 13, 2020, the Planning and Zoning Commission denied this case; this case will be withdrawn pending appeal by the applicant.)**

Withdrawn

- 8 Z200303/CP200302 - Zoning Change/Concept Plan - Jefferson Grand Prairie (City Council District 6). Zoning Change/Concept Plan for a multi-family and retail development with 24 dwelling units per acre and 19,000 sq. ft. of retail on 19.73

acres. Tract 17, Stephen B McCommas Survey, Abstract No. 888, City of Grand Prairie, Dallas County, Texas, zoned SF-1, within the I-20 Corridor Overlay District, generally located south of I-20 on the west side of Vineyard Rd, and addressed as 1225 E Interstate 20. The applicant is T. Miller Sylvan, JPI Real Estate Acquisition, LLC, the consultant is David Martin, Winstead PC, and the owner is Eric Clayton, JLH Inc. Loop 9 Joint Venture. **On April 13, 2020, the Planning and Zoning Commission voted 9-0 to table this request to May 11, 2019; therefore, Council will need to table this request to May 19, 2020.**

Tabled

- 9** Z200402 - Zoning Change - 830 Tuskegee Single-Family (City Council District 1). A request to change the zoning from NS Neighborhood Service, to SF-4 Single-Family Four District to allow for a single-family dwelling. Located at 830 Tuskegee Street, legally described as Lot 8, Block 9, Tyre Estates Addition, City of Grand Prairie, Tarrant County, Texas. The applicant is Frank Alanzo and the owner is Manuel Garcia. **On April 13, 2020, the Planning and Zoning Commission recommended approval of this request by a vote of 9-0.**

Adopted

Enactment No: ORD 10828-2020

- 10** TA200402 - Text Amendment - Amend Article 4 and Article 30 of the Unified Development Code to establish a definition of and to establish regulations for commissary or central food processing facility. **On April 13, 2020, the Planning and Zoning Commission recommended approval of this request by a vote of 9-0.**

Adopted

Enactment No: ORD 10829-2020

Public Hearing on Zoning Applications

- 11** S200301 - Site Plan - Warehouses at I-30, Gifford, & Bagdad (City Council District 5). Site Plan for a (5) five office/warehouse buildings totaling 738,080 sf. on (5) five lots, totaling 16.944 acres. Building 1 -143,617 sf on 3.297 acres, Building 2 -71,090 sf on 1.632 acres, Building 3 -178,944 sf on 4.108 acres, Building 4 -81,631 sf on 1.874 acres, Building 5 -262,797 sf -6.033 acres. 16.944 acres out of the Joseph Graham Survey, Abstract 506, City of Grand Prairie, Dallas County, Texas, zoned Planned Development-41 (PD-41) District, within the IH-30 Corridor Overlay District, generally located southwest of IH 30 Service Road and Macarthur Boulevard, and north of Gifford Road extending west beyond Bagdad Road. The applicant is Michael Peinado, Lincoln Property Company, the consultant is Cody Hodge, Halff Associates, and the owner is

Debbie Hobbs, I 30 Meyers JV II. **On April 13, 2020, the Planning and Zoning Commission recommended approval of this request by a vote of 9-0.**

Savannah Ware, Chief City Planner, reviewed Case S200301 which includes 5 buildings. She said this was a challenging site because it is very narrow and the applicant has requested variances on all five sites: proposed parking area encroaches on the required 30 ft. landscape buffer; docks facing the street; truck screening; foundation planting; and design elements. Ms. Ware said staff recommended approval with the Planning and Zoning Commission conditions. She said staff had continued to work with the applicant after the Planning and Zoning hearing and they have submitted amendments to their site plan. Staff believes the applicant has met these conditions.

Council Member Lopez asked about the hours of the warehouse operation since it is close to a neighborhood. Ms. Ware said there were no specific tenants at this time and they must operate within the noise ordinance. She said the docks are positioned to face I-30 and have a masonry screening wall next to the residential area and a double row of trees. Deputy Mayor Pro Tem Clemson asked about the landscaping with a double row of trees. Ms. Ware said this is on the residents side. There are some plantings along I-30 but it would not totally screen the docks. Council Member Humphreys asked if Council could restrict hours for future tenants. Ms. Ware said they would have to meet city code with regard to truck idling limitations. Council Member Humphreys said his initial reaction was to turn down this case, but this was zoned in 1973 and a larger warehouse is located directly behind this site and the applicant has worked with staff.

Council Member Humphreys moved, seconded by Council Member Copeland, to close the public hearing and approve Case S200301 per staff's recommendation. The motion carried unanimously.

12

Z200301 - Zoning Change - SF-6 at Hardy Rd and Sheridan Dr. (City Council District 3). A request to change the zoning from SF-4 Single-Family Four Residential District, to SF-6 Single-Family Six Residential District for residential use. Located at 1841, 1837, 1833, and 1829 Hardy Road. Legally described as Lots 1, 2, 3, & 4, Block F, Lake Crest No 2 Addition, City of Grand Prairie, Dallas County, Texas, zoned SF-4 Single-Family Four Residential District. The consultant is Luke Keeton, Keeton Surveying Co. and the owner is Walter Torres-Martinez, Sekant Development & Investments. **On April 13, 2020, the Planning and Zoning Commission recommended approval of this request by a vote of 8-1. This case was tabled by the City Council on April 21, 2020.**

Council Member Del Bosque moved, seconded by Council Member Swafford, to table Case Z200301 to the May 5, 2020 meeting. The motion carried unanimously.

Ayes: 9 - Mayor Ron Jensen; Mayor Pro Tem Greg Giessner; Deputy Mayor Pro Tem Jorja Clemson; Council Member Jeff Copeland; Council Member Mike Del Bosque; Council Member Cole Humphreys; Council Member John Lopez; Council Member Jim Swafford and Council Member Jeff Wooldridge

13

Z200401 - Zoning Change - SF and MF on S HWY 360 (City Council District 6).

Zoning change from PD-328 and Agriculture to a Planned Development District for Single Family, Multi-Family, and Open Space uses on 76.96 acres. Tracts 186713 and 186714, J Lawrence Survey, Abstract No. 616, City of Grand Prairie, Ellis County, Texas. Zoned PD-328 and addressed as 2925 Davis Drive. The Agent is Jeff Linder, Bannister Engineering, the applicant is Chase Debaun, Aerofirma Corporation, and the owner is Wm Scott Farrar, Ellis Joint Venture. **On April 13, 2020, the Planning and Zoning Commission recommended approval of this request by a vote of 9-0**

Ms. Ware reviewed Case Z200401, and stated the applicant had requested variances for the multi-family site. Modifications have been requested for density, setbacks and parking. Ms. Ware said staff did not have any issues with the requested variances but could not determine how the plan relates to the variances and would want to reevaluate at site plan. Ms. Ware said the applicant was proposing to do no front entry garages in the single family portion of the plan.

Ms. Ware said staff recommended approval with some conditions including a TIAA at time of preliminary platting. She said there are two points of access off Davis and the road will need to be improved. Staff recommended that the single family meet requirements of Appendix W and the Multi-Family variances be considered during Site Plan approval to ensure the proposal meets the intent of Appendix W.

Mayor Jensen said this is the development he had asked Council to drive past in Mansfield. He said if done in the right mix Council may be impressed (it is similar to Midtown Mansfield).

Rodney Debaun, 2935 S. Beltline, called in to the videoconference to answer questions. Mayor Jensen asked if these homes would look like the homes in Midtown Mansfield. Mr. Debaun replied that they would and the architect was designing the floor plans. He said everything would look like the pictures in the Council packets. Mr. Debaun said this would be a gated community and will look better than the Midtown Mansfield development. Mr. Debaun said he would start on the residential streets in June or July and hoped to build houses in October. He added that the multi-family was a few years away for development.

Council Member Wooldridge thanked Mr. Debaun for putting this development together.

Council Member Wooldridge moved, seconded by Deputy Mayor Pro Tem Clemson, to close the public hearing and approve Case Z200401. The motion carried.

Ayes: 8 - Mayor Ron Jensen; Mayor Pro Tem Greg Giessner; Deputy Mayor Pro Tem Jorja Clemson; Council Member Jeff Copeland; Council Member Mike Del Bosque; Council Member John Lopez; Council Member Jim Swafford and Council Member Jeff Wooldridge

Excused: 1 - Council Member Cole Humphreys

Enactment No: ORD 10830-2020

Items for Individual Consideration

- 14** Public Hearing - Resolution to Create Crescent Heights Public Improvement District No. 18 (City Council District 2)
- Lee Harriss, Special Districts Manager, said this creation petition had met all legal requirements with 100% of owners signing the petition (there is one owner). She said the site is located at the southeast corner of Freetown and SW 3rd Street. The assessment is set at 16 cents per \$100 of appraised value (\$384 average assessment). There were no comments from citizens during the public hearing.*
- Council Member Swafford moved, seconded by Mayor Pro Tem Giessner, to close the public hearing and approve the resolution creating Crescent Heights Public Improvement District. The motion carried unanimously.**
- Ayes:** 9 - Mayor Ron Jensen; Mayor Pro Tem Greg Giessner; Deputy Mayor Pro Tem Jorja Clemson; Council Member Jeff Copeland; Council Member Mike Del Bosque; Council Member Cole Humphreys; Council Member John Lopez; Council Member Jim Swafford and Council Member Jeff Wooldridge
- Enactment No: RES 5078-2020
- 15** Discussion and consideration of all matters incident and related to the issuance and sale of “City of Grand Prairie, Texas Water and Wastewater System Revenue Refunding Bonds, New Series 2020,” including the adoption of an ordinance authorizing the issuance of such bonds, establishing parameters for the sale and issuance of such bonds and delegating certain matters to an authorized official of the City.
- Brady Olsen, Treasury and Debt Manager, stated that city's bond rating for the Water/Wastewater debt was AAA stable. He said that staff presented two bond refunding issues to the Finance and Government Committee on March 3. He said that normally this would have been a straight forward ordinance, but staff was asking now for a parameters ordinance to allow Council to appoint an agent (Mr. Hart) so that he could price the bonds. Mr. Olsen said today was a good day to finance at 6.04 percent. He said this was in line where the city wanted to be. Staff will plan to move forward on pricing today or tomorrow with Council approval of this ordinance.*
- Council Member Swafford moved, seconded by Council Member Lopez, to approve Item 16 per staff's recommendation and take no action on Item 16. The motion carried unanimously.**
- Ayes:** 9 - Mayor Ron Jensen; Mayor Pro Tem Greg Giessner; Deputy Mayor Pro Tem Jorja Clemson; Council Member Jeff Copeland; Council Member Mike Del Bosque; Council Member Cole Humphreys; Council Member John Lopez; Council Member Jim Swafford and Council Member Jeff Wooldridge
- Enactment No: ORD 10831-2020
- 16** Discussion and consideration of all matters incident and related to the issuance and sale of “City of Grand Prairie, Texas Sales Tax Revenue Refunding Bonds, Series 2020,” including the adoption of an ordinance authorizing the issuance of such bonds, establishing parameters for the sale and issuance of such bonds and delegating certain matters to an authorized official of the City.

Mr. Olsen said there would be no action needed on the sales tax bonds because Bank of America did not want to lose city business and they will refinance the debt privately at 1.6%. This is a 7% savings on that debt. He said staff would bring back an amendment indicating this change at the May 5 Council meeting.

Withdrawn

Citizen Comments

There were no citizen comments.

Adjournment

Mayor Jensen adjourned the meeting at 7:16 p.m.

The foregoing minutes were approved at the May 5, 2020 Council meeting.

Catherine E. DiMaggio, City Secretary



Legislation Details (With Text)

File #: 20-9886 **Version:** 1 **Name:** Ordinance amending the FY 2019/2020 Capital Reserve Projects Budget; Purchase of Falcon, 6 Ton Asphalt Pothole Patcher Hot Box, through a national interlocal agreement with the BuyBoard contract with Kirby Smith Machinery, Inc. in the total amount of \$66,

Type: Ordinance **Status:** Consent Agenda

File created: 3/26/2020 **In control:** Public Works

On agenda: 5/5/2020 **Final action:**

Title: Ordinance amending the FY 2019/2020 Capital Improvement Projects Budget; Purchase of Falcon, 6 Ton Asphalt Pothole Patcher Hot Box, from Kirby Smith Machinery, Inc. in the total amount of \$66,200 through a national interlocal agreement with BuyBoard

Sponsors:

Indexes:

Code sections:

Attachments: [Hot Box Qte P1.jpg](#)
[Hot Box Qte P2.jpg](#)
[20-9886 Falcon Asphalt Pothole](#)

Date	Ver.	Action By	Action	Result
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From

Glenda C. Peterson, Street Operations Supervisor

Title

Ordinance amending the FY 2019/2020 Capital Improvement Projects Budget; Purchase of Falcon, 6 Ton Asphalt Pothole Patcher Hot Box, from Kirby Smith Machinery, Inc. in the total amount of \$66,200 through a national interlocal agreement with BuyBoard

Presenter

Gabriel Johnson, Public Works Director

Recommended Action

Approve

Analysis

In FY 2019/2020, the Streets Department requested and was approved \$50,000 for the purchase of a Falcon, 6 Ton Asphalt Pothole Patcher Hot Box. This equipment is used to more efficiently repair potholes and perform other asphalt repairs, while eliminating the possibility of wasted excess asphalt by maintaining constant temperature to keep mix from cooling off.

Chapter 271.102 of the Local Government Code authorize local governments to participate in cooperative purchasing programs with other local governments or local cooperative organizations. In lieu of competitive bidding, items and services may be purchased through such agreements as they have performed the bidding

processes by the sponsoring entities or agencies. The City of Grand Prairie utilizes existing master, inter-local agreements with various entities including the Buyboard interlocal agreement.

BuyBoard allows us to save money through "economic of scale" with the pooled purchasing power of their members. They include hundreds of school districts, municipalities, counties, other local governments, and nonprofit entities across Texas. They use the power of numbers as leverage to get better prices with the same vendors we use now.

BuyBoard contract #597-19 was executed December 1, 2019 and set to expire November 30, 2022.

This item will be reviewed by the Finance and Government Committee on May 5, 2020.

Financial Consideration

Funding in the amount of \$66,200 is available as follows:

1. \$50,000 is available in the Capital Reserve Fund (402590), WO #02012303 (FY20 PW Streets)
2. \$16,200 is available by approving an ordinance transferring and appropriating \$16,200 from the unobligated fund balance in the Capital Reserve Fund (402590) to WO #02012303 (FY20 PW Streets), 60520 (Minor Equipment).

Body

AN ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS, AMENDING THE FY 2019/2020 CAPITAL IMPROVEMENT PROJECTS BUDGET BY TRANSFERRING AND APPROPRIATING \$16,200 FROM THE UNOBLIGATED FUND BALANCE IN THE CAPITAL RESERVE FUND (402590) TO WO #02012303 (FY20 PW STREETS)

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS:

SECTION 1. That the FY 2019/2020 Capital Improvement Projects Budget be amended by transferring and appropriating \$16,200 from the unobligated fund balance in the Capital Reserve Fund (402590) to WO #02012303 (FY20 PW Streets).

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, APRIL 21, 2020.



The Authority in Construction,
Paving and Crane Equipment

www.kirby-smith.com

03/05/2020

Quote #: cgylling-1303

Manuel Alonzo

CITY OF GRAND PRAIRIE
Po Box 534045
Grand Prairie, TX 75053

Dear Manuel Alonzo:

We are pleased to quote the following for your consideration:

Kirby-Smith Falcon 6 Ton Recycler 2020 model w/ 0 hours, Unit # N.I.S., S/N Factory Order.

The following Factory and Dealer Options are included in the package:

- 6 Ton Recycler - battery charger package, dual burner recycling package, 24 hour timer, dump box, single frame ext, 16" tires, release agent sprayer bracket, LED lighting upgrade, LED night work light
- 30 gallon heated/insulated tack tank
- Rejuvenator Spray System - 5.5 HP Motor
- Rejuvenator spray system hose reel
- plate compactor basket (24"x24")
- hoist with 12-volt

Standard Equipment Details:

Standard Features

2, 3, 4, 6 and 8 ton capacity
Can be configured with a: Self-dumping capability & Customized sub-frame for: Chassis-mount, Hook-lift system & Roll-off system
One piece, seamless, ceramic combustion chamber

92% Fuel Efficiency (uses less than 3 gallons of diesel fuel per 8-hour shift)
105,000 BTU diesel or propane fuel source
Automatic temperature control

Floor and all four walls are heated

Paint: sandblasted with two coats of epoxy primer and urethane finish

10 gauge capping channel and corner molding add structural integrity to the hopper preventing it from becoming out of square
All wiring external to hopper

Shoveling apron

Hydraulic unloading and loading doors standard on 3, 4, 5, 6 and 8 ton with hydraulic fluid supplied by the tow vehicle through quick disconnect system

12-volt battery
Triple wall construction: Inner Wall-10 gauge steel, Middle Wall-16
gauge steel, Outer Wall-16 gauge steel
Hopper-fully insulated

quick-disconnect system
Fork pockets for mobility
Operating controls located on curbside whenever possible

To be purchased through BuyBoard. Contract # 597-19

Kirby-Smith Contract price is \$73,396.00; less contract discount of 10% (-\$7,339.60)
Plus, Freight and options of \$143.60
New net selling price is \$66,200.00

Price Complete:

\$66,200.00

We believe the equipment as quoted will exceed your expectations. On behalf of Kirby-Smith Machinery, Inc., thank you for the opportunity to quote machinery.

Subject to all applicable taxes. 'This proposal is good for 30 days & subject to availability.'

www.kirby-smith.com | 888-861-0219

Oklahoma City * Tulsa * McAlester * Dallas * Fort Worth * Abilene * Amarillo * Lubbock * Odessa * Waco * St. Louis * Kansas City





*The Authority in Construction,
Paving and Crane Equipment*

www.kirby-smith.com

Sincerely,

Chris Gylling

Chris Gylling
Governmental Territory Manager
cgylling@kirby-smith.com

Subject to all applicable taxes. 'This proposal is good for 30 days & subject to availability.'

www.kirby-smith.com | 888-861-0219

Oklahoma City * Tulsa * Dallas * Fort Worth * Abilene * Amarillo * Lubbock * Odessa * St. Louis * Kansas City



**CITY OF GRAND PRAIRIE
CAPITAL PROJECTS BUDGET SUMMARY**

Fund/Activity Account: 402590/02012303
 Project Title: FY20 PW Streets
 Current Request: \$16,200.00

ACCOUNT DESCRIPTION	1 CURRENT BUDGET	2 AVAILABLE BALANCE	3 CURRENT REQUEST	2+3 REVISED BALANCE	1+3 AMENDED BUDGET
Minor Equip (60520)	\$50,000	\$50,000	\$16,200	\$66,200	\$66,200
				\$0	\$0
				\$0	\$0
				\$0	\$0
				\$0	\$0
				\$0	\$0
				\$0	\$0
TOTAL	\$50,000	\$50,000	\$16,200	\$66,200	\$66,200



Legislation Details (With Text)

File #: 20-9890 **Version:** 1 **Name:** Ordinance; Abandonment Easement 7056 Playa
Type: Ordinance **Status:** Consent Agenda
File created: 3/31/2020 **In control:** Engineering
On agenda: 5/5/2020 **Final action:**

Title: Ordinance authorizing the abandonment of part of an un-needed utility easement containing 60-square feet located at 7056 Playa to John P. Arana, Jr., and Karen L. Arana for \$250.00

Sponsors:

Indexes:

Code sections:

Attachments: [EXHIBIT A PROPERTY DESCRIPTION.pdf](#)
[EXHIBIT B AERIAL MAP.pdf](#)

Date	Ver.	Action By	Action	Result
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From

Dwayne Tyner

Title

Ordinance authorizing the abandonment of part of an un-needed utility easement containing 60-square feet located at 7056 Playa to John P. Arana, Jr., and Karen L. Arana for \$250.00

Presenter

Gabe Johnson, Director of Public Works

Recommended Action

Approve

Analysis

The abandonment applicant and property owners, John P. Arana, Jr., and Karen L. Arana, have requested the abandonment of part of a 7.5-foot utility easement located on the east side of the lot (see aerial location as **Exhibit “B”**). Property owners plan to install a pre-formed fiberglass pool. All public utility companies have agreed to the partial abandonment.

Staff has reviewed the requested abandonment and finds that the abandonment of this part of the utility easement will not hinder drainage or utilities in the area. All pre-existing drainage patterns will be maintained. Therefore, the staff recommends approval of the partial easement abandonment.

Financial Consideration

Revenue: \$250.00 paid with application

Body

AN ABANDONMENT ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A

QUITCLAIM DEED TO JOHN P. ARANA, JR., AND KAREN L. ARANA FOR \$250 FOR ABANDONMENT OF PART OF AN UN-NEEDED PUBLIC UTILITY EASEMENT ON LOT 3, BLOCK E, MIRA LAGOS NO. A-2B ADDITION TO THE CITY OF GRAND PRAIRIE, G. GREER SURVEY, ABSTRACT NUMBER 618, TARRANT COUNTY, TEXAS; PROVIDING FOR THE QUITCLAIM THEREOF TO JOHN P. ARANA, JR., AND KAREN L. ARANA , THE FEE OWNERS OF LOT 3, BLOCK E, MIRA LAGOS NO. A-2B ADDITION; PROVIDING FOR THE TERMS AND CONDITIONS OF THE ABANDONMENT AND QUITCLAIM MADE HEREIN; PROVIDING FOR THE INDEMNIFICATION OF THE CITY OF GRAND PRAIRIE AGAINST DAMAGES ARISING OUT OF THE ABANDONMENT HEREIN; PROVIDING FOR THE CONSIDERATION FOR THE ABANDONMENT; AND PROVIDING AN EFFECTIVE DATE FOR THE ORDINANCE

WHEREAS, the City Council of the City of Grand Prairie, acting pursuant to law and upon the request and petition of **JOHN P. ARANA, JR., AND KAREN L. ARANA**, hereinafter referred to as GRANTEE, deems it advisable to abandon and quitclaim part of an un-needed public utility easement in the City of Grand Prairie, Dallas County, Texas, more particularly described in **“Exhibit A”**, attached hereto and incorporated herein; and

WHEREAS, the City Council of the City of Grand Prairie is of the opinion that said portion of the public utility easement is not needed for public use, and same should be abandoned and quitclaimed; and

WHEREAS, the City Council of the City of Grand Prairie is of the opinion that the best interest and welfare of the public will be served by abandoning and quitclaiming the same, subject to the conditions and for the consideration hereinafter more fully set forth.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE:

SECTION 1. That the easement tract described in **“Exhibit A”**, which is attached hereto and made a part hereof, be and the same shall be abandoned, vacated and closed insofar as the right, title and easement of the public are concerned; subject, however, to the conditions hereinafter more fully set out.

SECTION 2. That for and in consideration of the sum of TWO HUNDRED FIFTY AND NO/100 (\$250.00) DOLLARS paid by Grantee with his application, the City of Grand Prairie does by these presents QUITCLAIM, subject to the conditions hereinafter made, all its rights, title and interest in and to that certain tract or parcel of land described in **“Exhibit A”**, attached hereto and made a part hereof unto GRANTEE. TO HAVE AND TO HOLD all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges and appurtenances thereto in any manner belonging unto the said GRANTEE.

SECTION 3. That the terms and conditions contained in this ordinance and the application for the abandonment previously submitted to the City shall be binding upon GRANTEE, its successors and assigns.

SECTION 4. That the abandonment provided for herein is made subject to all present zoning and deed restrictions, if the latter exist, and is subject to all existing easement right of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise.

SECTION 5. That the abandonment and quitclaim provided for herein shall extend only to the public right, title, easement and interest, and shall be construed to extend only to that interest the Governing Body of the

City of Grand Prairie may legally and lawfully abandon and vacate.

SECTION 6. That as a condition of this abandonment and as a part of the consideration for the quitclaim to GRANTEE herein, GRANTEE, his heirs, executors and assigns, agree to indemnify, defend, release and hold the City of Grand Prairie whole and harmless against any and all claims for damages, costs or expenses to persons or property that may arise out of, or be occasioned by or from the abandonment, closing, vacation, and quitclaim by the City of Grand Prairie of the area set out in **“Exhibit A”**. GRANTEE his heirs, executors and assigns hereby agree to defend any and all suits, claims, or causes of action brought against the City on account of same, and discharge any judgment or judgments that may be rendered against the City of Grand Prairie in connection therewith.

SECTION 7. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Official Public Records of Tarrant County, Texas, and shall deliver to GRANTEE a certified copy of this ordinance, and the City Manager is authorized to sign a quitclaim deed on behalf of the City, subject to the conditions herein specified.

SECTION 8. That this ordinance shall take effect immediately from and after its passage and approval.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS,
MAY 5, 2020.**

EXHIBIT "A"
PROPOSED ABANDONMENT OF
ONCOR ELECTRIC DELIVERY COMPANY, LLC. EASEMENT
60 SQUARE FEET
OF MIRA LAGOS NO. A-2B, CITY OF GRAND PRAIRIE
TARRANT COUNTY, TEXAS

Being a tract of land situated in the G. Greer Survey, Abstract No. 618, Tarrant County, Texas, and being a portion of Lot 3, in Block E, of Mira Lagos No. A-2B, an Addition to the City of Grand Prairie, Tarrant County, Texas, according to the Map or Plat thereof recorded in Cabinet A, Slide 11516 and 11517, Plat Records, Tarrant County, Texas, same being that tract of land conveyed to John P. Arana, Jr., and Karen L. Arana, by deed recorded in Instrument No. D217252825, Official Public Records of Tarrant County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2 inch iron rod found for corner, said corner being the common Southwest corner of Lot 4 and the Northwest corner of Lot 3 of said Mira Lagos No. A-2B, same being the Northwest corner of the remainder of Arana tract, and lying along the East line of Playa (50 foot right-of-way);

THENCE North 89 degrees 23 minutes 08 seconds East, along the South line of said Lot 4, a distance of 112.50 feet to a point for corner;

THENCE South 00 degrees 36 minutes 52 seconds East, departing said South line of Lot 4, a distance of 15.00 feet to a point for corner, said corner being the POINT OF BEGINNING of that tract herein described:

THENCE North 89 degrees 23 minutes 08 seconds East, a distance of 2.14 feet to a point for corner;

THENCE South 00 degrees 28 minutes 50 seconds East, a distance of 28.60 feet to a point for corner;

THENCE South 89 degrees 23 minutes 08 seconds West, a distance of 2.07 feet to a point for corner;

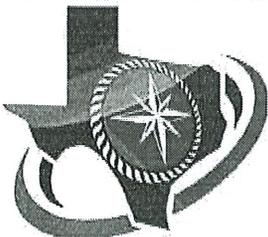
THENCE North 00 degrees 36 minutes 52 seconds West, a distance of 28.60 feet to the POINT OF BEGINNING and containing 60 square feet of land.



Bryan Connally
BRYAN CONNALLY
R.P.L.S. NO. 5513

GENERAL NOTES:

1) BEARINGS, EASEMENTS AND BUILDING LINES ARE BY RECORDED PLAT UNLESS OTHERWISE NOTED.

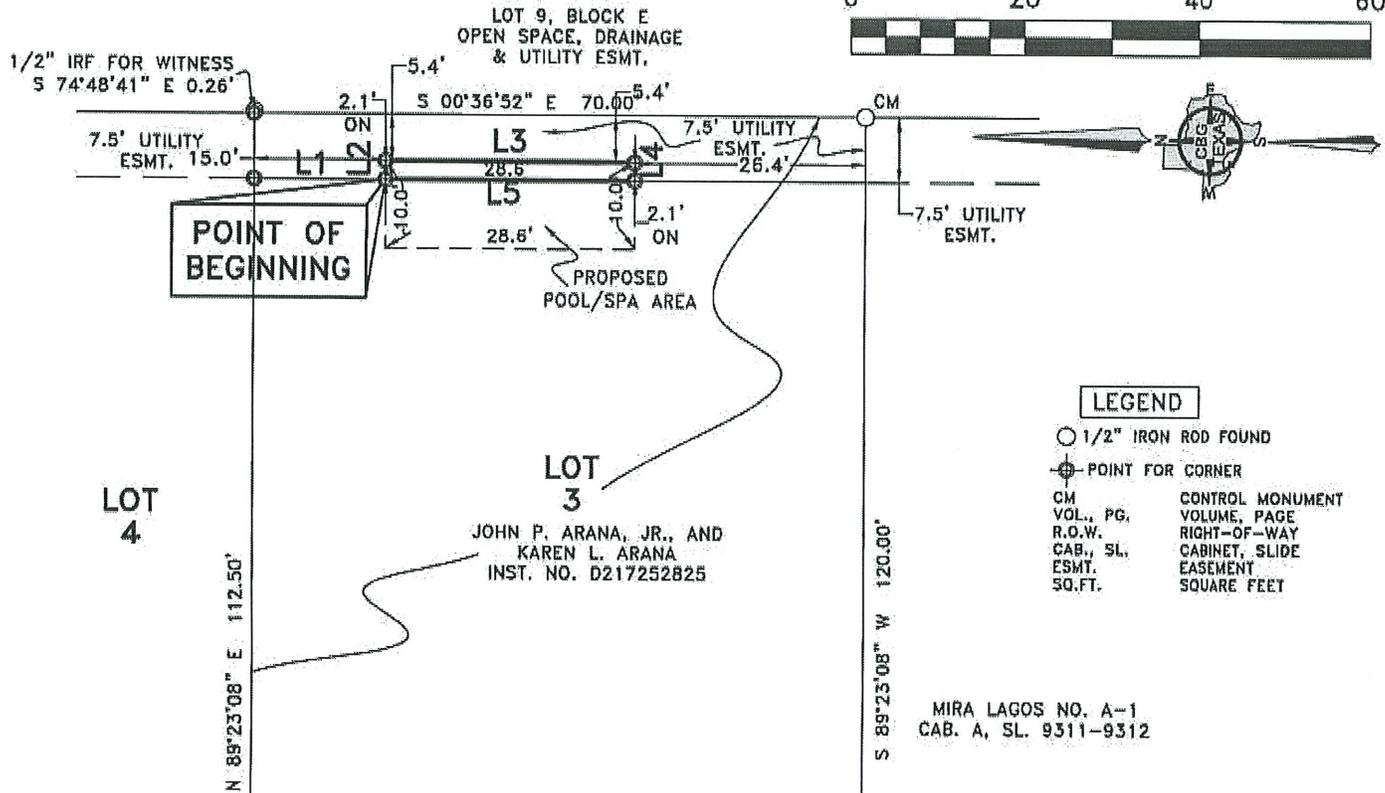


CBG Surveying Texas, LLC.

PLANNING SURVEYING
12025 Shiloh Road • Suite 230 Dallas, Texas 75228
P 214.349.9485 F 214.349.2216
Firm No. 10168800
www.cbginctx.com

SHEET 1 OF 2
JOB NO. 2003143
DRAWN BY: MARIA
DATE: 02/24/2020

EXHIBIT "A"
PROPOSED ABANDONMENT OF
ONCOR ELECTRIC DELIVERY COMPANY, LLC. EASEMENT
60 SQUARE FEET
OF MIRA LAGOS NO. A-2B, CITY OF GRAND PRAIRIE
TARRANT COUNTY, TEXAS



LEGEND

- 1/2" IRON ROD FOUND
- ⊕ POINT FOR CORNER
- CM CONTROL MONUMENT
- VOL., PG. VOLUME, PAGE
- R.O.W. RIGHT-OF-WAY
- CAB., SL. CABINET, SLIDE
- ESMT. EASEMENT
- 50.FT. SQUARE FEET

LINE	BEARING	DISTANCE
L1	S 00°36'52" E	15.00'
L2	N 89°23'08" E	2.14'
L3	S 00°28'50" E	28.60'
L4	S 89°23'08" W	2.07'
L5	N 00°36'52" W	28.60'

POINT OF COMMENCEMENT

CM
 1/2" ROD FOUND
 WITH YELLOW CAP
 STAMPED
 "JBI"

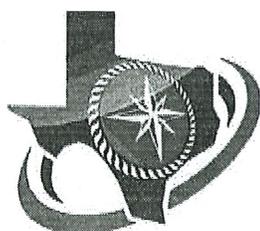
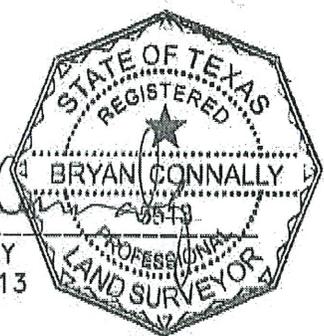
N 00°36'52" W 70.00'
 (BASIS OF BEARINGS)

PLAYA
 50' R.O.W.

1/2" ROD FOUND
 WITH YELLOW
 CAP STAMPED
 "RPLS 4826"

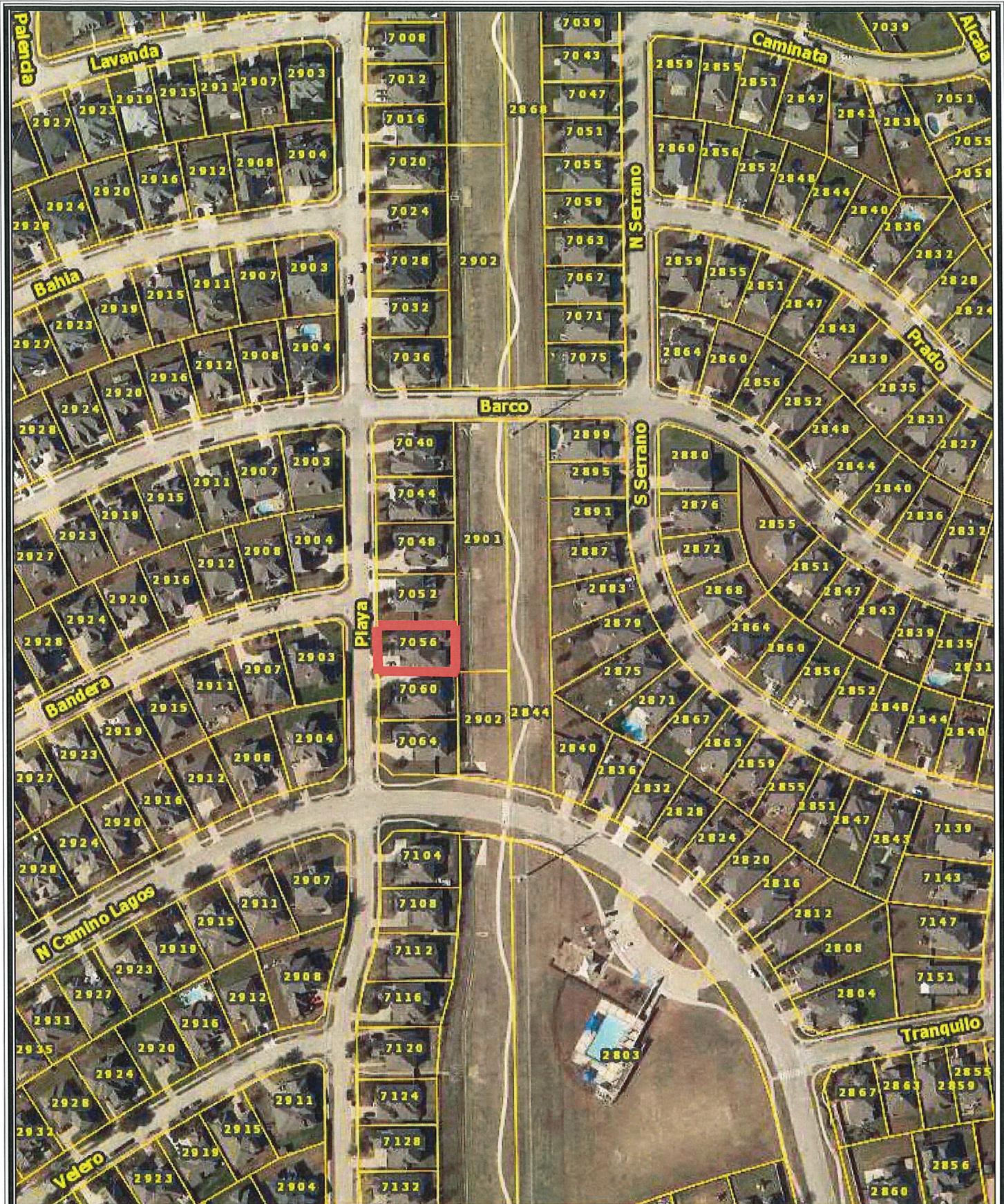
GENERAL NOTES:
 1) BEARINGS, EASEMENTS AND BUILDING LINES ARE
 BY RECORDED PLAT UNLESS OTHERWISE NOTED.

Bryan Connally
 BRYAN CONNALLY
 R.P.L.S. NO. 5513



CBG Surveying Texas, LLC.
 PLANNING • SURVEYING
 12025 Shiloh Road • Suite 230 • Dallas, Texas 75228
 P 214.349.9485 • F 214.349.2216
 Firm No. 10168800
 www.cbginctx.com

SHEET 2 OF 2
 JOB NO. 2003143
 DRAWN BY: MARIA
 DATE: 02/24/2020



Grand Prairie Maps

Date: 3/26/2020 Time: 9:14:47 AM

This data has been compiled by the City of Grand Prairie IT/GIS department. Various official and unofficial sources were used to gather this information. Every effort was made to ensure the accuracy of this data, however, no guarantee is given or implied as to the accuracy of said data.



Parcels

EXHIBIT 'B'



Legislation Details (With Text)

File #: 20-9891 **Version:** 1 **Name:** Ordinance amending the FY2019/20 Capital Improvement Projects Budget and a construction contract with SEMA Construction, Inc. for Seeton Road Ph II and Taaffe Creek Stream Stability Improvements

Type: Ordinance **Status:** Consent Agenda

File created: 4/1/2020 **In control:** Engineering

On agenda: 5/5/2020 **Final action:**

Title: Ordinance amending the FY 2019/20 Capital Improvement Projects Budget; Construction Contract with SEMA Construction, Inc. in the amount of \$6,216,113.75 for Seeton Road Phase II and Taaffe Creek Stream Stability Improvements; Material Testing with TEAM Consultants in the amount of \$108,231.20; 5% contract contingency in the amount of \$310,805.69; In-House labor distribution in the amount of \$310,805.69; Street lighting allowance in the amount of \$39,000 for a total project cost of \$6,984,956.32.

Sponsors:

Indexes:

Code sections:

Attachments: [2020.04.15 Recmd of Award - Seeton Rd.pdf](#)
[ESCROW 65.pdf](#)
[WO 620.48 STRM.pdf](#)
[WO 620.64.pdf](#)
[WO 620.96 WTR.pdf](#)
[WO 620.111 WWST.pdf](#)

Date	Ver.	Action By	Action	Result
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From

max

Title

Ordinance amending the FY 2019/20 Capital Improvement Projects Budget; Construction Contract with SEMA Construction, Inc. in the amount of \$6,216,113.75 for Seeton Road Phase II and Taaffe Creek Stream Stability Improvements; Material Testing with TEAM Consultants in the amount of \$108,231.20; 5% contract contingency in the amount of \$310,805.69; In-House labor distribution in the amount of \$310,805.69; Street lighting allowance in the amount of \$39,000 for a total project cost of \$6,984,956.32.

Presenter

Gabe Johnson, Director of Public Works, Walter Shumac, Director of Transportation and Romin Khavari, City Engineer

Recommended Action

Approve

Analysis

On December 15, 2015 the City of Grand Prairie awarded a Professional Engineering Services contract to Teague, Nall and Perkins, Inc. for paving, drainage and waterline design of Seeton Road between Grand Peninsula Parkway and Day Miar Road in the amount of \$424,000. Subsequent Amendments provided for 8" PVC Wastewater main design; U.S. Army Corps of Engineers permitting and Taaffe Creek Stream stability improvements coordination. Note: Taaffe Creek Improvements plans (designed by Halff Associates, Inc.) were incorporated into Seeton Road Phase II plans due to its close proximity, upstream of Seeton Road to avoid erosion of the creek.

This project provides for the following improvements and approximate quantities:

- Reconstruction of approximately 5800 linear feet (22,400 square yards) of Seeton Road from its current two-lane asphalt section to a 3-lane 37' -wide curbed concrete section.
- 73 linear feet 6-7' x5' multi-box drainage culvert crossing of Seeton Road over Taaffe Creek
- 2400 Linear Feet of Various size storm drain pipes and culverts including curb inlets
- 2377 Linear Feet of 12" Waterline
- 1345 Linear Feet of 8" Wastewater line
- Channel excavation and installation of Rock riprap for Taaffe Creek stream stability

The first Phase of construction provides for full roadway closure of Seeton Road at Taaffe Creek, weather permitting. This closure will help expedite construction during the summer months when schools are out. All other phases will provide for one way and two way traffic.

The City of Grand Prairie advertised and received a Total of Three (3) bids for this project on April 1, 2020 as follows:

<u>Name</u>	<u>Bid Price</u>
SEMA Construction, Inc.	\$6,216,113.75
Texas Sterling Construction Co.	\$7,413,247.05
Tiseo Paving Company	\$8,847,817.80

The Engineer's opinion of probable cost was \$5,896,065.25.

City Staff and Engineering consultant (Teague Nall and Perkins) recommends award of the Seeton Road Phase II and Taaffe Creek Stability Improvements to SEMA Construction Inc. in the amount of \$6,216,113.75 and duration of 450 calendar days.

Project construction is anticipated to begin in late May 2020 with completion in October 2021. This item was reviewed by the Finance and Government Committee at its meeting held on May 5, 2020.

Financial Consideration

Funding in the total amount of \$6,984,958 is available as follows:

1. \$3,715,315 is available in Street Capital Projects Fund (400192) WO #02006403 (Seeton Road Grand Peninsula STRT)
2. \$1,776,000 is available in Storm Drainage Capital Projects Fund (401592) WO #02004803 (Seeton Rd Grand Peninsula STRM)
3. \$325,000 is available in Water Capital Projects Fund (500592) WO #02009603 (Seeton Rd Grand Peninsula WTER)
4. \$233,604 is available in Wastewater Capital Projects Fund (500692) WO#02011103 (Seeton Rd Grand Peninsula WWST)

5. \$107,775 is available in an escrow account WO #0065 Lakeview West from DR Horton and will be used in the Street portion of the contract.
6. \$106,098 is available by appropriating and transferring from the unobligated fund balance in the Street Capital Projects Fund (400192) to WO #02006403 (Seeton Road Grand Peninsula STRT)
7. \$704,744 is available by appropriating and transferring from the unobligated fund balance in the Storm Drainage Capital Projects Fund (401592) to WO #02004803 (Seeton Rd Grand Peninsula STRM)
8. \$16,422 is available by appropriating and transferring from the unobligated fund balance in the Water Capital Projects Fund (500592) to WO #02009603 (Seeton Rd Grand Peninsula WTER)

This item will be reviewed by the F&G Committee on May 5, 2020.

Body

AN ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS, AMENDING THE FY 2019/2020 CAPITAL IMPROVEMENT PROJECTS BUDGET BY TRANSFERRING AND APPROPRIATING \$106,098 FROM THE UNOBLIGATED FUND BALANCE IN THE STREET CAPITAL PROJECTS FUND (400192) TO WO #02006403 (SEETON ROAD GRAND PENINSULA STRT), \$704,744 FROM THE UNOBLIGATED FUND BALANCE IN THE STORM DRAINAGE CAPITAL PROJECTS FUND (401592) TO WO #02004803 (SEETON RD GRAND PENINSULA STRM) AND \$16,422 FROM THE UNOBLIGATED FUND BALANCE IN THE WATER CAPITAL PROJECTS FUND (500592) TO WO #02009603 (SEETON RD GRAND PENINSULA WTER)

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS:

SECTION 1. THAT THE FY 2019/2020 Capital Improvement Projects Budget be amended by transferring and appropriating \$106,098 from the unobligated fund balance in the Street Capital Projects Fund (400192) to WO #02006403 (Seeton Rd Grand Peninsula STRT)

SECTION 2. THAT THE FY 2019/2020 Capital Improvement Projects Budget be amended by transferring and appropriating \$704,744 from the unobligated fund balance in the Storm Drainage Capital Projects Fund (401592) to WO #02004803 (Seeton Rd Grand Peninsula STRM)

SECTION 3. THAT THE FY 2019/2020 Capital Improvement Projects Budget be amended by transferring and appropriating \$16,422 from the unobligated fund balance in the Water Capital Projects Fund (500592) to WO #02009603 (Seeton Rd Grand Peninsula WTER)

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, MAY 5TH, 2020.

April 15, 2020

Romin Khavari, P.E. CFM
 City Engineer
 City of Grand Prairie
 300 West Main Street
 Grand Prairie, TX 75050

**RE: Recommendation of Award for Seeton Road Phase II (W.O. #615.68) and
 Taaffe Creek Stream Stability Improvements (W.O. #615.76)**

Mr. Khavari,

Bids for the referenced project were received electronically and announced publicly on Wednesday, April 1, 2020 by the City of Grand Prairie. A total of three bids were received. Below is a summary of the bids. A detailed bid tabulation is also attached.

	Bidder	Total Bid Amount
1	SEMA Construction, Inc.	\$6,216,113.75
2	Texas Sterling Construction Co.	\$7,413,247.05
3	Tiseo Paving Company	\$8,847,817.80

The Engineer's opinion of probable construction cost was \$5,896,065.25. SEMA Construction, Inc. was the low of the three bidders with a total bid of \$6,216,113.75. We checked the bids for errors and omissions and found none.

SEMA Construction, Inc. does not have previous experience in the City of Grand Prairie. Teague Nall and Perkins has not worked directly with SEMA Construction, Inc. on any projects. However, we have reviewed SEMA's bid along with their qualifications, financial statements, and company profile information. We have also contacted the following references for SEMA Construction, Inc. and received favorable reviews for the work they performed for those entities on similar type projects. The general tone of responses was that SEMA's quality of work is good and that they are qualified for projects of similar size and type of Seeton Road Phase II. It is our opinion that the size and scope of this project is within SEMA's capabilities.

- TxDOT Dallas District Willie Bolden 214-307-0012
- TxDOT Denton Area Office Mark Ross 940-600-9433
- Kimley-Horn (City of Princeton Project) Joe Helmberger 469-301-2585

SEMA's qualification statements show that SEMA intends to perform 70% of the work with its own employees. 30% of the work (items such as sealing of concrete, asphalt paving and milling, electrical, guardrail, and pavement striping) is listed as work to be performed by subcontractors. Therefore, a detailed review of subcontractor references was not performed.

Based on our evaluation, we have found nothing to warrant the disqualification of SEMA Construction, Inc.'s bid and therefore recommend that the Seeton Road Phase II project be awarded to SEMA Construction, Inc. The award should be contingent on procurement of insurance and bonds by SEMA Construction, Inc.

Please call if you have any questions or need additional information.

Sincerely,

tnp

teague nall & perkins



Chris Edwards, P.E.

**CITY OF GRAND PRAIRIE
CAPITAL PROJECTS BUDGET SUMMARY**

Fund/Activity Account: 403092 / 65
 Project Title: Seeton Rd -Lakeview West
 Current Request: \$0.00

ACCOUNT DESCRIPTION	1 CURRENT BUDGET	2 AVAILABLE BALANCE	3 CURRENT REQUEST	2+3 REVISED BALANCE	1+3 AMENDED BUDGET
Construction 68540	\$107,775	\$107,775		\$107,775	\$107,775
				\$0	\$0
				\$0	\$0
				\$0	\$0
				\$0	\$0
				\$0	\$0
TOTAL	\$107,775	\$107,775	\$0	\$107,775	\$107,775

**CITY OF GRAND PRAIRIE
CAPITAL PROJECTS BUDGET SUMMARY**

Fund/Activity Account: 401592 / 02004803
 Project Title: Seeton Rd - Grnd Peninsula STRM
 Current Request: \$704,744.00

ACCOUNT DESCRIPTION	1 CURRENT BUDGET	2 AVAILABLE BALANCE	3 CURRENT REQUEST	2+3 REVISED BALANCE	1+3 AMENDED BUDGET
Construction 68540	\$1,580,640	\$1,580,640	\$704,744	\$2,285,384	\$2,285,384
Eng/Con/Geo 68560	\$106,560	\$106,560		\$106,560	\$106,560
Labor 68999	\$88,800	\$88,800		\$88,800	\$88,800
				\$0	\$0
				\$0	\$0
				\$0	\$0
				\$0	\$0
TOTAL	\$1,776,000	\$1,776,000	\$704,744	\$2,480,744	\$2,480,744

**CITY OF GRAND PRAIRIE
CAPITAL PROJECTS BUDGET SUMMARY**

Fund/Activity Account: 400192 / 02006403
 Project Title: Seeton Rd Grnd Peninsula STRT
 Current Request: \$106,098.00

ACCOUNT DESCRIPTION	1 CURRENT BUDGET	2 AVAILABLE BALANCE	3 CURRENT REQUEST	2+3 REVISED BALANCE	1+3 AMENDED BUDGET
Construction 68540	\$3,500,503	\$3,480,627	\$106,098	\$3,586,725	\$3,606,601
Eng/Con/Geo 68560	\$230,509	\$60,617		\$60,617	\$230,509
Labor 68999	\$174,071	\$174,071		\$174,071	\$174,071
ROW/Easement 68610	\$191,493	\$0		\$0	\$191,493
				\$0	\$0
				\$0	\$0
				\$0	\$0
TOTAL	\$4,096,576	\$3,715,315	\$106,098	\$3,821,413	\$4,202,674

**CITY OF GRAND PRAIRIE
CAPITAL PROJECTS BUDGET SUMMARY**

Fund/Activity Account: 500592 / 02009603
 Project Title: Seeton Rd - Grand Peninsula WTER
 Current Request: \$16,422.00

ACCOUNT DESCRIPTION	1 CURRENT BUDGET	2 AVAILABLE BALANCE	3 CURRENT REQUEST	2+3 REVISED BALANCE	1+3 AMENDED BUDGET
Construction 68540	\$304,403	\$304,403	\$16,422	\$320,825	\$320,825
Eng/Con/Geo 68560	\$5,320	\$5,320		\$5,320	\$5,320
Labor 68999	\$15,277	\$15,277		\$15,277	\$15,277
				\$0	\$0
				\$0	\$0
				\$0	\$0
				\$0	\$0
TOTAL	\$325,000	\$325,000	\$16,422	\$341,422	\$341,422

CITY OF GRAND PRAIRIE CAPITAL PROJECTS BUDGET SUMMARY

Fund/Activity Account: 500692 / 02011103
 Project Title: Seeton Rd - Grand Peninsula WWST
 Current Request: \$0.00

ACCOUNT DESCRIPTION	1 CURRENT BUDGET	2 AVAILABLE BALANCE	3 CURRENT REQUEST	2+3 REVISED BALANCE	1+3 AMENDED BUDGET
Construction 68540	\$345,021	\$345,021	\$0	\$345,021	\$345,021
Eng/Con/Geo 68560	\$23,260	\$23,260	\$0	\$23,260	\$23,260
Labor 68999	\$19,383	\$19,383	\$0	\$19,383	\$19,383
				\$0	\$0
				\$0	\$0
				\$0	\$0
				\$0	\$0
TOTAL	\$387,664	\$387,664	\$0	\$387,664	\$387,664



Legislation Details (With Text)

File #:	20-9932	Version:	1	Name:	Ratify An Ordinance amending the FY 2019/2020 Epic Fund Operating Budget by transferring and appropriating \$800,000 from the unobligated fund balance to fund Epic Waters operating reserves
Type:	Ordinance	Status:			Consent Agenda
File created:	4/21/2020	In control:			Parks & Recreation
On agenda:	5/5/2020	Final action:			
Title:	Ordinance amending the FY 2019/2020 Epic Fund Operating Budget; Ratifying the emergency appropriation of \$800,000 to fund minimum operating reserves for Epic Waters and reduce operating revenues due to COVID operational shut down				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	CC 20-9932 MINI FUND SUMMARY - EPIC.pdf CC 20-9932 EPIC WATERS MONTHLY.pdf				

Date	Ver.	Action By	Action	Result
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From

Gary Yakesch

Title

Ordinance amending the FY 2019/2020 Epic Fund Operating Budget; Ratifying the emergency appropriation of \$800,000 to fund minimum operating reserves for Epic Waters and reduce operating revenues due to COVID operational shut down

Presenter

Duane Strawn, Director of Parks, Arts and

Recommended Action

Approve

Analysis

Epic Waters operations closed on March 16, 2020 due to COVID pandemic. Accordingly, operating revenues projected during the peak weeks of spring break did not materialize. Additionally, early summer projections and expected social distancing measures will further hamper the ability of Epic Waters to generate substantial revenues to replace minimum operating reserves. It is the peak period operations, particularly those during state spring break periods as well as summer months, that sustain cash flow for Epic Waters during the fiscal year.

The executed management contract requires the city to fund operations where minimum reserves are depleted. (Ref Paragraph 4.2.2.3 and Paragraph 4.3 of the executed Management Agreement between The City of Grand Prairie and American Resort Management)

American Resort Management is monitoring all activities and expenditures closely to mitigate further losses because of the pandemic and subsequent/expected social distancing measures.

\$200,000 was issued on April 24, 2020 to fund immediate cash needs for accounts payable and payroll liabilities; future disbursements will be based on projected cash flows each month.

This item was presented to the Finance and Government Committee on May 5, 2020 for review and approval.

Financial Consideration

Funding to maintain a minimum operating reserves for Epic Waters and reduce operating revenues due to COVID operational shut down, in the amount of \$800,000, is available by approving an ordinance transferring and appropriating from the unobligated fund balance in the Epic Fund (3209); Reserves held for Epic Waters totaled \$2,384,268 at the beginning of the fiscal year.

Body

ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS, AMENDING THE FY 2019/2020 EPIC FUND BY RATIFYING, TRANSFERRING AND APPROPRIATING \$800,000 FROM THE UNOBLIGATED FUND BALANCE IN THE EPIC FUND (3209) TO FUND MINIMUM OPERATING RESERVES AND REDUCE OPERATING REVENUES

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS:

SECTION 1. THAT THE FY 2019/2020 Epic Budget be amended by transferring and appropriating \$800,000 from the unobligated fund balance in the EPIC Fund (3209) to fund minimum operating reserves and reduce operating revenues.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, MAY 5, 2020.

CITY OF GRAND PRAIRIE
EPIC FUND SUMMARY
2019/2020

	<u>2019/2020</u> <u>APPR/MOD</u>
Beginning Resources	\$2,564,918
Approved Revenues	12,603,963
LESS: Epic Waters FY20 Net Income	(1,200,000)
TOTAL REVENUES	<u>\$11,403,963</u>
Reserve for Encumbrances	0
Reserve for Operating	1,000,000
Reserve for Epic Waters	2,384,268
TOTAL RESOURCES	<u>\$17,353,149</u>
Approved Expenditures	10,026,070
TOTAL EXPENDITURES	<u>10,026,070</u>
Approved Appropriations	1,890,000
ADD: Epic Waters Minimum Operating Reserve (313212-6106)	800,000
TOTAL APPROPRIATIONS	<u><u>12,716,070</u></u>
Reserve For Operating	1,000,000
Reserve For Epic Waters	1,124,268
Ending Resources	<u><u>\$2,512,811</u></u>



		1	2	3	4	5	6	7	8	9	10	11	12	13
	FY20 FORECAST	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	TOTAL
1	VISITATION STAT	Actual	Actual	Actual	Actual	Actual	Actual	Projection	Projection	Projection	Projection	Projection	Projection	
2		9,386	9,170	14,572	14,620	14,617	16,501	-	-	22,300	34,000	23,400	6,150	164,716
	Revenue/Visit Metric	35.89	34.67	24.15	30.18	31.60	39.71	#DIV/0!	#DIV/0!	29.23	29.11	28.17	28.53	30.60
	REVENUE BY DEPARTMENT													
3	Waterpark Revenue	232,061	188,774	160,664	254,881	264,083	438,678	-	-	456,309	670,151	446,262	118,787	3,230,650
4	Food & Beverage Revenue + EPIC Eats	70,505	81,177	133,046	128,714	129,821	142,077	-	-	130,374	205,916	137,122	36,500	1,195,252
5	Retail & Misc Revenue (Includes Other)	13,787	23,680	27,798	28,663	24,578	37,913	(308)	-	32,594	57,918	38,568	10,266	295,457
6	Arcade Revenue	20,468	24,259	30,468	28,926	43,476	36,518	-	-	32,594	55,787	37,149	9,889	319,534
7	Total Department Revenue	336,821	317,890	351,976	441,184	461,958	655,186	(308)	-	651,871	989,772	659,101	175,442	5,040,893
8														
9	Total Department Expenses	217,892	225,345	414,664	284,117	287,550	272,123	20,000	37,000	272,000	388,625	351,519	230,868	3,001,703
10	Department Income	118,929	92,545	(62,688)	157,067	174,408	383,063	(20,308)	(37,000)	379,871	601,147	307,582	(55,426)	2,039,190
11	Undistributed Operating Expenses													
12	Sales & Marketing	146,844	25,517	14,450	105,844	119,531	124,724	80,000	70,000	90,000	90,000	92,000	80,000	1,038,910
13	Administration & General	95,132	80,786	95,924	76,261	107,030	83,502	50,000	90,000	84,990	97,545	84,990	65,000	1,011,160
14	Maintenance	67,792	52,730	36,736	57,090	44,563	97,511	25,000	25,000	64,000	76,000	64,000	53,000	663,422
15	Utilities	26,452	50,934	69,020	26,801	43,070	56,578	20,000	20,000	41,000	43,000	41,000	37,000	474,855
16	Total Undistributed Operating	336,220	209,967	216,130	265,996	314,194	362,315	175,000	205,000	279,990	306,545	281,990	235,000	3,188,347
17	Gross Operating Profit	(217,291)	(117,422)	(278,818)	(108,929)	(139,786)	20,748	(195,308)	(242,000)	99,881	294,602	25,592	(290,426)	(1,149,157)
18	Fixed Cost / Insurance													
19	Management Fees	13,343	12,672	14,051	17,624	17,386	26,760	-	20,000	26,075	40,036	26,661	7,097	221,705
20	Insurance	21,139	17,015	14,901	17,015	17,015	17,015	17,015	18,500	19,900	9,900	19,900	19,900	209,215
21	Total Fixed Cost / Insurance	34,482	29,687	28,952	34,639	34,401	43,775	17,015	38,500	45,975	49,936	46,561	26,997	430,920
21	NET INCOME	(251,773)	(147,109)	(307,770)	(143,568)	(174,187)	(23,027)	(212,323)	(280,500)	53,906	244,666	(20,969)	(317,423)	(1,580,077)
	YEAR OVER YEAR ANALYTIC													
22	Year Over Year Revenue Increase / (Decrease)	66,026	45,811	(97,244)	36,485	38,140	(984,055)	(774,509)	(1,094,866)	(723,210)	(670,399)	(470,375)	(257,176)	(4,885,372)
23	Year Over Year Expenditure Increase / (Decrease)	193,060	(35,498)	14,126	(30,392)	207,548	(351,945)	(386,458)	(500,937)	(361,213)	(161,036)	(181,865)	(214,815)	(1,809,425)
24	Year Over Year Net Income / (Loss)	(127,034)	81,309	(111,370)	66,877	(169,408)	(632,110)	(388,051)	(593,929)	(361,997)	(509,363)	(288,510)	(42,361)	(3,075,947)
	CASH POSITION - RESERVES HELD BY A.R.M.													
25	BEGINNING OPERATING RESERVE HELD BY A.R.M.	815,700	1,023,927	876,818	569,048	425,480	251,293	228,266	215,943	135,443	389,349	834,015	813,046	
26	FY20 ONE TIME MARKETING TRFR	460,000												
27	CITY TRANSFER TO A.R.M. TO RESTORE RESERVES							200,000	200,000	200,000	200,000			800,000
28	MONTHLY NET INCOME / (LOSS)	(251,773)	(147,109)	(307,770)	(143,568)	(174,187)	(23,027)	(212,323)	(280,500)	53,906	244,666	(20,969)	(317,423)	
29	ENDING OPERATING RESERVE HELD BY A.R.M.	1,023,927	876,818	569,048	425,480	251,293	228,266	215,943	135,443	389,349	834,015	813,046	495,623	(a)
	Management Contract - Requires 28 Day Minimum Operating Reserve Based On Expenditures													
	Total Expenditures - Projected												6,620,970	
	28 Day Reserve - Calculated												507,910	(b)
	Projected Reserve Vs Calculated Reserve Excess / (Shortfall)												(12,287)	(a - b)



Legislation Details (With Text)

File #:	20-9933	Version:	1	Name:	COVID-19 community assistance
Type:	Ordinance	Status:		Status:	Consent Agenda
File created:	4/21/2020	In control:		In control:	Budget
On agenda:	5/5/2020	Final action:		Final action:	
Title:	Ordinance amending the FY 2019/2020 Capital Improvement Projects Budget; Ratification of the appropriation of \$100,000 for the purpose of providing funds to assist the local community during the COVID-19 pandemic				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	Local Assistance Help Budget Summary.pdf Local Assistance Help Funding Considerations.pdf				

Date	Ver.	Action By	Action	Result
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From
Kathleen C. Mercer

Title
Ordinance amending the FY 2019/2020 Capital Improvement Projects Budget; Ratification of the appropriation of \$100,000 for the purpose of providing funds to assist the local community during the COVID-19 pandemic

Presenter
Cheryl De Leon, Deputy City Manager

Recommended Action
Approve

Analysis
To assist the community during the COVID-19 pandemic, funding in the amount of \$100,000 was allocated for the following local organizations:

Lifeline for Families - \$20,000
- Rental assistance
- Provided in \$5,000 installments

Grand Prairie United Charities - \$30,000
- Rental assistance: \$15,000
- Food: \$10,000
- Personal hygiene supplies: \$5,000

Brighter Tomorrows - \$20,000
- Shelter expenses

- Provided in \$5,000 installments

Children First Counseling Center - \$20,000

- Operational funding to continue tele-counseling services
- Provided in \$5,000 installments

Grand Prairie Homeless Outreach Organization - \$10,000

- Funding for motel rooms during inclement weather for homeless individuals
- Provided in \$2,500 installments

This item will be reviewed by the Finance and Government Committee on May 5, 2020.

Financial Consideration

Funding is available by approving an ordinance transferring and appropriating from the unobligated fund balance in the Capital Reserve Fund (402590), to WO #02014703 (Local Community Help).

Body

AN ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS, AMENDING THE FY 2019/2020 CAPITAL IMPROVEMENT PROJECTS BUDGET BY RATIFYING THE APPROPRIATION \$100,000 FROM THE UNOBLIGATED FUND BALANCE IN THE CAPITAL RESERVE FUND (402590) TO WO #02014703 (LOCAL COMMUNITY HELP)

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS:

SECTION 1. That the FY2019/2020 Capital Improvement Projects Budget be amended by transferring appropriating \$100,000 from the unobligated fund balance in the Capital Reserve Fund (402590), to WO #02014703 (Local Community Help).

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, MAY 5, 2020.

**CITY OF GRAND PRAIRIE
CAPITAL PROJECTS BUDGET SUMMARY**

Fund/Activity Account: Capital Reserve Fund
 Project Title: Local Community Help
 Current Request: \$100,000.00

ACCOUNT DESCRIPTION	1 CURRENT BUDGET	2 AVAILABLE BALANCE	3 CURRENT REQUEST	2+3 REVISED BALANCE	1+3 AMENDED BUDGET
Gifts, Awards and Plaques (60110)	\$0	\$0	\$100,000	\$100,000	\$100,000
				\$0	\$0
				\$0	\$0
				\$0	\$0
				\$0	\$0
				\$0	\$0
				\$0	\$0
TOTAL	\$0	\$0	\$100,000	\$100,000	\$100,000

Community COVID-19 Funding Considerations

Community Gap Funding: \$137,000

Lifeline for Families: \$20,000

- Rental Assistance
- Provided in \$5,000 installments

Grand Prairie United Charities: \$30,000

- Rental Assistance: \$15,000
- Food: \$10,000
- Personal Hygiene Supplies: \$5,000

Brighter Tomorrows: \$20,000

- Shelter Expenses
- Provided in \$5,000 installments

Children First Counseling Center: \$20,000

- Operational funding to continue tele-counseling services
- Provided in \$5,000 installments

Grand Prairie Homeless Outreach Organization: \$10,000

- Funding for motel rooms during inclement weather for homeless individuals
- Provided in \$2,500 installments

Total Allocation: \$100,000

Remaining Funding: \$37,000

*All expenses will require receipts prior to subsequent allocations

Grand Prairie United Charities: \$30,000

- Rental Assistance will be handled through the standard process, with one exception – citizenship will not be a question asked in the application
- Food will be purchased two ways:
 - Through the North Texas Food Bank and other partners
 - Through the GPUC Board's purchase of gift cards from local restaurants (no chain/franchised restaurants) within Grand Prairie city limits – individual gift card amounts may not exceed \$50
- Personal Hygiene Supplies will be purchased from our retail partners – these may include items such as feminine products, diapers, contraceptives, deodorant, toothpaste, soap, etc.

Brighter Tomorrows: \$20,000

- Shelter Expenses including payroll, medicine, cleaning supplies, professional cleaning services, counseling services, etc.

Children First Counseling Center: \$20,000

- Operational funding to continue tele-counseling services including payroll, equipment, and crisis resources/materials

Grand Prairie Homeless Outreach Organization: \$10,000

- Funding for motel rooms during inclement weather for homeless individuals
- Funding for access to restrooms for homeless individuals



Legislation Details (With Text)

File #: 20-9940 **Version:** 1 **Name:** Ordinance; Summit Parking Lot Renovation
Type: Ordinance **Status:** Consent Agenda
File created: 4/24/2020 **In control:** Engineering
On agenda: 5/5/2020 **Final action:**
Title: Ordinance amending the FY 2019/2020 Capital Improvement Projects Budget in the amount of \$500,000 for a new parking lot for the Summit at the northwest corner of Warrior Trail and Esplanade
Sponsors:
Indexes:
Code sections:
Attachments: [Summit Parking.pdf](#)

Date	Ver.	Action By	Action	Result
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From
max

Title
Ordinance amending the FY 2019/2020 Capital Improvement Projects Budget in the amount of \$500,000 for a new parking lot for the Summit at the northwest corner of Warrior Trail and Esplanade

Presenter
Andy Henning

Recommended Action
Approve

Analysis
Due to the forthcoming EpicCentral development work that will displace a minimal amount of existing parking for The Summit, a new parking lot was identified for consideration by City Staff due to the increased demand for parking during special events within EpicCentral. The location of the additional parking was also considered for the benefit it could provide to PlayGrand Adventures during peak times requiring overflow parking.

To date, the City has approved award of a design services contract to Cobb Fendley Engineering in the amount of \$25,485 (including a reimbursable expenses allowance of \$500) for turnkey design of all scopes of work associated with the parking. At this time, City Staff is requesting funds be allocated to a work order to cover design, geotechnical/subsurface testing and construction. All contracts for the new Summit parking in excess of \$50,000 will be brought back and presented to City Council for approval prior to award. This item was reviewed by the Finance and Government Committee at its meeting held on May 5, 2020.

Financial Consideration
Funding for a new parking lot for the Summit at the northwest corner of Warrior Trail and Esplanade, in the

amount of \$500,000, is available by approving an ordinance transferring and appropriating from the unobligated fund balance in the Street Capital Projects Fund (400192) to WO #02014903(Warrior Trl Summit Parking)

Body

AN ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS, AMENDING THE FY 2019/2020 CAPITAL IMPROVEMENT PROJECTS BUDGET BY TRANSFERRING AND APPROPRIATING \$500,000 FROM THE UNOBLIGATED FUND BALANCE IN THE STREET CAPITAL PROJECTS FUND (400192) TO WO #02014903 (WARRIOR TRL SUMMIT PARKING)

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS:

SECTION 1. THAT THEY FY 2019/2020 Capital Improvement Projects Budget be amended by transferring and appropriating \$500,000 from the unobligated fund balance in the Street Capital Projects Fund (400192) to WO #02014903 (Warrior Trl Summit Parking)

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, MAY 5TH, 2020.

CITY OF GRAND PRAIRIE CAPITAL PROJECTS BUDGET SUMMARY

Fund/Activity Account: 400192 / 02014903
 Project Title: Warrior Trl Summit Parking
 Current Request: \$500,000.00

ACCOUNT DESCRIPTION	1 CURRENT BUDGET	2 AVAILABLE BALANCE	3 CURRENT REQUEST	2+3 REVISED BALANCE	1+3 AMENDED BUDGET
Prof Services (61041)	\$0	\$0	\$10,000	\$10,000	\$10,000
Construction (68540)	\$0	\$0	\$475,000	\$475,000	\$475,000
Eng/Geo/Con (68560)	\$0	\$0	\$15,000	\$15,000	\$15,000
				\$0	\$0
				\$0	\$0
				\$0	\$0
				\$0	\$0
TOTAL	\$0	\$0	\$500,000	\$500,000	\$500,000



Legislation Details (With Text)

File #:	20-9942	Version:	1	Name:	judge appointment
Type:	Ordinance	Status:		Status:	Consent Agenda
File created:	4/24/2020	In control:		In control:	City Attorney
On agenda:	5/5/2020	Final action:		Final action:	
Title:	Ordinance appointing Bryan Arnold, Presiding Judge; William Mazur, Associate Judge; and Frank Hagle, Glen Holley, Ann Poston, and Kristine Primrose as Alternate Judges effective April 1, 2020				
Sponsors:					
Indexes:					
Code sections:					
Attachments:					

Date	Ver.	Action By	Action	Result
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From

Megan Mahan

Title

Ordinance appointing Bryan Arnold, Presiding Judge; William Mazur, Associate Judge; and Frank Hagle, Glen Holley, Ann Poston, and Kristine Primrose as Alternate Judges effective April 1, 2020

Presenter

Judge Bryan Arnold

Recommended Action

Approve

Analysis

This ordinance will appoint all judges for the Municipal Court effective April 1, 2020.

Financial Consideration

Funds are available in 201010-50020 and 201010-61360 for wages.

Body

AN ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS APPOINTING A PRESIDING JUDGE, ASSOCIATE JUDGE, AND ALTERNATE JUDGES OF THE GRAND PRAIRIE MUNICIPAL COURT; PROVIDING FOR COMPENSATION OF THOSE JUDGES; AND PROVIDING AN EFFECTIVE DATE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS:

SECTION 1. That the City Council appoints Bryan S. Arnold as the Presiding Judge of the Grand Prairie Municipal Court for the term beginning April 1, 2020, and ending March 31, 2022.

SECTION 2. That the City Council appoints William A. Mazur as Associate Judge of the Grand Prairie Municipal Court for the term beginning April 1, 2020, and ending March 31, 2022.

SECTION 3. That the City Council appoints the following individuals as alternate judges of the Grand Prairie Municipal Court, for the term beginning April 1, 2020, and ending March 31, 2022:

Frank Hagle; Glen Holley; Ann Poston; and Kristine Primrose

SECTION 4. Compensation for the presiding judge, associate judge, and alternate judges shall be determined by the City Manager in accordance with Chapter 10, Section 10-2(b) of the Code of Ordinances of the City of Grand Prairie.

SECTION 5. That this Ordinance shall be and become effective April 1, 2020 and after its adoption and approval.

PASSED AND APPROVED this the 5th day of May, 2020.



Legislation Details (With Text)

File #: 20-9943 **Version:** 1 **Name:** Ordinance; Change Order/Amendment No. 16 with Lee Lewis Construction for the EPIC and EPIC Waters

Type: Ordinance **Status:** Consent Agenda

File created: 4/24/2020 **In control:** Engineering

On agenda: 5/5/2020 **Final action:**

Title: Ordinance amending the FY 2019/2020 Capital Improvement Projects Budget; Change Order/Amendment No. 16 with Lee Lewis Construction, Inc. in the amount of \$123,633.50 for all remaining agreed upon Change Orders to their contract in order to allow for closeout of The Epic and Epic Waters construction projects (change orders include work associated with added mechanical design, millwork revisions, structural relocation, adjustments to conform with the Americans with Disabilities Act, sports court layout changes, elevator camera additions and alteration of landscape plantings)

Sponsors:

Indexes:

Code sections:

Attachments: [615.120.pdf](#)

Date	Ver.	Action By	Action	Result
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From

max

Title

Ordinance amending the FY 2019/2020 Capital Improvement Projects Budget; Change Order/Amendment No. 16 with Lee Lewis Construction, Inc. in the amount of \$123,633.50 for all remaining agreed upon Change Orders to their contract in order to allow for closeout of The Epic and Epic Waters construction projects (change orders include work associated with added mechanical design, millwork revisions, structural relocation, adjustments to conform with the Americans with Disabilities Act, sports court layout changes, elevator camera additions and alteration of landscape plantings)

Presenter

Andy Henning, Senior Building and Construction Projects Manager

Recommended Action

Approve

Analysis

On December 9, 2014 the City Council awarded the Construction Manager at Risk (CMAR) contract to Lee Lewis Construction, Inc. for pre-construction services in the amount of \$20,000. This award provided the CMAR services including development of project estimates, preliminary construction schedules, value engineering and constructability review during the Design Phase.

The current Change Order/Amendment No. 16 in the amount of \$123,633.50 is divided as follows:

1. **\$13,185.00** for added mechanical exhaust fans at Epic Waters due to voltage drop challenges
2. **\$59,974.00** for replacement of the bar top at Epic Waters
3. **\$17,037.00** for relocation of structural concrete pier to resolve conflict with water slide layout in Epic Waters
4. **\$709.00** for ADA fix of restroom drinking fountain at Epic Waters
5. **\$8,996.50** for striping layout changes for futsal court at The Epic
6. **\$3,178.00** for ADA fix of millwork in administrative office area of The Epic
7. **\$2,606.00** for the addition of security cameras within elevators of The Epic and Epic Waters
8. **\$17,948.00** for change out of seventeen trees along the amphitheater lake edge

Change Order/Amendment No. 1 in the amount of \$1,100,000 was approved by City Council on November 3, 2015 (15-5108) allowing for the pre-purchase of aluminum materials that would be utilized in the construction of the OpenAire retractable roof system for the EPIC Waters portion of the project.

Change Order/Amendment No. 2 in the amount of \$6,794,652.49 was approved by City Council on February 2, 2016 (16-5323) to get early phase construction activities underway. The elements included in Change Order No. 2 covered the direct subcontract costs for dirt and site work (\$2,217,205.10), underground site utilities installation work (\$2,253,997.20), design and fabrication of confirmed water park feature rides to allow for their timely installation (\$1,412,117.40), and associated CMAR costs for General Conditions (\$650,000) and Insurance and Fees (\$261,332.79) for a total approved amount of \$6,794,652.49.

Change Order/Amendment No. 3 in the amount of \$76,067,529 was approved by City Council on May 3, 2016 (16-5400) was comprised of three components: 1. \$70,142,492 for the balance of the EPIC Water Park construction 2. \$650,000 for the walking trail restroom facility, and 3. \$5,275,037 for Waterwood/Epic Place previously approved roadway and utilities.

Change Order/Amendment No. 4 in the amount of \$90,953 was approved by City Council on August 2, 2016 (16-5873) was for landscape grading and grubbing for the EPIC PlayGrand Adventures. Cost savings associated with EPIC Waters will be possible due to EPIC PlayGrand Adventures receiving excavated soil from the basement construction of EPIC Waters versus paying to haul off-site. Funding for the complete EPIC PlayGrand will be from the Sports Corp in the amount of a \$2,000,000 one-time donation. A resolution on the current council will reimburse the Capital Lending and Reserve Fund after the donation.

Change Order/Amendment No. 5 in the amount of \$96,178 was approved by City Council on October 11, 2016 (16-6134) was for additional material testing with CMJ Engineering, Inc.

Change Order/Amendment No. 6 in the amount of \$81,269 was approved by City Council on November 1, 2016 (16-6160) and was comprised of three components as follows:

1. \$52,174 for the added bore at Arkansas Lane and the adjustment at the AT&T conduit lines, Oncor duct bank and re-mobilization
2. \$19,685 for installation of a line stop on the 8" waterline and the cut in of a gate valve at the PSB
3. \$9,410 for a 13'-5" deeper connection on the 16" waterline connection in Arkansas Lane

Change Order/Amendment No. 7 in the amount of \$98,526 was approved by City Council on March 7, 2017 (17-6522) and was comprised of three components as follows:

1. \$77,966 for additional work regarding a conflict between the sanitary and storm drains at Esplanade
2. \$13,729 for additional scope of work regarding the upsizing of the transformers, feeder and panels for the video sign
3. \$6,831 for video sign electrical coordination revisions

Change Order/Amendment No. 8 in the amount of \$252,377 was approved by City Council on May 2, 2017 (17-6696) is divided as follows:

1. \$49,538 for multiple conduit provisions for City and internet provider fiber routing and connection to the PSB and

Arkansas Lane

2. \$22,733 for a domestic water sub-meter for separation of water usage monitoring between the Epic and Epic Waters
3. \$20,769 for revised retaining/safety wall details increasing the foundation width due to existing contour and soil conditions
4. -\$3,409 credit for unnecessary HVAC pumps that were removed from the project
5. \$23,637 for an 8" domestic water line stop necessary due to unforeseen location and elevation of the existing piping with no shut-off valves incorporated
6. \$6,213 for additional Oncor electric service provisions for site amenities and the new lake system water well
7. \$132,896 for the balance of construction testing required of CMJ Engineering, Inc.

Change Order/Amendment No. 9 in the amount of -\$120,918 was approved by City Council on October 17, 2017 (17-7263) and was comprised of the following components:

1. \$6,814 for seating alcove provisions to coordinate with selected moveable basketball goals
2. \$119,513 for aquatics design coordination with finalized water feature requirements
3. -\$15,201 for lightning protection design changes
4. \$16,821 for sanitary sewer conflict with existing conditions
5. \$4,930 for wavepool capacity control ropes and floats
6. -\$997 for mechanical and electrical savings associated with lighting coordination adjustments
7. \$19,213 for sanitary sewer bore below existing communications vault
8. \$74,395 for Atmos natural gas line installation
9. \$10,287 for Oncor electric service #5 to PlayGrand Adventures
10. \$64,400 for electrical power provisions to stage locations within the Grand Lawn amphitheater
11. -\$38 for corrected overhead percentage on previously executed project change orders
12. \$1,830 for damproofing at new Grand Central trail system restroom building
13. \$53,700 for spandrel glass revisions necessary to eliminate light infiltration
14. -\$516,250 for transfer of library kiosk allowance from construction budget to FF&E budget
15. \$39,665 for additional interior and exterior power locations required for operational needs

Change Order/Amendment No. 10 in the amount of \$797,413 was approved by City Council on November 21, 2017 (17-7366) and was comprised of the following components:

1. \$8,958 for mechanical louver revisions for durability
2. \$6,290 for basement areaway wall adjustments for maintenance access
3. \$4,287 for door changes from wood to fiberglass in areas potentially impacted by chemicals
4. \$21,390 for door hardware adjustments to coordinate with planned facility operations/access
5. \$308,672 for structural concrete pier depth reconciliation due to varying geotechnical strata layer profile
6. -\$13,397 for removal of shower doors and replacement with shower curtains
7. -\$10,227 for reduction of glazing type specified for glass doors based on code requirements
8. -\$8,935 for removal of window into mechanical room
9. \$8,799 for added doorway into wave generation vault for lazy river
10. \$6,457 for expansion of outdoor synthetic turf to include Epic Fit space
11. \$4,623 for change from grade 2 basketball flooring to grade 1 basketball flooring to match City standard
12. \$449,302 for outdoor video board to be located on the exterior wall of the Epic theater
13. \$11,194 for lock modifications for patron lockers from traditional padlock provisions to key code access

Change Order/Amendment No. 11 in the amount of \$544,124 was approved by City Council on January 9, 2018 (18-7500) and was comprised of the following components:

1. \$198,386 for Addendum #4 drawing package final coordination consisting of:
 - a) Electrical revisions (power, theater lighting, motor controls, feeder upsizing)
 - b) Door and hardware finalization
 - c) Loading dock traffic coating

2. \$294,289 for 34 structural concrete piers for support of the final water slide package
3. \$10,591 for ductwork rerouting to improve aesthetics at the main entry corridor of the Epic
4. \$35,217 for audio/video (A/V) equipment costs beyond the \$1,000,000 allowance carried in the GMP
5. \$5,641 for lighting at the Epic Waters cupola structure

Change Order/Amendment No. 12 in the amount of \$1,947,385 was approved by City Council on September 4, 2018 (18-7877) allowed for multiple items such as additional railing at the wave pools, Epic Murals package, additional electrical and insulation modifications.

Change Order/Amendment No. 13 in the amount of \$180,129 was approved by City Council on October 16, 2018 (18-8349) allowing for multiple items. The change order also covered multiple items including a deduct - \$35,686 to cover electricity invoices paid by the Parks department while the facility is still under construction by Lee Lewis, additional power, and multiple finish out details.

Change Order/Amendment No. 14 in the amount of \$229,250 was approved by City Council on December 11, 2018 (18-8494) allowing for multiple items including a deduct -\$16,834 to cover electricity invoices paid by the Parks department while the facility is still under construction by Lee Lewis, additional power, and multiple finish out details.

Change Order/Amendment No. 15 in the amount of \$484,031.22 was approved by City Council on April 2, 2019 (19-8819) allowed for multiple items necessary for certificate of occupancy requirements and ADA/security additions. The change order covers multiple items including deducts in the amount of (\$117,809) for items either modified or not constructed; increases in the amount of \$601,840.22 for a cumulative of \$719,649.22 and a net of \$484,031.22. Deducts are for items either modified or taken out of the scope.

This item was presented to the Finance and Government Committee on May 5, 2020.

All items will be incorporated into the current Lee Lewis Construction, Inc. contract for a revised total contract amount of \$88,786,341.21.

Financial Consideration

Funding for Change Order/Amendment No. 16 with Lee Lewis Construction, Inc., in the amount of \$123,634, is available by approving an ordinance transferring and appropriating from the unobligated fund balance in The Epic Capital Projects Fund (320893) to WO #01512003 (The Epic Center) 68540 (Construction)

Body

AN ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS, AMENDING THE FY 2019/2020 CAPITAL IMPROVEMENT PROJECTS BUDGET BY TRANSFERRING AND APPROPRIATING \$123,634 FROM THE UNOBLIGATED FUND BALANCE IN THE EPIC CAPITAL PROJECTS FUND (320893) WO #01512003 (THE EPIC CENTER) 68540 (CONSTRUCTION)

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS:

SECTION 1. THAT THE FY 2019/2020 Capital Improvement Projects Budget be amended by transferring and appropriating \$123,634 from the unobligated fund balance in The Epic Capital Projects Fund (320893) to WO #01512003 (The Epic Center) 68540 (Construction)

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS,

MAY 5TH, 2020.

**CITY OF GRAND PRAIRIE
CAPITAL PROJECTS BUDGET SUMMARY**

Fund/Activity Account: 320893 / 01512001-03
 Project Title: The Epic Center
 Current Request: \$123,634.00

ACCOUNT DESCRIPTION	1 CURRENT BUDGET	2 AVAILABLE BALANCE	3 CURRENT REQUEST	2+3 REVISED BALANCE	1+3 AMENDED BUDGET
Minor Equip (60520)	918,048	3,152	0	3,152	918,048
Small Office Furn (60530)	931,311	6,321	0	6,321	931,311
Small Tool/Equip (60510)	3,000	0	0	0	3,000
Epic Library <\$5K(60751)	29,070	0	0	0	29,070
Misc Services (61485)	4,115	0	0	0	4,115
LightPower (62030)	52,646	0	0	0	52,646
Misc Improvement (68020)	976,342	54,210	0	54,210	976,342
Data Processing Srv(68420)	161,490	0	0	0	161,490
Office Furn (68290)	723,948	250	0	250	723,948
Wellness Equip >\$5K(68295)	646,375	0	0	0	646,375
Construction (68540)	82,135,452	8,099	123,634	131,733	82,259,086
Design (68550)	7,723,986	1	0	1	7,723,986
Eng/Con/Geo (68560)	30,356	0	0	0	30,356
Epic Library >\$5K(68751)	117,000	0	0	0	117,000
TOTAL	\$94,453,139	\$72,033	\$123,634	\$195,667	\$94,576,773



Legislation Details (With Text)

File #:	20-9938	Version:	1	Name:	Sales Tax Rev Bonds 2020 BoA
Type:	Ordinance	Status:		Status:	Consent Agenda
File created:	4/24/2020	In control:		In control:	Finance and Government Committee
On agenda:	5/5/2020	Final action:		Final action:	
Title:	Consideration of all matters incident and related to amending Ordinance No. 8051 authorizing the City of Grand Prairie, Texas, Sales Tax Subordinate Lien Revenue Refunding Bonds, Series 2009, including the adoption of an ordinance pertaining thereto				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	Prelim #'s Grand Prairie TX Sales Tax SubLien Rev Ref Bonds Series 2009 (Reissuance)				

Date	Ver.	Action By	Action	Result
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From
Brady Olsen, Treasury and Debt Manager

Title
Consideration of all matters incident and related to amending Ordinance No. 8051 authorizing the City of Grand Prairie, Texas, Sales Tax Subordinate Lien Revenue Refunding Bonds, Series 2009, including the adoption of an ordinance pertaining thereto

Presenter
Brady Olsen, Treasury and Debt Manager

Recommended Action
Approve

Analysis
The city has the opportunity to refinance approximately \$7 million in outstanding park venue sales tax bonds. Bank of America is the current holder of the debt and is willing to change the interest rate from 3.77% to 1.6%. This would represent a present value savings of approximately \$460,000 or 6.8%, both above policy minimums. Bank of America as also asked that the bonds not be callable, meaning we will be locked into this rate until the debt matures in 2027.

This item will be presented to the Finance and Government Committee on May 5, 2020.

Financial Consideration
We will save approximately \$460,000 in interest payments on the debt.

Body

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City of Grand Prairie, Texas
Sales Tax Subordinate Lien Revenue Refunding Bonds, Series 2009 (Reissuance)
Assumes repricing @ 1.60%
Non Callable
Preliminary; For Purposes of Discussion Only

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SAVINGS

City of Grand Prairie, Texas
Sales Tax Subordinate Lien Revenue Refunding Bonds, Series 2009 (Reissuance)
Assumes repricing @ 1.60%
Non Callable
Preliminary; For Purposes of Discussion Only

Date	Prior Debt Service	Refunding Debt Service	Refunding Expenses	Refunding Net Cash Flow	Savings
09/30/2020	127,049.00	26,960.00	63,524.50	90,484.50	36,564.50
09/30/2021	739,767.25	598,880.00		598,880.00	140,887.25
09/30/2022	1,344,136.00	1,220,880.00		1,220,880.00	123,256.00
09/30/2023	1,345,686.75	1,247,440.00		1,247,440.00	98,246.75
09/30/2024	854,966.00	777,280.00		777,280.00	77,686.00
09/30/2025	1,382,171.75	1,326,240.00		1,326,240.00	55,931.75
09/30/2026	1,382,784.75	1,355,280.00		1,355,280.00	27,504.75
09/30/2027	611,310.00	604,800.00		604,800.00	6,510.00
	7,787,871.50	7,157,760.00	63,524.50	7,221,284.50	566,587.00

Savings Summary

Savings PV date	05/15/2020
Savings PV rate	1.600214%
PV of savings from cash flow	543,758.38
Out-of-Pocket Refunding Expenses	-84,960.25
Net PV Savings	458,798.13

ESCROW REQUIREMENTS

City of Grand Prairie, Texas
Sales Tax Subordinate Lien Revenue Refunding Bonds, Series 2009 (Reissuance)
Assumes repricing @ 1.60%
Non Callable
Preliminary; For Purposes of Discussion Only

Period Ending	Interest	Principal Redeemed	Total
05/15/2020	63,524.50	6,740,000.00	6,803,524.50
	63,524.50	6,740,000.00	6,803,524.50

SUMMARY OF BONDS REFUNDED

City of Grand Prairie, Texas
Sales Tax Subordinate Lien Revenue Refunding Bonds, Series 2009 (Reissuance)
Assumes repricing @ 1.60%
Non Callable
Preliminary; For Purposes of Discussion Only

Bond	Maturity Date	Interest Rate	Par Amount	Call Date	Call Price
Sales Tax Subordinate Lien Revenue Refunding Bonds, Series 2009:					
TERM	02/15/2021	3.770%	495,000.00	05/15/2020	100.000
	02/15/2022	3.770%	1,130,000.00	05/15/2020	100.000
	02/15/2023	3.770%	1,175,000.00	05/15/2020	100.000
	02/15/2024	3.770%	720,000.00	05/15/2020	100.000
	02/15/2025	3.770%	1,285,000.00	05/15/2020	100.000
	02/15/2026	3.770%	1,335,000.00	05/15/2020	100.000
	02/15/2027	3.770%	600,000.00	05/15/2020	100.000
			6,740,000.00		

SUMMARY OF REFUNDING RESULTS

City of Grand Prairie, Texas
Sales Tax Subordinate Lien Revenue Refunding Bonds, Series 2009 (Reissuance)
Assumes repricing @ 1.60%
Non Callable
Preliminary; For Purposes of Discussion Only

Dated Date	05/15/2020
Delivery Date	05/15/2020
Arbitrage yield	1.600214%
Escrow yield	0.000000%
Value of Negative Arbitrage	
Bond Par Amount	6,740,000.00
True Interest Cost	1.600214%
Net Interest Cost	1.600000%
All-In TIC	1.600214%
Average Coupon	1.600000%
Average Life	3.874
Par amount of refunded bonds	6,740,000.00
Average coupon of refunded bonds	3.770000%
Average life of refunded bonds	3.874
PV of prior debt to 05/15/2020 @ 1.600214%	7,347,030.26
Net PV Savings	458,798.13
Percentage savings of refunded bonds	6.807094%

BOND SUMMARY STATISTICS

City of Grand Prairie, Texas
Sales Tax Subordinate Lien Revenue Refunding Bonds, Series 2009 (Reissuance)
Assumes repricing @ 1.60%
Non Callable
Preliminary; For Purposes of Discussion Only

Dated Date	05/15/2020
Delivery Date	05/15/2020
First Coupon	08/15/2020
Last Maturity	02/15/2027
Arbitrage Yield	1.600214%
True Interest Cost (TIC)	1.600214%
Net Interest Cost (NIC)	1.600000%
All-In TIC	1.600214%
Average Coupon	1.600000%
Average Life (years)	3.874
Weighted Average Maturity (years)	3.874
Duration of Issue (years)	3.747
Par Amount	6,740,000.00
Bond Proceeds	6,740,000.00
Total Interest	417,760.00
Net Interest	417,760.00
Bond Years from Dated Date	26,110,000.00
Bond Years from Delivery Date	26,110,000.00
Total Debt Service	7,157,760.00
Maximum Annual Debt Service	1,355,280.00
Average Annual Debt Service	1,060,408.89
Underwriter's Fees (per \$1000)	
Average Takedown	
Other Fee	
Total Underwriter's Discount	
Bid Price	100.000000

Bond Component	Par Value	Price	Average Coupon	Average Life
Bond Component	6,740,000.00	100.000	1.600%	3.874
	6,740,000.00			3.874

BOND SUMMARY STATISTICS

City of Grand Prairie, Texas
Sales Tax Subordinate Lien Revenue Refunding Bonds, Series 2009 (Reissuance)
Assumes repricing @ 1.60%
Non Callable
Preliminary; For Purposes of Discussion Only

	TIC	All-In TIC	Arbitrage Yield
	_____	_____	_____
Par Value	6,740,000.00	6,740,000.00	6,740,000.00
+ Accrued Interest			
+ Premium (Discount)			
- Underwriter's Discount			
- Cost of Issuance Expense			
- Other Amounts			
	_____	_____	_____
Target Value	6,740,000.00	6,740,000.00	6,740,000.00
Target Date	05/15/2020	05/15/2020	05/15/2020
Yield	1.600214%	1.600214%	1.600214%

BOND PRICING

City of Grand Prairie, Texas
Sales Tax Subordinate Lien Revenue Refunding Bonds, Series 2009 (Reissuance)
Assumes repricing @ 1.60%
Non Callable
Preliminary; For Purposes of Discussion Only

Bond Component	Maturity Date	Amount	Rate	Yield	Price
Bond Component:					
	02/15/2021	495,000	1.600%	1.600%	100.000
	02/15/2022	1,130,000	1.600%	1.600%	100.000
	02/15/2023	1,175,000	1.600%	1.600%	100.000
	02/15/2024	720,000	1.600%	1.600%	100.000
	02/15/2025	1,285,000	1.600%	1.600%	100.000
	02/15/2026	1,335,000	1.600%	1.600%	100.000
	02/15/2027	600,000	1.600%	1.600%	100.000
		6,740,000			

Dated Date	05/15/2020	
Delivery Date	05/15/2020	
First Coupon	08/15/2020	
Par Amount	6,740,000.00	
Original Issue Discount		
Production	6,740,000.00	100.000000%
Underwriter's Discount		
Purchase Price	6,740,000.00	100.000000%
Accrued Interest		
Net Proceeds	6,740,000.00	

NET DEBT SERVICE

City of Grand Prairie, Texas
Sales Tax Subordinate Lien Revenue Refunding Bonds, Series 2009 (Reissuance)
Assumes repricing @ 1.60%
Non Callable
Preliminary; For Purposes of Discussion Only

Date	Principal	Coupon	Interest	Total Debt Service	Accrued Interest Through 5/15/2020	Net Debt Service	Annual Net D/S
08/15/2020			26,960	26,960	63,524.50	90,484.50	
09/30/2020							90,484.50
02/15/2021	495,000	1.600%	53,920	548,920		548,920.00	
08/15/2021			49,960	49,960		49,960.00	
09/30/2021							598,880.00
02/15/2022	1,130,000	1.600%	49,960	1,179,960		1,179,960.00	
08/15/2022			40,920	40,920		40,920.00	
09/30/2022							1,220,880.00
02/15/2023	1,175,000	1.600%	40,920	1,215,920		1,215,920.00	
08/15/2023			31,520	31,520		31,520.00	
09/30/2023							1,247,440.00
02/15/2024	720,000	1.600%	31,520	751,520		751,520.00	
08/15/2024			25,760	25,760		25,760.00	
09/30/2024							777,280.00
02/15/2025	1,285,000	1.600%	25,760	1,310,760		1,310,760.00	
08/15/2025			15,480	15,480		15,480.00	
09/30/2025							1,326,240.00
02/15/2026	1,335,000	1.600%	15,480	1,350,480		1,350,480.00	
08/15/2026			4,800	4,800		4,800.00	
09/30/2026							1,355,280.00
02/15/2027	600,000	1.600%	4,800	604,800		604,800.00	
09/30/2027							604,800.00
	6,740,000		417,760	7,157,760	63,524.50	7,221,284.50	7,221,284.50

NET DEBT SERVICE

City of Grand Prairie, Texas
Sales Tax Subordinate Lien Revenue Refunding Bonds, Series 2009 (Reissuance)
Assumes repricing @ 1.60%
Non Callable
Preliminary; For Purposes of Discussion Only

Period Ending	Principal	Coupon	Interest	Total Debt Service	Accrued Interest Through 5/15/2020	Net Debt Service
09/30/2020			26,960	26,960	63,524.50	90,484.50
09/30/2021	495,000	1.600%	103,880	598,880		598,880.00
09/30/2022	1,130,000	1.600%	90,880	1,220,880		1,220,880.00
09/30/2023	1,175,000	1.600%	72,440	1,247,440		1,247,440.00
09/30/2024	720,000	1.600%	57,280	777,280		777,280.00
09/30/2025	1,285,000	1.600%	41,240	1,326,240		1,326,240.00
09/30/2026	1,335,000	1.600%	20,280	1,355,280		1,355,280.00
09/30/2027	600,000	1.600%	4,800	604,800		604,800.00
	6,740,000		417,760	7,157,760	63,524.50	7,221,284.50

PRIOR BOND DEBT SERVICE

City of Grand Prairie, Texas
Sales Tax Subordinate Lien Revenue Refunding Bonds, Series 2009 (Reissuance)
Assumes repricing @ 1.60%
Non Callable
Preliminary; For Purposes of Discussion Only

Period Ending	Principal	Coupon	Interest	Debt Service
09/30/2020			127,049.00	127,049.00
09/30/2021	495,000	3.770%	244,767.25	739,767.25
09/30/2022	1,130,000	3.770%	214,136.00	1,344,136.00
09/30/2023	1,175,000	3.770%	170,686.75	1,345,686.75
09/30/2024	720,000	3.770%	134,966.00	854,966.00
09/30/2025	1,285,000	3.770%	97,171.75	1,382,171.75
09/30/2026	1,335,000	3.770%	47,784.75	1,382,784.75
09/30/2027	600,000	3.770%	11,310.00	611,310.00
	6,740,000		1,047,871.50	7,787,871.50

FORM 8038 STATISTICS

City of Grand Prairie, Texas
Sales Tax Subordinate Lien Revenue Refunding Bonds, Series 2009 (Reissuance)
Assumes repricing @ 1.60%
Non Callable
Preliminary; For Purposes of Discussion Only

Dated Date 05/15/2020
Delivery Date 05/15/2020

Bond Component	Date	Principal	Coupon	Price	Issue Price	Redemption at Maturity
Bond Component:						
	02/15/2021	495,000.00	1.600%	100.000	495,000.00	495,000.00
	02/15/2022	1,130,000.00	1.600%	100.000	1,130,000.00	1,130,000.00
	02/15/2023	1,175,000.00	1.600%	100.000	1,175,000.00	1,175,000.00
	02/15/2024	720,000.00	1.600%	100.000	720,000.00	720,000.00
	02/15/2025	1,285,000.00	1.600%	100.000	1,285,000.00	1,285,000.00
	02/15/2026	1,335,000.00	1.600%	100.000	1,335,000.00	1,335,000.00
	02/15/2027	600,000.00	1.600%	100.000	600,000.00	600,000.00
		6,740,000.00			6,740,000.00	6,740,000.00

	Maturity Date	Interest Rate	Issue Price	Stated Redemption at Maturity	Weighted Average Maturity	Yield
Final Maturity	02/15/2027	1.600%	600,000.00	600,000.00		
Entire Issue			6,740,000.00	6,740,000.00	3.8739	1.6002%

Proceeds used for accrued interest	0.00
Proceeds used for bond issuance costs (including underwriters' discount)	0.00
Proceeds used for credit enhancement	0.00
Proceeds allocated to reasonably required reserve or replacement fund	0.00
Proceeds used to refund prior tax-exempt bonds	6,803,524.50
Proceeds used to refund prior taxable bonds	0.00
Remaining WAM of prior tax-exempt bonds (years)	3.8739
Remaining WAM of prior taxable bonds (years)	0.0000
Last call date of refunded tax-exempt bonds	05/15/2020

2011 Form 8038 Statistics

Proceeds used to currently refund prior issues	6,803,524.50
Proceeds used to advance refund prior issues	0.00
Remaining weighted average maturity of the bonds to be currently refunded	3.8739
Remaining weighted average maturity of the bonds to be advance refunded	0.0000



Legislation Details (With Text)

File #:	20-9939	Version:	1	Name:	Oncor Rate Filing Resolution
Type:	Resolution	Status:		Status:	Consent Agenda
File created:	4/24/2020	In control:		In control:	City Attorney
On agenda:	5/5/2020	Final action:		Final action:	
Title:	Resolution to deny Oncor's Application to Amend its Distribution Cost Recovery Factor (DCRF) to Increase Distribution Rates				
Sponsors:					
Indexes:					
Code sections:					
Attachments:					

Date	Ver.	Action By	Action	Result
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From

Mark Dempsey, Deputy City Attorney

Title

Resolution to deny Oncor's Application to Amend its Distribution Cost Recovery Factor (DCRF) to Increase Distribution Rates

Presenter

Mark Dempsey, Deputy City Manager

Recommended Action

Adopt the resolution denying the Oncor DCRF

Analysis

The City is an electric utility customer of Oncor Electric Delivery Company LLC ("Oncor" or "Company"). The Oncor Cities Steering Committee ("OCSC") is a coalition of similarly situated cities served by Oncor that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in Oncor's service area in matters before the Public Utility Commission ("PUC" or "Commission") and the courts.

On April 3, 2020, Oncor filed an application to Amend its Distribution Cost Recovery Factor ("DCRF") with each of the cities retaining original jurisdiction and with the Commission in Docket No. 50734. In the filing, the Company sought to increase distribution rates by \$75.9 million annually (an approximately \$0.88 increase to the average residential customer's bill).

The resolution authorizes the City to join with OCSC to evaluate the filing, determine whether the filing complies with law, and if lawful, to determine what further strategy, including settlement, to pursue.

Purpose of Resolution:

The purpose of the Resolution is to deny the DCRF amendment proposed by Oncor.

Explanation of "Be it Ordained" Section:

1. This section authorizes the city to participate with OCSC as a party in the Company's DCRF filing in PUC Docket No. 50734.
2. This section authorizes the hiring of Lloyd Gosselink and consultants to review the filing, negotiate with the Company, and make recommendations to the City regarding reasonable rates. It also authorizes OCSC to direct any necessary administrative proceedings or court litigation associated with an appeal of this application filed with the Commission.
3. This paragraph finds that the Company's application is unreasonable and should be denied.
4. This section states that the Company's current rates shall not be changed.
5. The Company will reimburse OCSC for its reasonable rate case expenses. Legal counsel and consultants approved by the OCSC will submit monthly invoices that will be forwarded to Oncor for reimbursement.
6. This section merely recites that the resolution was passed at a meeting that was open to the public and that the consideration of the Resolution was properly noticed.
7. This section provides that Oncor and counsel for OCSC will be notified of the City's action by sending a copy of the approved and signed resolution to counsel.

This item will be reviewed by the Finance and Government Committee on May 5, 2020.

Financial Consideration

NA

Body

A RESOLUTION OF THE CITY OF GRAND PRAIRIE, TEXAS, FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S APPLICATION FOR APPROVAL TO AMEND ITS DISTRIBUTION COST RECOVERY FACTOR TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; AUTHORIZING PARTICIPATION WITH ONCOR CITIES STEERING COMMITTEE; AUTHORIZING THE HIRING OF LEGAL COUNSEL AND CONSULTING SERVICES; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL

WHEREAS, the City of Grand Prairie, Texas ("City") is an electric utility customer of Oncor Electric Delivery LLC ("Oncor" or "Company"), and a regulatory authority with an interest in the rates and charges of Oncor; and

WHEREAS, the Oncor Cities Steering Committee ("OCSC") is a coalition of similarly situated cities served by Oncor that have joined together to efficiently and cost effectively review and respond to

electric issues affecting rates charged in Oncor's service area in matters before the Public Utility Commission ("Commission") and the courts; and

WHEREAS, on or about April 3, 2020, Oncor filed with the Commission an Application to Amend its Distribution Cost Recovery Factor ("DCRF"), Commission Docket No. 50734, seeking to increase distribution rates by \$75.9 million annually (an approximately \$0.88 increase to the average residential customer's bill); and

WHEREAS, the City of Grand Prairie will cooperate with OCSC in coordinating their review of Oncor's DCRF filing with designated attorneys and consultants, prepare a common response, negotiate with the Company, and direct any necessary litigation, to resolve issues in the Company's filings; and

WHEREAS, all electric utility customers residing in the City will be impacted by this ratemaking proceeding if it is granted; and

WHEREAS, working with the OCSC to review the rates charged by Oncor allows members to accomplish more collectively than each city could do action along; and

WHEREAS, OCSC's members and attorneys recommend that members deny Oncor's DCRF.

NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS THAT:

SECTION 1. That the City is authorized to participate with OCSC in Commission Docket No. 50734.

SECTION 2. That, subject to the right to terminate employment at any time, the City of Grand Prairie hereby authorizes the hiring of the law firm of Lloyd Gosselink Rochelle & Townsend, P.C. and consultants to negotiate with the Company, make recommendations to the City regarding reasonable rates, and to direct any necessary administrative proceedings or court litigation associated with an appeal to Oncor's DCRF application.

SECTION 3. That the rates proposed by Oncor to be recovered through its DCRF charged to customers located within the City limits, are hereby found unreasonable and shall be denied.

SECTION 4. That the Company shall continue to charge its existing rates to customers within the City.

SECTION 5. That the City's reasonable rate case expenses shall be reimbursed in full by Oncor within 30 days of the adoption of this Resolution.

SECTION 6. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.

SECTION 7. That a copy of this Resolution shall be sent to Tab Urbantke, Attorney for Oncor, at Hunton Andrews Kurth LLP, 1445 Ross Avenue, Suite 3700, Dallas, Texas 75202, and to Thomas Brocato, General Counsel to OCSC, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, TX 78767-1725, or tbrocato@lglawfirm.com.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS,
MAY 5, 2020.**



Legislation Details (With Text)

File #: 20-9876 **Version:** 1 **Name:** TA200401 – Amend Article 4 and Article 30, stores.
Type: Ordinance **Status:** Public Hearing Consent Agenda
File created: 3/16/2020 **In control:** Planning and Zoning Commission
On agenda: 5/5/2020 **Final action:**
Title: TA200401 - Text Amendment - Amend Article 4 and Article 30 of the Unified Development Code to update the definition of and to establish regulations for variety stores, small-format grocery stores, and dollar stores. (On April 27, 2020, the Planning and Zoning Commission recommended approval of this request by a vote of 7-2) (Staff requests tabling of this item for re-hearing by the Planning and Zoning Commission.)

Sponsors:

Indexes:

Code sections:

Attachments: [PZ Draft Minutes 04-27-20.pdf](#)

Date	Ver.	Action By	Action	Result
4/27/2020	1	Planning and Zoning Commission		

From

Chris Hartmann

Title

TA200401 - Text Amendment - Amend Article 4 and Article 30 of the Unified Development Code to update the definition of and to establish regulations for variety stores, small-format grocery stores, and dollar stores. (On April 27, 2020, the Planning and Zoning Commission recommended approval of this request by a vote of 7-2) **(Staff requests tabling of this item for re-hearing by the Planning and Zoning Commission.)**

Presenter

Savannah Ware, AICP, Chief City Planner

Recommended Action

Approve

Analysis

OVERVIEW:

Staff is proposing regulations regarding small format retail or grocery stores, often known as "dollar stores." These stores are typically less than 12,000 square feet and offer a selection of groceries and home goods that are more limited than a full-service grocery store. Typically, these stores have little or no fresh produce, no fresh meat, no bakery, and no pharmacy. Food items are typically canned or frozen. Due to their small format and low prices, these stores, with some exceptions, are built in neighborhood settings away from freeway interchanges and larger anchored developments or power centers.

In the past few years, several cities around the United States, including cities in the DFW area, have passed

regulations that limit the ability of these stores to cluster near other such stores, and that require a minimum square footage of fresh produce (fruits and vegetables). This text amendment will add similar regulations to the Unified Development Code (UDC).

HISTORY:

- January 24, 2020: Staff mailed a letter to dollar store operators notifying them of a public stakeholder meeting on February 13, 2020.
- February 4, 2020: Staff proposed for discussion regulations regarding dollar stores to the City Council Development Committee (CCDC).
- February 13, 2020: Staff held a stakeholder meeting with dollar store operators.
- March 3, 2020: Staff presented proposed UDC amendments to CCDC.

ARTICLE 30 - DEFINITIONS:

Variety Store: A retail store that sells a wide variety of relatively small and inexpensive novelty and household items, but does not typically offer for sale a large variety of fresh foods, does not typically include a pharmacy, and does not typically exceed 12,000 square feet in size.

ARTICLE 4 - PERMISSIBLE USES:

SECTION 16 - VARIETY STORES

4.16.1 Limits on Concentration

- a. Variety stores are prohibited unless the proposed use is located more than five thousand (5,000) feet from another variety store.
- b. Incidental outdoor display is prohibited at all variety stores.
- c. If located at least five thousand (5,000) feet from another variety store, this use is permitted by Specific Use Permit ("SUP") only. In addition to the criteria for an SUP set forth in Article 5, when reviewing a request for SUP for a variety store use, the City Council shall consider:
 1. Whether the proposed variety store will likely have a detrimental impact on the development of grocery stores and other businesses that sell fresh and healthy food items in the area to be served by the proposed use.
 2. The availability of healthy food options in the area of the proposed use including the proximity of full-service grocery stores within one-half (½) mile of the proposed use and effect of the use on the retail food environment index as defined by the Centers for Disease Control and Prevention.
 3. Whether the proposed use is within a food desert, as defined by the United States Department of Agriculture at the time of application.
- d. An SUP approved under this section must stipulate that a minimum of ten (10) percent of the floor area of the variety store must be dedicated to fresh produce, meat and dairy products.

e. A nonconforming variety store in existence on xxxx, may relocate on the same parcel or within the same shopping center that it currently exists without obtaining a SUP provided the nonconforming variety store has not been terminated as provided in Article 19, “Non-Conforming Development” and the use complies with all other applicable regulations.

RETAIL AND COMMERCIAL USES	NAICS CODE	MU	OFFIC	NS	GR	GR-1	C	C-1	CA	HC	LI	HI
VARIETY STORE <i>(See Section 4.16)</i>	452990 <i>See Article 30</i>	X			X	X	X	X	X	X	X	X

Body

Grand Prairie
T E X A S
D r e a m B i g ★ P l a y H a r d
REGULAR PLANNING AND ZONING COMMISSION
MEETING MINUTES
APRIL 27, 2020

COMMISSIONERS PRESENT: Chairperson Josh Spare, Vice-Chairperson Shawn Connor, Secretary Max Coleman, and Commissioners, Eric Hedin, Cheryl Smith, Warren Landrum, Julia Perez, Bill Moser, Clayton Fisher.

COMMISSIONERS ABSENT: None

CITY STAFF PRESENT: Deputy City Manager Bill Crolley, Savannah Ware, Chief City Planner, Mark Dempsey, Deputy City Attorney, Brett Huntsman, Transportation Planner, and Chris Hartmann, Executive Assistant.

Chairperson Josh Spare called the meeting to order by Video Conference at 6:30 p.m. Chairperson Spare gave the invocation, and led the pledge of allegiance to the US Flag, and the Texas Flag.

PUBLIC HEARING AGENDA Item #5 –TA200401 – Text Amendment - Amend Article 4 and Article 30 of the Unified Development Code. Chief City Planner Savannah Ware presented the case report and gave a Power Point presentation to update the definition of and to establish regulations for variety stores, small-format grocery stores, and dollar stores.

Ms. Ware stated staff is proposing regulations regarding small format retail or grocery stores, often known as "dollar stores." These stores are typically less than 12,000 square feet and offer a selection of groceries and home goods that are more limited than a full-service grocery store. Typically, these stores have little or no fresh produce, no fresh meat, no bakery, and no pharmacy. Food items are typically canned or frozen. Due to their small format and low prices, these stores, with some exceptions, are built in neighborhood settings away from freeway interchanges and larger anchored developments or power centers. In the past few years, several cities around the United States, including cities in the DFW area, have passed regulations that limit the ability of these stores to cluster near other such stores, and that require a minimum square footage of fresh produce (fruits and vegetables). This text amendment will add similar regulations to the Unified Development Code. The Development Review Committee recommends approval.

Commissioner Landrum asked what drove the changes to the ordinance. Ms. Ware stated this was a request from the City Council Development Committee and Council we are trying to limit these stores from being, clustered close together.

Commissioner Smith stated there are stores that are already too close to each other what happens with these stores, would they be grandfather with the new ordinance. Ms. Ware stated they would be able to continue operation. Mrs. Smith asked who would oversee and make sure they are

providing the right percentage of produce in their stores. Ms. Ware stated the city would be conducting inspections.

At 6:49 p.m., Commissioner Moser joined the meeting.

Chairperson Spare stated there were no questions for staff, opened the public hearing, and called for individuals wishing to speak on this item.

Alan Rubenstein, Real Estate Manager for Family Dollar & Dollar Tree stores for North Texas, 4501 Yacht Club Drive, Rockwall, TX. Mr. Rubenstein stated he was not aware of any open forums regarding this case. Dollar stores are not grocery stores nor are they in the business as grocery stores they are an infill neighborhood store. They cater to the elderly and citizens that do not have a way to go to the bigger box stores and live on a paycheck to paycheck. They are an essential business. The changes need to be submitted to an attorney to make sure the changes are feasible. He sees convenient stores on every corner and their items are at a higher cost and do not sell nutrition foods, and asked why are fast food places not regulated they do not sell nutrition foods. He said this ordinance would not be a fair advantage.

Chairperson Spare asked how many stores he oversee in Grand Prairie. Mr. Rubenstein said he has nine Family Dollar stores and five Dollar Tree stores in Grand Prairie. He said this ordinance is anti-competitive.

Bill Crolley stated the changes were discuss at the City Council Committee meeting to try, and avoid a concentration of these types of stores staff has been working on the changes for several months and had an open meeting with several storeowners.

Commissioner Connor said he sees what has happen in Arlington with these types of stores therefore he can support the changes.

Commissioner Coleman stated he has experience in the produce industry, and produce has a short shelf life, and changing this ordinance to allow produce might not be in their best interest.

Commissioner Moser said what is staff's opinion regarding Mr. Rubenstein's trade argument. Mark Dempsey stated in his opinion the amendment can be adopted.

Commissioner Hedin and Perez stated they agree with Commissioner Connor.

Chairperson Spare stated if the store is required to obtain an SUP, then we are asking them to put in a section for produce.

Allen Rubenstein stated if you look at their competitors such as Sam's or Costco they have a distance requirement, because they are a big store box, then you have the grocery stores on the next tier down, then there are the dollar stores, why treat them different from a chicken restaurant where you can find three at the same location.

Commissioner Connor stated he is not against free enterprise, but do we need all these type of stores close together, what happens to the building once they stop operating.

There being no further discussion on the case commissioner Connor moved to close the public hearing and approve case TA200401. The action and vote recorded as follows:

Motion: Connor

Second: Hedin

Ayes: Connor, Fisher, Hedin, Landrum, Perez, Smith, Spare

Nays: Coleman, Moser

Denied: 7-2

Motion: **carried.**



Legislation Details (With Text)

File #: 20-9874 **Version:** 1 **Name:** Z200301 - SF-6 at Hardy Rd and Sheridan Dr
Type: Agenda Item **Status:** Public Hearing on Zoning Applications
File created: 3/16/2020 **In control:** Planning and Zoning Commission
On agenda: 5/5/2020 **Final action:**
Title: Z200301 - Zoning Change - SF-6 at Hardy Rd and Sheridan Dr. (City Council District 3). A request to change the zoning from SF-4 Single-Family Four Residential District, to SF-6 Single-Family Six Residential District for residential use. Located at 1841, 1837, 1833, and 1829 Hardy Road. Legally described as Lots 1, 2, 3, & 4, Block F, Lake Crest No 2 Addition, City of Grand Prairie, Dallas County, Texas, zoned SF-4 Single-Family Four Residential District. The consultant is Luke Keeton, Keeton Surveying Co. and the owner is Walter Torres-Martinez, Sekant Development & Investments. On April 13, 2020, the Planning and Zoning Commission recommended approval of this request by a vote of 8-1. This case was tabled by the City Council on April 21, 2020.

Sponsors:

Indexes:

Code sections:

Attachments: [Exhibit A- Location Map](#)
[Exhibit i - Written Opposition.pdf](#)
[PZ Draft Minutes 04-13-2020.pdf](#)

Date	Ver.	Action By	Action	Result
4/21/2020	1	City Council		
4/13/2020	1	Planning and Zoning Commission		

From

Chris Hartmann

Title

Z200301 - Zoning Change - SF-6 at Hardy Rd and Sheridan Dr. (City Council District 3). A request to change the zoning from SF-4 Single-Family Four Residential District, to SF-6 Single-Family Six Residential District for residential use. Located at 1841, 1837, 1833, and 1829 Hardy Road. Legally described as Lots 1, 2, 3, & 4, Block F, Lake Crest No 2 Addition, City of Grand Prairie, Dallas County, Texas, zoned SF-4 Single-Family Four Residential District. The consultant is Luke Keeton, Keeton Surveying Co. and the owner is Walter Torres-Martinez, Sekant Development & Investments. **On April 13, 2020, the Planning and Zoning Commission recommended approval of this request by a vote of 8-1. This case was tabled by the City Council on April 21, 2020.**

Presenter

Savannah Ware, AICP, Chief City Planner

Recommended Action

Approve

Analysis

SUMMARY:

A request to change the zoning from SF-4 Single-Family Four Residential District to SF-6 Single-Family Six Residential District to allow for one residential dwelling on four individually platted lots.

Direction	Zoning	Existing Use
North	SF-4	Single-Family Residences
South	SF-4	Single-Family Residences
East	None	Avenue C
West	SF-4	Single-Family Residences

PURPOSE OF REQUEST:

The purpose of this request is to change the zoning on 0.896 acres from SF-4 Single-Family Four Residential District to SF-6 Single-Family Six Residential District, to allow the applicant to move forward with a replat (RP200303) of four residential lots, being 1, 2, 3, and 4 to create Lots 1R, 1R-1, 2R, 3R, and 4R. The SF-4 density maximum of 5.8 units per acre and lot width only allow for 4 lots being 60 feet wide, whereas the SF-6 district density maximum is 8.7 units per acre, and allows for five 50-foot-wide lots. The lot reasonably accommodates the uses permitted in the SF-6 base zoning district, and staff has found no indication of adverse impacts on neighboring lands in relation to this zoning, or adverse effects on the public health, safety, or welfare.

CONFORMANCE WITH COMPREHENSIVE PLAN:

The Future Land Use Map (FLUM) designates the subject property as Low Density Residential (LDR). Low Density Residential according to the Comprehensive Plan is 0-6 dwelling units per net acre. Considering this property will have one dwelling unit on 0.178 acre lots, the request is consistent with the FLUM.

ZONING REQUIREMENTS

The existing base zoning is SF-4 Single-Family Four Residential District. The proposed base zoning for the 0.896 acres is SF-6. All zoning will defer to the Unified Development Code (UDC) as amended.

Dimensional Requirements

The following outlines the minimum dimensional requirements of the SF-6 district and provides an analysis of the proposed compliance with the district.

Standard	Required	Meets
Minimum Lot Area	5,000 s.f.	Yes
Minimum Lot Width	50 ft.	Yes
Minimum Lot Depth	100 ft.	Yes
Minimum Front Yard Setback	25 ft.	Yes

VARIANCES:

None.

RECOMMENDATION:

At its April 13, 2020 meeting, the Planning and Zoning Commission voted 8-1 to recommend approval of a 50 ft. lot width with the condition that the property meet all other density and dimensional requirements for the Single Family-Four (SF-4) district.

DRC recommends approval of the proposed zone change from SF-4 Single-Family Four Residential District to SF-6 Single-Family Six Residential District with the condition that the applicant pay for any necessary relocation of utilities.

Body

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND MAP TO REZONE LOTS 1, 2, 3, AND 4, BLOCK B, WARLICK ADDITION, CITY OF GRAND PRAIRIE, DALLAS COUNTY, TEXAS, LOCATED AT 1829, 1833, 1837 AND 1841 HARDY ROAD, FROM SF-4 SINGLE-FAMILY FOUR RESIDENTIAL DISTRICT TO SF-6 SINGLE-FAMILY SIX RESIDENTIAL DISTRICT; SAID ZONING MAP AND ORDINANCE BEING ORDINANCE NUMBER 4779 AND PASSED ON NOVEMBER 20, 1990; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; CONTAINING A SAVINGS CLAUSE; AND TO BECOME EFFECTIVE UPON ITS PASSAGE AND APPROVAL.

WHEREAS, the owners of the property described herein below filed application with the City of Grand Prairie, Texas, petitioning an amendment of the Zoning Ordinance and map of said city so as to rezone and reclassify said property from its classification of **SF-4 Single-Family Four Residential District to SF-6 Single-Family Six Residential District**; and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on **April 13, 2020**, after written notice of such public hearing before the Planning and Zoning Commission on the proposed rezoning had been sent to owners of real property lying within 300 feet of the property on which the change of classification is proposed, said Notice having been given not less than ten (10) days before the date set for hearing to all such owners who rendered their said property for City taxes as the ownership appears on the last approved City Tax Roll, and such Notice being served by depositing the same, properly addressed and postage paid, in the City Post Office; and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Grand Prairie, Texas voted **8-1** to recommend approval to the City Council of Grand Prairie, Texas, of the request that the hereinafter described property be rezoned from its classification of **SF-4 Single-Family Four Residential District to SF-6 Single-Family Six Residential District**; and

WHEREAS, Notice was given of a further public hearing to be held by the City Council of the City of Grand Prairie, Texas, in the City Hall Plaza Building at 6:30 o'clock P.M. on April 21, 2020, to consider the advisability of amending the Zoning Ordinance and Map as recommended by the Planning and Zoning Commission, and all citizens and parties at interest were notified that they would have an opportunity to be heard, such Notice of the time and place of such hearing having been given at least fifteen (15) days prior to such hearing by publication in the Fort Worth Star Telegram, Grand Prairie, Texas, a newspaper of general circulation in such municipality; and

WHEREAS, all citizens and parties at interest have been given an opportunity to be heard on all the matter of the proposed rezoning and the City Council of the City of Grand Prairie, Texas, being informed as to the location and nature of the use proposed on said property, as well as, the nature and usability of surrounding property, have found and determined that the property in question, as well as, other property within the city

limits of the City of Grand Prairie, Texas, has changed in character since the enactment of the original Zoning Ordinance from its classification of **SF-4 Single-Family Four Residential District to SF-6 Single-Family Six Residential District**; and, by reason of changed conditions, does consider and find that this amendatory Ordinance should be enacted since its provisions are in the public interest and will promote the health, safety and welfare of the community.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS:

SECTION 1. That Ordinance Number 4779, being the Zoning Ordinance and Map of the City of Grand Prairie, Texas, showing the locations and boundaries of certain districts, and said Zoning Ordinance and Map having been made a part of an Ordinance entitled:

“AN ORDINANCE AMENDING IN ITS ENTIRETY CHAPTER 28 OF THE CODE OF ORDINANCES KNOWN AS THE ZONING ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS, AS PASSED AND APPROVED BY THE CITY COUNCIL ON THE 20TH DAY OF NOVEMBER, 1990, TOGETHER WITH ALL AMENDMENTS THERETO AND ENACTING A REVISED ORDINANCE ESTABLISHING AND PROVIDING FOR ZONING REGULATIONS; CREATING USE DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN...”

and passed and approved November 20, 1990, as amended, is hereby further amended so as to rezone from its classification of **SF-4 Single-Family Four Residential District to SF-6 Single-Family Six Residential District**; as depicted in **Exhibit A - Location Map**.

Description of Land:

Being Lots 1, 2, 3, & 4, Block F, Lake Crest No 2 Addition, City of Grand Prairie, Dallas County, Texas, generally located at 1841, 1837, 1833, and 1829 Hardy Road, and depicted in Exhibit A - Zoning Boundary, incorporated herein by reference;

SECTION 2. THAT, land uses shall be restricted to those uses permitted in the **Single-Family Six Residential District (SF-6) allowing for residential uses** as specified in Article 4 - “Permissible Uses” of the Unified Development Code of the City of Grand Prairie, Texas, as amended.

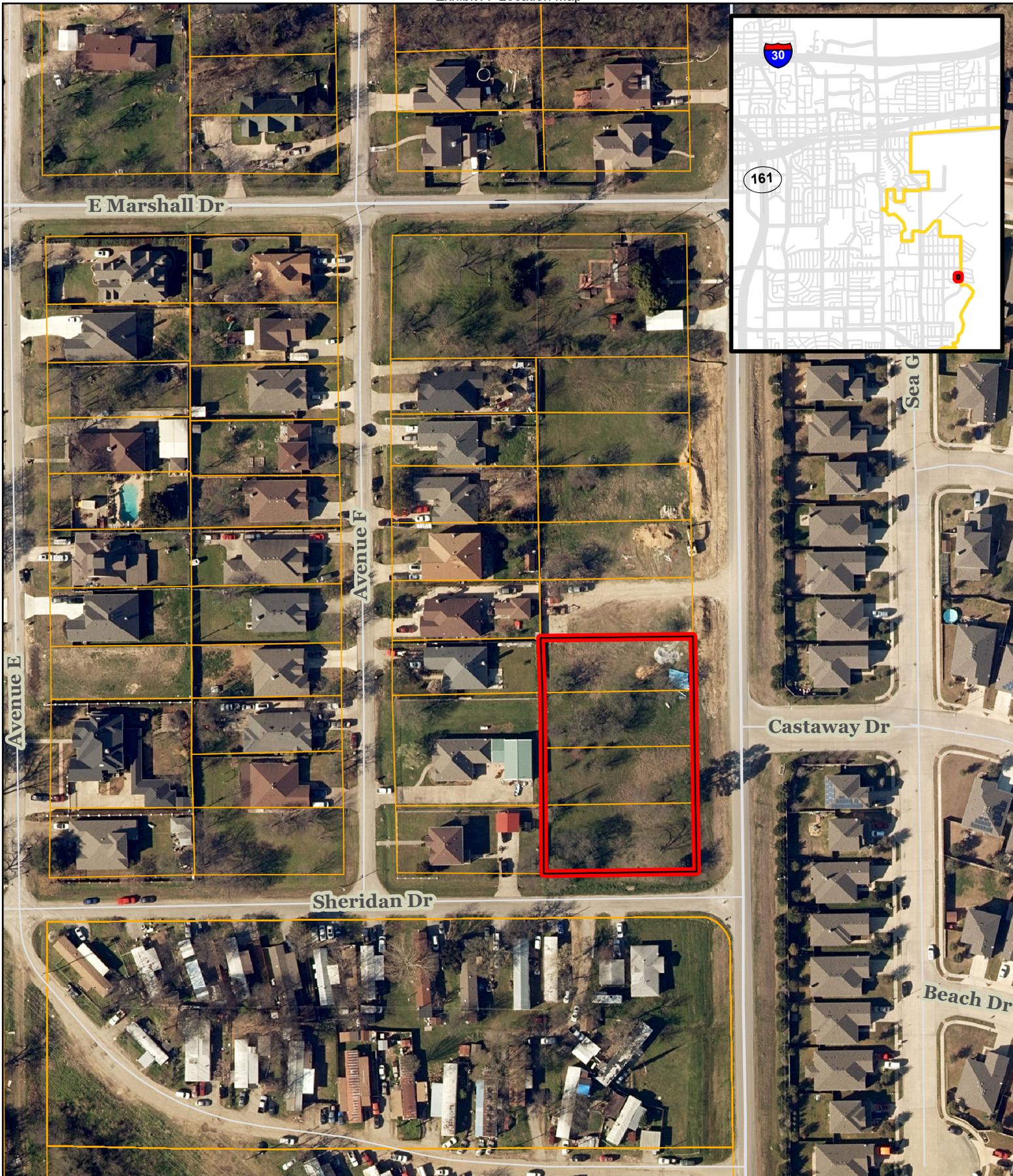
SECTION 3. Any structure on the property described in Exhibit A hereby made non-conforming by this ordinance shall be subject to the requirements and procedures of Article 19 of the Unified Development Code.

SECTION 4. THAT, if any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such provisions and such holding shall not affect the validity of the remaining portions thereof.

SECTION 5. THAT this ordinance shall be in full force and effect from and after its passage, approval and publication.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, THIS 5th DAY OF MAY 2020.

ORDINANCE NO.



CASE LOCATION MAP
Case Number Z200301
SF-6 at Hardy Rd and Sheridan Dr



City of Grand Prairie
Development Services

(972) 237-8255
www.gptx.org

Savannah Ware

From: Tracy Owens [REDACTED]
Sent: Monday, April 13, 2020 4:13 PM
To: Savannah Ware
Cc: eric
Subject: Z200301 - Hardy Rd & Sheridan Dr - Opposition

To Whom It May Concern,

In response to the zoning change request notification for Hardy & Sheridan from SF-4 to SF-6 (Z200301), we would like to express our opposition to this zoning change. The smaller lot sizes would not match the lot sizes in the existing neighborhood, and as residents of this neighborhood we prefer the neighborhood to maintain these larger lots overall. We have seen several homes around grand prairie built on smaller and smaller lots, often with larger houses, limiting the space between houses. Let's keep Grand Prairie grand and family friendly, by maintaining neighborhoods with plenty of yard space for kids and pets.

Sincerely,
Eric & Tracy Owens
1813 Avenue F, Grand Prairie, TX 75051



**REGULAR PLANNING AND ZONING COMMISSION
MEETING MINUTES
APRIL 13, 2020**

COMMISSIONERS PRESENT: Chairperson Josh Spare, Vice-Chairperson Shawn Connor, Secretary Max Coleman, and Commissioners, Eric Hedin, Cheryl Smith, Warren Landrum, Julia Perez, Bill Moser, Clayton Fisher.

COMMISSIONERS ABSENT: None

CITY STAFF PRESENT: Deputy City Manager Bill Crolley, Savannah Ware, Chief City Planner, Mark Dempsey, Deputy City Attorney, Brett Huntsman, Transportation Planner, and Chris Hartmann, Executive Assistant.

Chairperson Josh Spare called the meeting to order by Video Conference at 6:30 p.m. Commissioner Moser gave the invocation, commissioner Landrum led the pledge of allegiance to the US Flag, and the Texas Flag.

Item #3 - Z200301 - Zoning Change - SF-6 at Hardy Rd and Sheridan Dr. (Commissioner Perez/City Council District 3). Planner Nyliah Acosta presented the case report and gave a Power Point presentation for a change the zoning from SF-4 Single-Family Four Residential District, to SF-6 Single-Family Six Residential District for residential use. Located at 1841, 187, 1833, and 1829 Hardy Road. Legally described as Lots 1, 2, 3, & 4, Block F, Lake Crest No 2 Addition, City of Grand Prairie, Dallas County, Texas, zoned SF-4 Single-Family Four Residential District. The consultant is Luke Keeton, Keeton Surveying Co. and the owner is Walter Torres-Martinez, Sekant Development & Investments.

Ms. Ware stated the purpose of this request is to change the zoning on 0.896 acres from SF-4 Single-Family Four Residential District to SF-6 Single-Family Six Residential District, to allow the applicant to move forward with a replat, RP200303 of four residential lots, being 1, 2, 3, and 4 to create Lots 1R, 1R-1, 2R, 3R, and 4R. The SF-4 density maximum of 5.8 units per acre and lot width only allow for 4 lots being 60 feet wide, whereas the SF-6 district density maximum is 8.7 units per acre, and allows for five 50-foot-wide lots. The lot reasonably accommodates the uses permitted in the SF-6 base zoning district, and staff has found no indication of adverse impacts on neighboring lands in relation to this zoning, or adverse effects on the public health, safety, or welfare. The existing base zoning is SF-4 Single-Family Four Residential District. The proposed base zoning for the 0.896 acres is SF-6. All zoning will defer to the Unified Development Code UDC as amended. DRC recommends approval of the proposed zone change from SF-4 Single-Family Four Residential District to SF-6 Single-Family Six Residential District.

Chairperson Spare stated there were no questions for staff, opened the public hearing, and called for individuals wishing to speak on this item.

Commissioner Connor asked if there was a reason for wanting five lots instead of four. Ms. Ware stated the property owner would like to construct five homes on the properties.

Commissioner Smith stated the lots would be too small and the homes too close together compared to the other homes in the neighborhood.

Chairperson Spare state he does not like changing the footprint of the neighborhood.

Home Builder Walter Torres-Martinez representing the case said they have been working with staff and the Engineering department on the utilities. The previous owner had been working with the city and had the project put on hold for several months, but in order for them to obtain the cost of putting in the utilities they would need to construct five homes. They are requesting 50- foot wide lots and to reduce the side setback from 6 ft. to 5 ft.

Commissioner Landrum stated the proposed lots are too small for the existing neighborhood.

Chairperson Spare stated the lots would then be 50' X 100'. Mr. Torres replied yes.

Commissioner Coleman stated the lots to the east seem to be the same size, he does not see a problem with this development.

Commissioner Moser stated there seem to be a dirt road that leads to one of the properties on Avenue F. Mr. Torres said they have spoken to that property owner and he is aware the lots would be develop and he would no longer be able to utilize the lot as a drive.

Commissioner Perez stated he grew up in this area and lived there for many years, this would be a good addition to the surrounding homes the area has been vacant for many years.

Commissioner Hedin asked if there was a trailer park located to the south of this property. Ms. Ware replied yes.

Commissioner Smith stated changing the square footage changes the lots, is there an HOA for this area. Her concern is existing homeowners who already pay taxes in this neighborhood.

Commissioner Landrum said, after looking at the sounding area and listening to all of the input, he is support the zoning change.

Chairperson Spare stated in his opinion the SF-6 zoning would fit within the existing neighborhood.

Commissioner Fisher asked Mr. Torres if the case was to be deny would he still be developing the lots. Mr. Torres replied yes and noted the home values would not change.

Eric and Tracy Owen, 1813 Avenue F, Grand Prairie, TX spoke in opposition to this request. Mr. Owen stated although they welcome the new development, they have been there for the past 15 years, but feel these homes would be too close together and the lots would be too small and do not fit within the existing neighborhood.

Commissioner Connor asked if the homes would be 1-story or 2-story homes. Mr. Torres stated the corner lot would be a 2 story home, but the other lots would be a mixer of 1 to 2 stories, he said the lots are long enough if someone wants to put in pool.

There being no further discussion on the case commissioner Perez moved to close the public hearing and approve case Z200301 as requested by the applicant, second by commissioner Coleman.

Chairperson Spare stated he would like to modify the motion to keep the SF-4 zoning in place, but allow the applicant to have the 50' wide lots, the 5 ft. side yard setbacks, and to keep the density at 5.8. Commissioner Perez accepts the modifications to the motion.

The action and vote being recorded as follows:

Motion: Perez

Second: Smith

Ayes: Connor, Fisher, Hedin, Landrum, Moser, Perez, Smith, Spare

Nays: Coleman

Approved: 8-1

Motion: **carried.**



Legislation Details (With Text)

File #: 20-9925 **Version:** 1 **Name:** SU200402 - Specific Use Permit - Event Center at 692 W Pioneer Pkwy

Type: Ordinance **Status:** Public Hearing on Zoning Applications

File created: 4/16/2020 **In control:** Planning and Zoning Commission

On agenda: 5/5/2020 **Final action:**

Title: SU200402 - Specific Use Permit for Event Center at 692 W Pioneer Pkwy (City Council District 2). A Specific Use Permit request for an Event Center within a shopping center located at 692 W Pioneer Parkway, Suite 120, legally described as Lot 1, Block 1, Pioneer Court Shopping Center Addition, City of Grand Prairie, Dallas County, Texas, zoned GR General Retail. The owner is Smart Ajayi. (On April 27, 2020, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0).

Sponsors:

Indexes:

Code sections:

- Attachments:** [Exhibit A - Location Map.pdf](#)
[Attachment i - Operational Plan.pdf](#)
[Attachment ii - Floor Plan.pdf](#)
[PZ Draft Minutes 04-27-20.pdf](#)

Date	Ver.	Action By	Action	Result
4/27/2020	1	Planning and Zoning Commission		

From

Chris Hartmann

Title

SU200402 - Specific Use Permit for Event Center at 692 W Pioneer Pkwy (City Council District 2). A Specific Use Permit request for an Event Center within a shopping center located at 692 W Pioneer Parkway, Suite 120, legally described as Lot 1, Block 1, Pioneer Court Shopping Center Addition, City of Grand Prairie, Dallas County, Texas, zoned GR General Retail. The owner is Smart Ajayi. (On April 27, 2020, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0).

Presenter

Savannah Ware, AICP, Chief City Planner

Recommended Action

Approve

Analysis

SUMMARY:

Specific Use Permit to operate an Event Center located at 692 W Pioneer Parkway, Suite 120, legally described as Lot 1, Block 1, Pioneer Court Shopping Center Addition, City of Grand Prairie, Dallas County, Texas, zoned GR General Retail.

PURPOSE OF REQUEST:

The applicant intends to use a vacant tenant space in an existing strip mall. Event Centers require Specific Use Permit (SUP) oversight in allowing City Council’s determination as to the appropriateness of its setting in conjunction with neighboring properties and surrounding land uses.

ADJACENT LAND USES:

The following table summarizes the zoning designation and existing use for the surrounding properties.

Table 1: Adjacent Zoning and Land Uses

Direction	Zoning	Existing Use
North	MF-2	Apartments
South	GR	Shopping Center
East	GR	Shopping Center
West	GR	Shopping Center

HISTORY:

- In 2006 the Planning and Zoning Commission approved a replat to create Lots 1, and Lot 2, Block 1, Pioneer Court Yard Shopping Center.
- June 18, 2011: City Council approved a site plan for the shopping center.

CONFORMANCE WITH COMPREHENSIVE PLAN:

The subject property is designated as Commercial, Retail, Office on the Future Land Use Map (FLUM). An Event Center use is consistent with the FLUM.

PROPOSED USE CHARACTERISTICS AND FUNCTION:

The tenant space is 2,240 sq. ft. on 3.85 acres, and zoned GR General Retail. The building and property complies with Unified Development Code (UDC) standards with respect to exterior materials, building setbacks and other development standards. The site has direct access via one existing ingress/egress drives from the access road of W Pioneer Parkway, three shared access drives via neighboring property to the east, and one additional access point from S Carrier Parkway through the adjacent property.

Use

In accordance with the operational plan, the business will host birthday parties, bridal showers, receptions, workshops, and other events. The Event Center will operate with the following hours of operation:

- Monday - Sunday 4 PM to 11 PM

The event center will allow food warming, and licensed caterers to serve events. The center may have BYOB, so long as they are in compliance with TABC licenses and regulations.

Parking

The shopping center has 232 parking spaces for nine tenants. Staff estimates that the total required parking for the shopping center is 175 spaces with an additional 28 spaces for the event center.

Table 2: Required Parking Standard

	Required	Provided	Meets
Event Center	28	28	Yes

Shopping Cent	175	204	Yes
Total	203	232	Yes

Building

An automatic sprinkler system shall be provided for the space in accordance with applicable codes. A minimum two hour fire separation shall be provided on either side of the space in accordance with applicable codes.

RECOMMENDATION:

The Planning and Zoning Commission voted 8-0 to recommend approval.

The Development Review Committee recommends approval with the condition that the proposal comply with the UDC operational standards for Multi-Purpose Special Event Centers.

Body

AN ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS, AMENDING THE ZONING ORDINANCE AND MAP BY SHOWING THE LOCATION, BOUNDARY AND USE OF CERTAIN PROPERTY TO GRANT A SPECIFIC USE PERMIT FOR AN EVENT CENTER WITHIN THE GENERAL RETAIL DISTRICT, TO WIT: BEING LOT 1, BLOCK 1, PIONEER COURT YARD SHOPPING CENTER ADDITION, DALLAS COUNTY, GRAND PRAIRIE, TEXAS; SAID ZONING ORDINANCE AND MAP BEING NUMBERED ORDINANCE NUMBER 4779 AND PASSED ON NOVEMBER 20, 1990; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A PENALTY UNDER THE PROVISIONS OF SECTION 1-8 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND PRAIRIE; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the owners of the property described herein below filed application with the City of Grand Prairie, Texas, petitioning an amendment of the Zoning Ordinance and map of said city so as to amend the zoning designation of said site to include a Specific Use Permit for an Event Center in the General Retail (GR) District; and;

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on April 27, 2020, after written notice of such public hearing before the Planning and Zoning Commission on the proposed Specific Use Permit had been sent to owners of real property lying within 300 feet of the property on which the creation of a Specific Use Permit for an Event Center in the General Retail (GR) District is proposed, said Notice having been given not less than ten (10) days before the date set for hearing to all such owners who rendered their said property for City taxes as the ownership appears on the last approved City Tax Roll, and such Notice being served by depositing the same, properly addressed and postage paid, in the City Post Office; and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Grand Prairie, Texas voted 8 to 0 to recommend to the City Council of Grand Prairie, Texas, that said Zoning Ordinance and Map be amended to allow a **Specific Use Permit for an Event Center in the General Retail (GR) District**; and

WHEREAS, notice was given of a further public hearing to be held by the City Council of the City of Grand Prairie, Texas, in the City Hall Plaza Building at 5:30 P.M. on May 5, 2020 to consider the advisability of

amending the Zoning Ordinance and Map as recommended by the Planning and Zoning Commission, and all citizens and parties at interest were notified that they would have an opportunity to be heard, such notice of the time and place of such hearing having been given at least fifteen (15) days prior to such hearing by publication in the Fort Worth Star Telegram, Fort Worth, Texas, a newspaper of general circulation in such municipality; and

WHEREAS, all citizens and parties at interest have been given an opportunity to be heard on all the matter of the Specific Use Permit and the City Council of the City of Grand Prairie, Texas, being informed as to the location and nature of the specific use proposed on said property, as well as the nature and usability of surrounding property, have found and determined that the property in question, as well as other property within the city limits of the City of Grand Prairie, Texas, has changed in character since the enactment of the original Zoning Ordinance to the extent that a specific use may be made of said property as herein provided and by reason of changed conditions, does consider and find that this amendatory Ordinance should be enacted since its provisions are in the public interest and will promote the health, safety and welfare of the community.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS:

SECTION 1. That Ordinance Number 4779, being the Unified Development Code of the City of Grand Prairie, Texas, showing the locations and boundaries of certain districts, and said Zoning Ordinance and Map having been made a part of an Ordinance entitled:

"THE UNIFIED DEVELOPMENT CODE OF THE CITY OF GRAND PRAIRIE, TEXAS, AS PASSED AND APPROVED BY THE CITY COUNCIL ON THE 20TH DAY OF NOVEMBER, 1990, TOGETHER WITH ALL AMENDMENTS THERETO AND ENACTING A REVISED ORDINANCE ESTABLISHING AND PROVIDING FOR ZONING REGULATIONS; CREATING USE DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN..."

and passed and approved November 20, 1990, as amended, is hereby further amended so as to establish a Specific Use Permit numbered for the property as shown in attached Exhibit A - Location Map and legally described as follows:

BEING LOT 1, BLOCK 1, PIONEER COURT YARD SHOPPING CENTER ADDITION, DALLAS COUNTY, GRAND PRAIRIE, TEXAS.

SECTION 2. That for operations of an Event Center in the General Retail (GR) District, the following standards and conditions are hereby established as part of this ordinance:

1. Any zoning, land use requirements and restrictions not contained within this Specific Use Permit ordinance shall conform to those requirements specified within the General Retail (GR) District as adopted and amended in the Unified Development Code (UDC). Where there is a conflict between the UDC and this ordinance, unless explicitly contained in this ordinance, the more restrictive shall prevail.
2. The Event Center may include only indoor areas for operational use. No functions are to be held outside other than on-site parking and loading/unloading of goods used in conjunction with authorized events.
3. The applicant may allow the renter to "bring your own bottle" (BYOB) in accordance with TABC

provisions, as defined in the Alcoholic Beverage Code of the State of Texas.

4. For all events where alcohol is served, or where 100 or more guests are present, security must be provided by an individual qualified under Chapter 1702 of the Texas Occupations Code. This individual must be present for the duration of the event and to ensure the orderly departure of guests until at least one hour after the event is over. An additional individual must be present for each additional 100 guests attending the event.
5. The Event Center must meet all relevant safety requirements prescribed by the City of Grand Prairie and the State of Texas.
6. No event shall be held beyond 12:00 am midnight. This requirement does not apply to event cleanup or to routine business or property maintenance carried out by the owner of the event center.
7. The operator must maintain compliance with State regulations and local ordinances for food service operations.
8. No on-site food preparation is allowed. Kitchen is to be utilized for pre-cooked and catering services only.
9. The Event Center may not function as a restaurant, bar, nightclub, or other establishment allowing admittance to the general public other than customer visits by appointment that are directly related to events authorized under Section 2.5.
10. The Event Center shall be used for organized group assemblies only, and shall not be used for single admission type events involving a cover charge entrance fee for individuals not associated with the organized group assembly.
11. The Event Center must meet all relevant Building and Fire Code requirements.

SECTION 3. That the operations of an Event Center in the General Retail (GR) District shall comply with the following:

1. By this Ordinance, this Specific Use Permit shall automatically terminate in accordance with Section 5.4.1 of the Unified Development Code if a building permit is not issued for said use within one (1) year after City Council adoption of this Ordinance, or upon cessation of said use for a period of six (6) months or more.
2. Furthermore, by this Ordinance, the City Council shall conduct a public hearing six (6) months after City Council approval of this Specific Use Permit to confirm compliance with all applicable codes which shall include, but not be limited to, the requirements of this Ordinance, the Unified Development Code, the City of Grand Prairie Code of Ordinances, city adopted building codes, city adopted fire codes and with other applicable regulatory requirements administered and/or enforced by the state and federal government. Two or more violations of this ordinance during any six (6) month period shall be grounds for revocation of Certificate of Occupancy and SUP for Event Center uses.

3. It shall be unlawful for the owner, manager, or any person in charge of a business which is the subject matter of this Ordinance to violate the conditions of the Specific Use Permit imposed by the City Council.
4. This Specific Use Permit shall run with the land and therefore may be transferred from owner to owner; however, each new owner shall obtain a new Certificate of Occupancy.
5. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its number and title.
6. The operation of the facility shall be in strict compliance with all requirements of the Environmental Services Department, Building Inspections, Police Department and Fire Administration.
7. Any unsafe or unauthorized operations or activities may be determined as grounds for revocation of the Specific Use Permit by the City Council.

SECTION 4. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. That a violation of this Ordinance shall be a misdemeanor punishable in accordance with Section 1-4 of the Code of Ordinances of the City of Grand Prairie, Texas.

SECTION 6. That the Unified Development Code of the City of Grand Prairie, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

SECTION 7. That the terms and provisions of this Ordinance are severable and are governed by Section 1-8 of the Code of Ordinances of the City of Grand Prairie, Texas.

SECTION 8. That this Ordinance shall be and become effective immediately upon and after its passage and approval.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS,
THIS THE 5TH OF MAY, 2020.**

ORDINANCE NO.

CASE NO. SU200402

SPECIFIC USE PERMIT NO.



CASE LOCATION MAP

Case Number SU200402

Event Center at 692 W Pioneer Pkwy



**City of Grand Prairie
Development Services**

(972) 237-8255

www.gptx.org

MAR 17 2020

CHANGE OF USE APPLICATION

ADDRESS: 692 WEST PIONEER PARKWAY, SUITE 120 GRAND PRAIRIE TEXAS, 75051

PROPOSED USAGE: I wish to change the use of my current office to a mini event place.

EVENTS: *Some of the expected events are:* Baby shower, bridal shower, birthday, naming, receptions, workshop meetings and other social events.

SPACE: The available space is about 2240 square feet.

OCCUPANT: The expected occupants will be around 90 people.

HOURS OF OPERATION 4 PM-11 PM (some events such as workshop could fall into daytime and occupants in most cases could range between 10-40 people.

KITCHEN AREA: No cooking inside but food warmer can be used

SECURITY: At every event, security will be provided

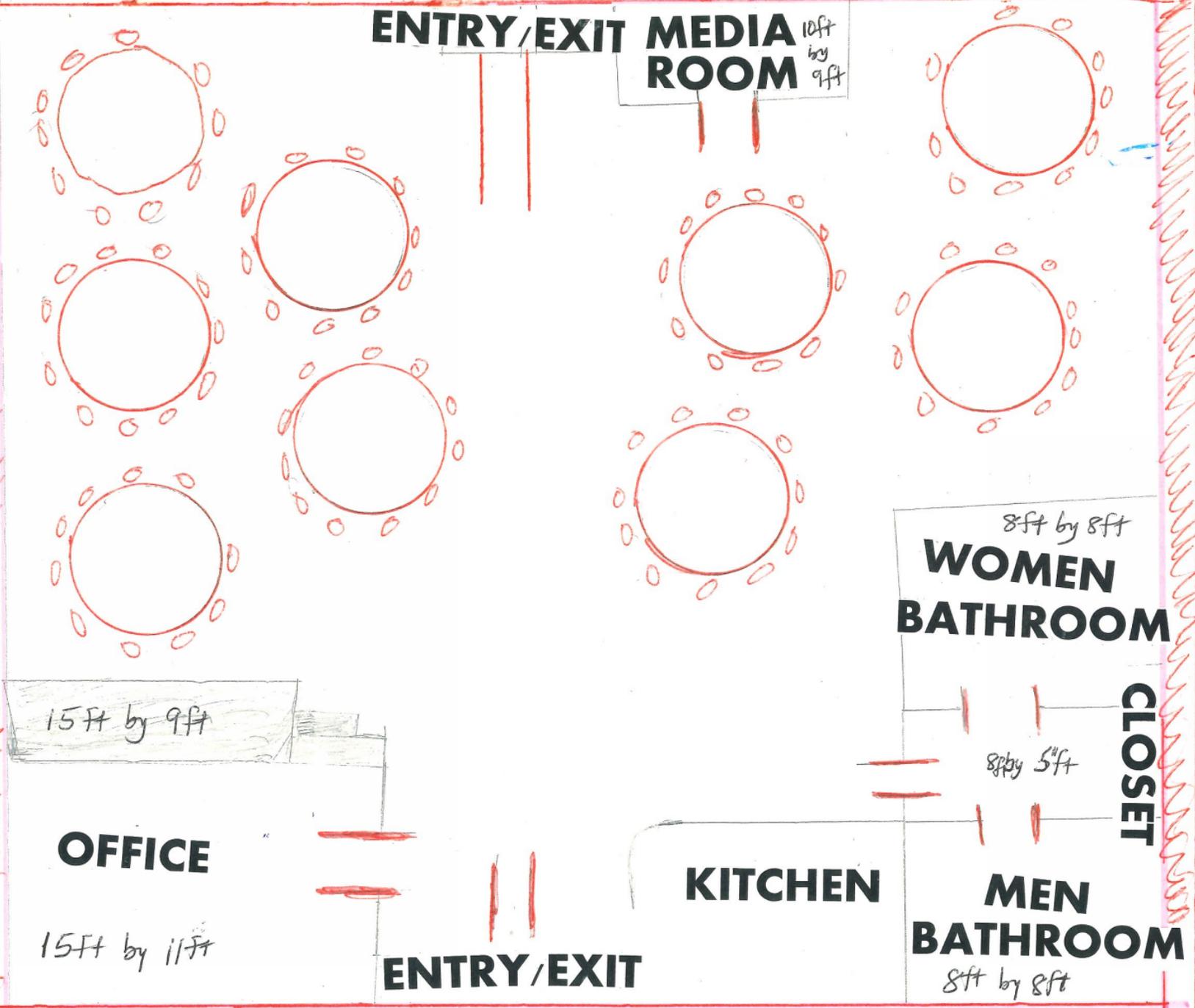
PARKING: Adequate parking is available. On the other side of the Dollar store, we have parking spot that can conveniently accommodate 100 vehicles at a time. This parking space is always empty during the day and the evening time.

WALLS: The two sidewalls are double insulated.

No construction, plat or re-zoning needed. It is an open space ready for inspection.

692 WEST PIONEER PARKWAY, GRAND PRAIRIE SUITE 120

- KEY**
- DOOR** (represented by two parallel lines)
 - TABLES** (represented by a circle)
 - CHAIRS** (represented by a circle with small dots around it)
 - PEOPLE** (represented by a circle with small dots around it)
 - DOUBLE INSULATED WALL WITH FIBER GLASS** (represented by a hatched area)



Grand Prairie
T E X A S
D r e a m B i g ★ P l a y H a r d
REGULAR PLANNING AND ZONING COMMISSION
MEETING MINUTES
APRIL 27, 2020

COMMISSIONERS PRESENT: Chairperson Josh Spare, Vice-Chairperson Shawn Connor, Secretary Max Coleman, and Commissioners, Eric Hedin, Cheryl Smith, Warren Landrum, Julia Perez, Bill Moser, Clayton Fisher.

COMMISSIONERS ABSENT: None

CITY STAFF PRESENT: Deputy City Manager Bill Crolley, Savannah Ware, Chief City Planner, Mark Dempsey, Deputy City Attorney, Brett Huntsman, Transportation Planner, and Chris Hartmann, Executive Assistant.

Chairperson Josh Spare called the meeting to order by Video Conference at 6:30 p.m. Chairperson Spare gave the invocation, and led the pledge of allegiance to the US Flag, and the Texas Flag.

PUBLIC HEARING AGENDA Item #3 – SU200402 - Specific Use Permit - Event Center at 692 W Pioneer Pkwy (Commissioner Hedin/City Council District 2). Chief City Planner Savannah Ware presented the case report and gave a Power Point presentation for a Specific Use Permit request for an Event Center within a shopping center. Located at 692 W Pioneer Parkway, Suite 120, legally described as Lot 1, Block 1, Pioneer Court Shopping Center Addition, City of Grand Prairie, Dallas County, Texas, zoned GR General Retail. The owner is Smart Ajayi.

Ms. Ware stated the tenant space is 2,240 sq. ft. on 3.85 acres, and zoned GR General Retail. The building and property complies with Unified Development Code standards with respect to exterior materials, building setbacks and other development standards. The site has direct access via one existing ingress/egress drives from the access road of W Pioneer Parkway, three shared access drives via neighboring property to the east, and one additional access point from S Carrier Parkway through the adjacent property. In accordance with the operational plan, the business will host birthday parties, bridal showers, receptions, workshops, and other events. The Victoria Grace Event Center will operate with the following hours of operation: Monday - Sunday 4 PM to 11 PM. The event center will allow food warming, and licensed caterers to serve events. The center may have BYOB, so long as they are in compliance with TABC licenses and regulations. The shopping center has 232 parking spaces for nine tenants. Staff estimates that the total required parking for the shopping center is 175 spaces with an additional 28 spaces for the event center. An automatic sprinkler system shall be provided for the space in accordance with applicable codes. A minimum two hour fire separation shall be provided on either side of the space in accordance with applicable codes.

Ms. Ware stated the Development Review Committee recommends approval with the condition that the proposal comply with the UDC operational standards for Multi-Purpose Special Event Centers.

Chairperson Spare stated there were no questions for staff, opened the public hearing, and called for individuals wishing to speak on this item. There being no further discussion on the case commissioner Hedin moved to close the public hearing and approve case SU200402 as presented and recommended by staff. The action and vote recorded as follows:

Motion: Hedin

Second: Perez

Ayes: Coleman, Connor, Fisher, Hedin, Landrum, Perez, Smith, Spare

Nays: None

Denied: 8-0

Motion: **carried.**



Legislation Details (With Text)

File #: 20-9926 **Version:** 1 **Name:** Z200403 - Zoning Change - SF -1 at North St and North Center St

Type: Ordinance **Status:** Public Hearing on Zoning Applications

File created: 4/16/2020 **In control:** Planning and Zoning Commission

On agenda: 5/5/2020 **Final action:**

Title: Z200403 - Zoning Change - SF -1 at North St and North Center St (City Council District 5). A request to change the zoning from O Office District, to SF-1 Single-Family One Residential District for residential use. Located at 109 North St, legally described as Lots 4, 5 and 6, Block A, R.L. Hights Addition, City of Grand Prairie, Dallas County, Texas. The agent is E.D. Hill and the owner is Kim Thorne. (On April 27, 2020, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0).

Sponsors:

Indexes:

Code sections:

Attachments: [Exhibit A - Location Map.pdf](#)
[PZ Draft Minutes 04-27-20.pdf](#)

Date	Ver.	Action By	Action	Result
4/27/2020	1	Planning and Zoning Commission		

From

Chris Hartmann

Title

Z200403 - Zoning Change - SF -1 at North St and North Center St (City Council District 5). A request to change the zoning from O Office District, to SF-1 Single-Family One Residential District for residential use. Located at 109 North St, legally described as Lots 4, 5 and 6, Block A, R.L. Hights Addition, City of Grand Prairie, Dallas County, Texas. The agent is E.D. Hill and the owner is Kim Thorne. (On April 27, 2020, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0).

Presenter

Savannah Ware, AICP, Chief City Planner

Recommended Action

Approve

Analysis

SUMMARY:

A request to change the zoning from O Office District, to SF-1 Single-Family One Residential District for residential use, located at 109 and 102 North St, legally described as Lots 4, 5 and 6, Block A, R.L. Hights Addition, City of Grand Prairie, Dallas County, Texas.

Table 1: Adjacent Zoning and Land Uses		
Direction	Zoning	Existing Use
North	SF-1	Single-Family Residence
South	CA	Church, Multi-Family,
East	O, SF-4	Single-Family Residence
West	O, GR	Single-Family Residence

PURPOSE OF REQUEST:

The purpose of this request is to change the zoning on 0.509 acres from O to SF-1 to allow for the construction of a single-family residence. The lot reasonably accommodates the uses permitted in the SF-1 base zoning district, and staff has found no indication of adverse impacts on neighboring lands in relation to this zoning, or adverse effects on the public health, safety, or welfare. Approving the change to SF-1 will provide further continuity of the single-family zoning currently in place in the surrounding area.

CONFORMANCE WITH COMPREHENSIVE PLAN:

The Future Land Use Map (FLUM) designates the subject property as Low Density Residential (LDR). Low Density Residential according to the Comprehensive Plan is 0-6 dwelling units per net acre. Considering this property will have one dwelling unit on 0.509 acres, the request is consistent with the FLUM.

ZONING REQUIREMENTS:

The existing base zoning is O Office District. The proposed base zoning for the 0.509 acres is SF-1. All zoning will defer to the Unified Development Code (UDC) as amended.

Dimensional Requirements

The following outlines the minimum dimensional requirements of the SF-1 district and provides an analysis of the proposed compliance with the district.

Standard	Required	Meets
Minimum Lot Area	12,000 s.f.	Yes
Minimum Lot Width	80 ft.	Yes
Minimum Lot Depth	120 ft.	Yes
Minimum Front Yard Setback	30 ft.	Yes

VARIANCES:

None.

RECOMMENDATION:

The Planning and Zoning Commission voted 8-0 to recommend approval.

DRC recommends approval of the proposed zone change from O to SF-1.

Body

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND MAP TO REZONE LOTS 4, 5,

AND 6, BLOCK A, R.L. HIGHTS ADDITION, CITY OF GRAND PRAIRIE, DALLAS COUNTY, TEXAS FROM OFFICE DISTRICT TO SINGLE FAMILY-ONE DISTRICT; SAID ZONING MAP AND ORDINANCE BEING ORDINANCE NUMBER 4779 AND PASSED ON NOVEMBER 20, 1990; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; CONTAINING A SAVINGS CLAUSE; AND TO BECOME EFFECTIVE UPON ITS PASSAGE AND APPROVAL.

WHEREAS, the owners of the property described herein below filed application with the City of Grand Prairie, Texas, petitioning an amendment of the Zoning Ordinance and map of said city so as to rezone and reclassify said property from its classification of Office District to Single Family-One District; and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on April 27, 2020, after written notice of such public hearing before the Planning and Zoning Commission on the proposed rezoning had been sent to owners of real property lying within 300 feet of the property on which the change of classification is proposed, said Notice having been given not less than ten (10) days before the date set for hearing to all such owners who rendered their said property for City taxes as the ownership appears on the last approved City Tax Roll, and such Notice being served by depositing the same, properly addressed and postage paid, in the City Post Office; and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Grand Prairie, Texas voted 8-0 to recommend approval to the City Council of Grand Prairie, Texas, of the request that the hereinafter described property be rezoned from its classification of Office District to Single Family-One District; and

WHEREAS, Notice was given of a further public hearing to be held by the City Council of the City of Grand Prairie, Texas, in the City Hall Plaza Building at 5:30 o'clock P.M. on May 5, 2020, to consider the advisability of amending the Zoning Ordinance and Map as recommended by the Planning and Zoning Commission, and all citizens and parties at interest were notified that they would have an opportunity to be heard, such Notice of the time and place of such hearing having been given at least fifteen (15) days prior to such hearing by publication in the Fort Worth Star Telegram, Grand Prairie, Texas, a newspaper of general circulation in such municipality; and

WHEREAS, all citizens and parties at interest have been given an opportunity to be heard on all the matter of the proposed rezoning and the City Council of the City of Grand Prairie, Texas, being informed as to the location and nature of the use proposed on said property, as well as, the nature and usability of surrounding property, have found and determined that the property in question, as well as, other property within the city limits of the City of Grand Prairie, Texas, has changed in character since the enactment of the original Zoning Ordinance from its classification of Office District to Single Family-One District; and, by reason of changed conditions, does consider and find that this amendatory Ordinance should be enacted since its provisions are in the public interest and will promote the health, safety and welfare of the community.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS:

SECTION 1. That Ordinance Number 4779, being the Zoning Ordinance and Map of the City of Grand Prairie, Texas, showing the locations and boundaries of certain districts, and said Zoning Ordinance and Map having been made a part of an Ordinance entitled:

“AN ORDINANCE AMENDING IN ITS ENTIRETY CHAPTER 28 OF THE CODE OF

ORDINANCES KNOWN AS THE ZONING ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS, AS PASSED AND APPROVED BY THE CITY COUNCIL ON THE 20TH DAY OF NOVEMBER, 1990, TOGETHER WITH ALL AMENDMENTS THERETO AND ENACTING A REVISED ORDINANCE ESTABLISHING AND PROVIDING FOR ZONING REGULATIONS; CREATING USE DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN...”

and passed and approved November 20, 1990, as amended, is hereby further amended so as to rezone from its classification of Office District to Single Family-One District; as depicted in Exhibit A - Location Map and described as Lots 4, 5, and 6, Block A, R.L. Hights Addition, City of Grand Prairie, Dallas County, Texas.

SECTION 2. That land uses shall be restricted to those uses permitted in the Single Family-One District as specified in Article 4 - “Permissible Uses” of the Unified Development Code of the City of Grand Prairie, Texas, as amended.

SECTION 3. That development shall conform to the density and dimensional standards for the Single Family-One District as specified in Article 6 - “Density and Dimensional Requirements” of the Unified Development Code of the City of Grand Prairie, Texas, as amended.

SECTION 4. That if any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such provisions and such holding shall not affect the validity of the remaining portions thereof.

SECTION 5. That this ordinance shall be in full force and effect from and after its passage, approval and publication.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, THIS 5th DAY OF MAY 2020.

ORDINANCE NO.



CASE LOCATION MAP
Case Number Z200403
SF -1 at North and North Center Street



City of Grand Prairie
Development Services

(972) 237-8255
www.gptx.org

Grand Prairie
T E X A S
D r e a m B i g ★ P l a y H a r d
REGULAR PLANNING AND ZONING COMMISSION
MEETING MINUTES
APRIL 27, 2020

COMMISSIONERS PRESENT: Chairperson Josh Spare, Vice-Chairperson Shawn Connor, Secretary Max Coleman, and Commissioners, Eric Hedin, Cheryl Smith, Warren Landrum, Julia Perez, Bill Moser, Clayton Fisher.

COMMISSIONERS ABSENT: None

CITY STAFF PRESENT: Deputy City Manager Bill Crolley, Savannah Ware, Chief City Planner, Mark Dempsey, Deputy City Attorney, Brett Huntsman, Transportation Planner, and Chris Hartmann, Executive Assistant.

Chairperson Josh Spare called the meeting to order by Video Conference at 6:30 p.m. Chairperson Spare gave the invocation, and led the pledge of allegiance to the US Flag, and the Texas Flag.

PUBLIC HEARING AGENDA Item #4 – Z200403 - Zoning Change - SF -1 at North St and North Center St (Commissioner Moser/City Council District 5). Chief City Planner Savannah Ware presented the case report and gave a Power Point presentation for request to change the zoning from O Office District, to SF-1 Single-Family One Residential District for residential use. Located at 109 North St, legally described as Lots 4, 5 and 6, Block A, R.L. Hights Addition, City of Grand Prairie, Dallas County, Texas. The agent is E.D. Hill and the owner is Kim Thorne.

Ms. Ware stated the purpose of this request is to change the zoning on 0.509 acres from O to SF-1 to allow for the construction of a single-family residence. The lot reasonably accommodates the uses permitted in the SF-1 base zoning district, and staff has found no indication of adverse impacts on neighboring lands in relation to this zoning, or adverse effects on the public health, safety, or welfare. Approving the change to SF-1 will provide further continuity of the single-family zoning currently in place in the surrounding area. The Future Land Use Map designates the subject property as Low Density Residential. DRC recommends approval of the proposed zone change from O to SF-1.

Chairperson Spare stated there were no questions for staff, opened the public hearing, and called for individuals wishing to speak on this item. There being no further discussion on the case commissioner Coleman moved to close the public hearing and approve case Z200403 per staff's recommendation. The action and vote recorded as follows:

Motion: Coleman

Second: Landrum

Ayes: Coleman, Connor, Fisher, Hedin, Landrum, Perez, Smith, Spare

Nays: None
Denied: 8-0
Motion: **carried.**



Legislation Details (With Text)

File #:	20-9905	Version:	1	Name:	2020 Standards of Care - After School Programs and Summer Camps
Type:	Ordinance	Status:			Items for Individual Consideration
File created:	4/5/2020	In control:			Parks & Recreation
On agenda:	5/5/2020	Final action:			
Title:	Public Hearing and Standards of Care Ordinance for 2020 After School Programs and Summer Camps				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	Standards of Care				

Date	Ver.	Action By	Action	Result
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From

Erin Hart, Assistant Director of Operations

Title

Public Hearing and Standards of Care Ordinance for 2020 After School Programs and Summer Camps

Presenter

Duane Strawn, Director of Parks, Arts and Recreation

Recommended Action

Approve

Analysis

Section 42.041 (14) of the Texas Human Resources Code exempts youth programs operated by a municipality from child-care state licensing requirements. It also provides that in order for municipal youth programs to be exempted from state licensing requirements, the governing body of the municipality must annually adopt standards of care by ordinance after conducting a public hearing. Staff recommends that the standards of care set forth in Exhibit A of the attached ordinance be adopted by the City of Grand Prairie.

Financial Consideration

None

Body

AN ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS, ESTABLISHING STANDARDS OF CARE FOR CITY OF GRAND PRAIRIE YOUTH PROGRAMS; REPEALING ALL PREVIOUS ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING A SAVINGS CLAUSE; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE

PUBLIC AS REQUIRED BY LAW

WHEREAS, the City of Grand Prairie, through the Department of Parks, Arts and Recreation, provides youth programs that contribute to the overall well-being of youth and families of the City of Grand Prairie; and

WHEREAS, these youth programs are presently held at the Charley Taylor, Dalworth, The EPIC and Tony Shotwell Life Centers and the other "Outreach" programs are currently operated by the City of Grand Prairie; and

WHEREAS, 42.041 (14) of the Texas Human Resources Code, exempts youth programs operated by a municipality from child-care state licensing requirements; and

WHEREAS, Section 42.041 (14) of the Texas Human Resources Code provides that in order for municipal youth programs to be exempted from state licensing requirements, the governing body of the municipality must annually adopt standards of care by ordinance after a public hearing; and

WHEREAS, a public hearing on the standards was held on May 5, 2020 and

WHEREAS, the Director of Parks, Arts and Recreation for the City of Grand Prairie recommends that the standards of care as set forth in Exhibit "A" be adopted by the City of Grand Prairie; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS:

SECTION 1. That all of the recitals and preambles herein above stated are found to be true and correct and are incorporated herein and made a part of this ordinance.

SECTION 2. That the Youth Programs' Standard of Care for the City of Grand Prairie as detailed in Exhibit "A" attached hereto and incorporated herein for all purposes, is hereby approved.

SECTION 3. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. That if any provision of this ordinance shall be held to be invalid or unconstitutional, the remainder of such ordinance shall continue in full force and effect the same as if such invalid or unconstitutional provision had never been a part hereof.

SECTION 5. That it is hereby officially found and determined that the meeting at which this ordinance is passed is open to the public as required by law, and that public notice of the time, place and purpose of said meeting was given as required.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, ON THIS THE 5th DAY OF MAY, 2020.

EXHIBIT "A"

GRAND PRAIRIE YOUTH PROGRAMS' STANDARDS OF CARE

The following Standards of Care have been proposed for adoption by the City Council of the City of Grand Prairie, Texas pursuant to Texas Human Resources Code Section 42.041 (14). The Standards of Care are the minimum standards by which the City of Grand Prairie Parks, Arts and Recreation Department will operate the City's Youth Programs.

General Administration

1. Organization

- A. The governing body of the City of Grand Prairie Youth Programs is the Grand Prairie City Council.
- B. Implementation of the Youth Program Standards of Care for all Youth Programs is the responsibility of the Director of Parks, Arts and Recreation.
- C. Youth Programs ("Program") to which these Standards will apply are the programs held at the Charley Taylor, Dalworth, the Epic and Tony Shotwell Life Centers and other "Outreach" programs currently operated by the City of Grand Prairie. Other programs may be subsequently designated by the City of Grand Prairie.
- D. Each Youth Program site will have available for public and staff review, a current copy of the Standards of Care.
- E. Parents of the participants will be provided a current copy of the Standards of Care during the registration process.
- F. Criminal background checks will be conducted on prospective Youth Program employees. If results of the criminal check indicate that an applicant has been convicted of any of the following offenses, he or she will not be considered for employment:
 - (1). a felony or a misdemeanor classified as an offense against a person or family;
 - (2). a felony or misdemeanor classified as public indecency;
 - (3). a felony or misdemeanor violation of any law intended to control the possession or distribution of any controlled substance;
 - (4). any offense involving moral turpitude;
 - (5). any offense that would potentially put the City of Grand Prairie at risk.
 - (6). City ordinance required that the employee be notified of indictment or complaint within 24 hours of awareness or the next business day.

2. Definitions

- A. City of Grand Prairie
- B. City Council: City Council of Grand Prairie
- C. Department; The term “Department” shall mean Parks, Arts and Recreation Department of the City of Grand Prairie when used in connection with those Youth Programs for which the Recreation Division is responsible.
- D. Youth Programs or Program: City of Grand Prairie Youth Programs held at Charley Taylor, Dalworth, the Epic and Tony Shotwell Life Centers and “Outreach” programs currently operated by the City of Grand Prairie. Other programs may be subsequently designated by the City of Grand Prairie.
- E. Program Manual: Notebook of policies, procedures, required forms, and organizational program information relevant to Grand Prairie Youth Programs.
- F. Director: The term “Director” shall mean the City of Grand Prairie Director of Parks, Arts and Recreation or his or her designee when used in connection with those Youth Programs for which the Recreation Division is responsible.
- G. Recreation Events Supervisor or Center Supervisor: The term “Events Supervisor” or “Supervisor” shall mean the City of Grand Prairie Parks and Recreation Department full-time Center Supervisor who has been assigned administrative responsibility for a Grand Prairie Youth Program for which the Recreation Division is responsible.
- H. Program Center Supervisor: The term “Program Supervisor” shall mean the City of Grand Prairie Parks, Arts and Recreation Department full-time programmer who has been assigned day to day responsibilities to implement the City’s youth program for which the Recreation Division is responsible.
- I. Specialist or Specialists: The term “Specialist” or “Specialists” shall mean any City of Grand Prairie Parks, Arts and Recreation Department employee (full or part-time) who has been assigned responsibility to implement the City’s Youth Programs for which the Recreation Division is responsible.
- J. Program Site: Any area or facility where Grand Prairie Youth Programs are held.
- K. Participant: Any youth whose parents have completed all required registration procedures and determined to be eligible for a Grand Prairie Youth Program.
- L. Parent(s): This term will be used to represent one or both parent(s) or guardian(s) who have legal custody and authority to enroll their child(ren) in Grand Prairie Youth Programs
- M. Employee(s): Term used to describe people who have been hired to work for the City of Grand Prairie and have been assigned responsibility for managing, administering, or implementing some portions of the Grand Prairie Youth Programs

3. Inspections/Monitoring/Enforcement

- A. A bi-annual inspection report will be initiated by the Program Center Supervisor of each Program to confirm the Standards of Care are being adhered to.
 - (1) Inspection reports will be sent to the Superintendent of Recreation for review and kept on record for at least two years.
 - (2) The Superintendent of Recreation will review the report and establish deadlines and criteria for compliance with the Standards of Care.
- B. The Superintendent of Recreation or his or her Designee will make visual inspections of the facilities based on the following schedule:
 - (1) a pre-summer check in May of each year
 - (2) a winter check in January
- C. Complaints regarding enforcement of the Standards of Care will be directed to the Program Center Supervisor. The Supervisor will be responsible to take the necessary steps to resolve the problems. Complaints regarding enforcement of Standards of Care and their resolution will be recorded by the Supervisor. Serious complaints regarding enforcement of the Standards of Care will be addressed by the Superintendent of Recreation and the complaint and the resolution will be noted.

4. Enrollment

- A. Before a child can be enrolled, the parents must sign registration forms that contain the child's:
 - (1) name, address, home telephone number;
 - (2) name and address of parents and telephone during program hours;
 - (3) names and telephone numbers of people to whom the child can be released;
 - (4) statement of the child's special problems or needs;
 - (5) proof of residency when appropriate
 - (6) a liability waiver which also includes permission for field trips and emergency medical authorization.

5. Suspected Abuse

Program employees will report suspected child abuse in accordance with the Texas family Code.

Staffing Responsibilities and Training

6. Youth Program Supervisors Qualifications

- A. Supervisors will be full-time employees of the Grand Prairie Parks, Arts and Recreation Department.
- B. Supervisors must be at least 21 years old.
- C. Supervisors must have two years experience planning and implementing recreation activities.
- D. Supervisors must be able to pass a background investigation including testing for illegal substances.
- E. As soon as possible after employment with the City of Grand Prairie Supervisors must successfully complete a course in first aid and CPR offered by the City of Grand Prairie or another licensed source i.e. American Red Cross.
- F. Coordinators must be able to furnish proof of a clear tuberculosis test within 12 months prior to their employment date. City ordinance requires a TB exam within 10 days of employment.

7. Program Center Supervisor's Responsibilities

- A. Programmers are responsible to administer the Program's daily operations in compliance with the adopted Standards of Care.
- B. Programmers are responsible to recommend for hire, supervise and evaluate Leaders.
- C. Programmers are responsible to plan, implement and evaluate programs.

8. Specialists ("Specialist") Qualifications

- A. Specialist may be full time, part-time or temporary employees of the Parks, Arts and Recreation Department.
- B. Specialist working with children must be age 16 or older; each site will have at least one employee 18 years or older present at all times.
- C. Specialist should be able to consistently exhibit competency, good judgment, and self-control when working with children.
- D. Specialist must relate to children with courtesy, respect, tolerance and patience.
- E. 50% of the Leaders at each site must have successfully completed a course in first aid and CPR offered by the City of Grand Prairie.

- F. Specialist must pass a background investigation including testing for illegal substances.

9. Specialist Responsibilities

- A. Specialist will be responsible to provide participants with an environment in which they can feel safe, can enjoy wholesome recreational activities, and can participate in appropriate social opportunities with their peers.
- B. Specialist will be responsible to know and follow all City, Departmental, and Program standards, policies and procedures that apply to Grand Prairie Youth Programs.
- C. Specialist will ensure that participants are released only to a parent or an adult designated by the parent. All programs sites will have a copy of the applicable Department approved plan to verify the identity of a person authorized to pick up a participant if that person is not known to the Leader. City Ordinance requires the following:
 - D. An enrollment agreement shall be obtained for each child prior to admission, filed at the child-care center, and the director shall be responsible for assuring that the terms of the agreement related to items (A)-(G) below are met. The agreement signed by the parents shall contain:
 - a) Hours the child shall be in care. (Not to exceed twelve (12) hours except in an emergency.
 - b) Notarized emergency medical authorization.
 - c) 4- digit security code.
 - 1. School-age children who leave the child-care center to go to classes and clubs shall have written permission from the parents. Parents shall specify the activity, time, and method of transportation.
 - 2. Photographs of the parents and other persons authorized to pick up the child shall be kept by the child-care center.
 - 3. It shall be the responsibility of the parent who is granted custody of the child to provide the child-care center with a copy of any custody decree or agreement should they request that the release authorization record be changed.
 - E. A statement that the child will be released only to a parent or a person named by the parent.
 - F. In any instance when the persons listed in item (c)(3) above cannot pick up the child, the procedures describe herein shall be followed.
 - 1. The parent or guardian shall phone the child-care center, shall identify themselves by using a four-digit security code, and shall designate who will pick the child up. The director or staff member shall check the child's enrollment record to verify the code numbers.
 - 2. The person who picks up the child must identify themselves as follows:
 - (I) Shall present photo identification
 - (II) Shall present the parent's 4-digit security code.
 - (III) The unlisted person shall sign child out.

(IV) The director or staff member shall photograph the person before they leave the child-care center. The center must provide an operational camera with film.

- a) The procedure to release children to unlisted persons as required by the City of Grand Prairie shall be posted so that it is readily accessible to all staff.
- b) In the event that a child is found to be missing from a facility, the operator of the facility shall report such fact to the Grand Prairie Police Department and the City of Grand Prairie regulatory authority immediately.

G. A Leader must be with participants at all times.

10. Training/Orientation

- A. The Department is responsible to provide training and orientation to its Program employees in working with children and for specific job responsibilities. Supervisors will provide each Leader with a program manual specific to each Youth Program.
- B. Specialist must be familiar with the Standards of Care for Youth Program operation as adopted by the City Council.
- C. Program employees must be familiar with the Program's policies including discipline, guidance, and release of participants as outlined in the Program Manual.
- D. Program employees will be trained in appropriate procedures to handle emergencies.
- E. Program employees will be trained in areas including City, Departmental, and Program policies and procedures; provision of recreation activities; safety issues; and organization.
- F. All programs employees will receive 8 hours of training annually.
- G. Program employees will be required to sign an acknowledgment that they received the required training.

Operations

11. Staff-Participant Ratio

- A. In a Grand Prairie Youth Program, the number of participants may not exceed leaders by a minimum ratio of 1 Leader per 15 participants 5 years to 13 years of age.
- B. Each participant should have a Program employee who is responsible for him or her and who is aware of details of the participant's habits, interests, and any special problems as identified by the participant's parents during the registration process.

12. Notification

- A. Parents must be notified immediately if:
 - (1) Participant is injured; or

- (2) Participant has a sign or symptom requiring exclusion from the site (i.e. communicable disease, fever, illness).
- B. All parents must be notified if there is an outbreak of any communicable disease that is reportable to the State Department of Health.

13. Discipline

- A. Program employees will implement discipline and guidance in a consistent manner based on the best interests of Program participants.
- B. There will be no cruel or harsh punishment or treatment.
- C. Program employees may use brief, supervised separation from the group if necessary.
- D. As necessary, Program employees will initiate discipline reports to the parent(s) of participants. Parents will be asked to sign participant discipline reports to indicate they have been advised about a specific problem or incident.
- E. A sufficient number and/ or severe nature of discipline reports as detailed in the Program manual may result in a participant being suspended from the Program.
- F. In instances where there is a danger to participants or staff, offending, participants will be removed from the Program site as soon as possible.

14. Programming

- A. Program employees will attempt to provide activities for each group according to the participants' ages, interests, and abilities. The activities must be appropriate to the participants' health, safety, and well-being. The activities also will be flexible and promote the participants' emotional, social, and mental growth.
- B. Program employees will attempt to provide indoor and outdoor time periods to include:
 - (1) alternating active and passive activities,
 - (2) opportunity for individual and group activities
 - (3) outdoor time each day weather permits.
- C. Program employees will be attentive and considerate of the participants' safety on field trips and during any transportation provided by the Program.
 - (1) During trips, Program employees supervising participants must have phone access to emergency medical forms and emergency contact information for each participant.
 - (2) Program employees must have written list of participants in the group and must check the roll frequently.

- (3) Program employees must have the first aid supplies and a guide to the first aid emergency care available on field trips.
- (4) Notice of any field trips will be displayed at a prominent place at each site.

15. Communication

- A. Each Program site will have a phone to allow the site to be contacted by Recreation Center personnel and each site will have access to a telephone for use in contacting the Recreation Center making emergency calls.
- B. The Supervisor will post the following telephone numbers adjacent to a telephone accessible to all Program employees at each site:
 - (1) Grand Prairie ambulance or emergency medical services.
 - (2) Grand Prairie Police Department
 - (3) Grand Prairie Fire Department
 - (4) Poison Control.
 - (5) The telephone number for the site itself.

16. Transportation

- A. First aid supplies and a first aid and emergency care guide will be available in all Program vehicles that transport children.
- B. All Program vehicles used for transporting participants must have available a portable fire extinguisher which will be installed in the passenger compartment of the vehicle and which must be accessible to the adult occupants.

Facility Standards

17. Safety

- A. Program employees will inspect Youth Program sites weekly to detect sanitation and safety concerns that might affect the health and safety of the participants. A weekly inspection report will be completed by the Program staff and kept on file by the Program Supervisor.
- B. Buildings, grounds, and equipment on the Program site will be inspected, cleaned, repaired, and maintained to protect the health of the participants,
- C. Program equipment and supplies must be safe for the participant's use.
- D. Program employees must have first aid supplies available at each site, during transportation, and for the duration of any off-site activity.
- E. Program air conditioners, electric fans, and heaters must be mounted out of participants' reach or have safeguards that keep participants from being injured.

- F. Program porches and platforms more than 30 inches above the ground must be quipped with railings participants can reach.
- G. All swing seats at Program sites must be constructed of durable, lightweight, relatively pliable material.
- H. Program employees must have first aid supplies readily available to staff in a designated location. Program employees must have an immediately accessible guide to first aid and emergency care.
- I. Program site will have annual health inspection by the City of Grand Prairie Environment Health Division. The Inspection is addressed in 19 (E)

18. Fire.

- A. In case of fire, danger of fire, explosion, or emergency, Program employees' first priority is to evacuate the participants to a designated safe area.
- B. The program site will have an annual fire inspection by the City Fire Marshall prior to June 1 of each year, and the resulting report will detail any safety concerns observed, the report will be forwarded to the Director who will review and establish deadlines and criteria for compliance.
- C. Each Program site must have at least one fire extinguisher readily available to all Program employees, The fire extinguisher is to be inspected by the Facility Services Division per their maintenance schedule and will be forwarded to the Supervisor's supervisor who will keep the report on file for a minimum of two years. All Youth Program staff members will be trained in the proper use of fire extinguishers.

City Ordinance requires the following:

(5) A fire evacuation, severe weather, and relocation plan shall be posted in each room used by the children in a child-care center and all staff members shall be instructed as to what to do in an emergency. Fire drills shall be held monthly at different times during the center's operation using these plans.

(6) The building shall permit children fast and safe exit within three (3) minutes in an emergency.”

A. A facility shall have at least two (2) exits to the outside located on different sides of the building

B. Doors opening into a fenced yard shall be easily opened from the inside by children. Doors between rooms shall not be locked while children are present.

C. Doors and pathways shall not be blocked.

(7) Heating devices and their nearby areas shall not be allowed to present any fire hazards.

- A. Gas appliances shall have metal tubing and connections, unless otherwise approved by the fire marshal.
- B. Open flame space heaters are prohibited. Space heaters shall be enclosed and have the seal of approval of a testing laboratory approved by the fire marshal.
- C. Space heaters designed to be vented shall be vented to the outside as approved by the fire marshal.

(8) Combustible materials shall be kept away from light bulbs and other heat sources.

(9) Gas pipes shall be tested once every two years after a permit is issued by a Texas-licensed and city-required plumber. A copy of the test report shall be available at the facility. Child care centers that are located in a public school shall be exempt from the gas test requirement.

(10) Fire ordinances relevant to commercial child-care centers shall be the applicable standards for day care centers not operating for profit.

(11) Rooms must contain a smoke detector as recommended by the fire marshal.

(12) Child- care centers that have gas pipes must have carbon monoxide detectors as recommended by the fire marshal.

19. Health

A. Illness or Injury

- (1) A participant who is considered to be a health or safety concern to other participants or staff will not be admitted to the Program.
- (2) Illnesses and injuries will be handled in a manner to protect health of all participants and employees.
- (3) Program employees will follow plans to provide emergency care for injured participants or for participants with symptoms of an acute illness as specified in the Program manual.
- (4) Program employees will follow the recommendation of the Texas Department of Health concerning the admission or readmission of any participant after a communicable disease.

B. Program employees will administer medication only if:

- (1) Parent(s) or guardian(s) complete and sign a medication form that provides authorization for staff to dispense medication with details as to time and dosages. The form will include a hold harmless clause to protect the City.

- (2) Prescription medications are in containers labeled with the child's name, a date, directions, and the physician's name. Program staff members will administer the medication only as stated on the label. Program staff will not administer medication after the expiration date.
- (3) Nonprescription medications are labeled with the child's name and the date the medication was brought to the Program. Nonprescription medication must be in the original container. The Program staff will administer it only according to label direction.
- (4) Medications dispensed will be limited to routine oral ingestion not requiring special knowledge or skills on the part of Program employees. No injections will be administered by the Program employees.
- (5) Program employees must ensure medications are inaccessible to participants or, if it is necessary to keep medications in the refrigerator (when available). Medications will be kept separate from food.

C. Toilet Facilities

- (1) The program site will have inside toilets located and equipped so children can use them independently and program staff can supervise as needed.
- (2) There must be one flush toilet for every 17 children. Urinals may be counted in the ratio of toilets to children, but must not exceed 50% of the total number of toilets.
- (3) An appropriate and adequate number of lavatories will be provided.

D. Sanitation

- (1) The Program site must have adequate light, ventilation, and heat.
- (2) The Program must have an adequate supply of water meeting the standards of the Texas Department of Health for drinking water and ensure that it will be supplied to the participants in a safe and sanitary manner.
- (3) Program employees must see that garbage is removed from sites daily.

E. The Program site will have an annual health inspection by the Environment Services Department prior to June 1 of each year, and the resulting report will detail any safety concerns observed, the report will be forwarded to the Director who will review and establish deadlines and criteria for compliances.



Legislation Details (With Text)

File #: 20-9952 **Version:** 1 **Name:** COVID Ordinance 2
Type: Ordinance **Status:** Items for Individual Consideration
File created: 4/29/2020 **In control:** City Attorney
On agenda: 5/5/2020 **Final action:**
Title: An Ordinance Amending Ordinance No. 10825-2020 Relative to the Continuation of the Proclamation of a Local State of Disaster; Authorizing Additional Authority Related to the Local State of Disaster; Adopting and Approving Certain Rules to Protect the Health of Persons in the City
Sponsors:
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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From
Megan Mahan

Title
An Ordinance Amending Ordinance No. 10825-2020 Relative to the Continuation of the Proclamation of a Local State of Disaster; Authorizing Additional Authority Related to the Local State of Disaster; Adopting and Approving Certain Rules to Protect the Health of Persons in the City

Presenter
Megan Mahan, City Attorney

Recommended Action
Approve

Analysis
In order to remain consistent with recent declarations of the Texas Department of State Health Services, the Executive Orders issued by Governor Abbott, and to harmonize, to the extent possible, with the provisions contained in the emergency orders and declarations of Dallas, Ellis and Tarrant County, and the other cities within Dallas, Ellis and Tarrant County, for the health and safety of persons within the City of Grand Prairie, the City is looking to pass an ordinance that is consistent with the Governor's Executive Orders on April 27, 2020.

Financial Consideration
None

Body
AN ORDINANCE AMENDING ORDINANCE NO. 10825-2020 RELATIVE TO THE CONTINUATION OF THE PROCLAMATION OF A LOCAL STATE OF DISASTER; AUTHORIZING ADDITIONAL

AUTHORITY RELATED TO LOCAL STATE OF DISASTER; ADOPTING AND APPROVING CERTAIN RULES TO PROTECT THE HEALTH OF PERSONS IN THE CITY; PROVIDING FOR A FINE FOR CERTAIN PROVISIONS OF UP TO \$500 FOR EACH OFFENSE IN VIOLATION OF THIS ORDINANCE; PROVIDING THIS ORDINANCE BE CUMULATIVE; PROVIDING FOR SEVERABILITY, GOVERNMENTAL IMMUNITY, INJUNCTIONS, PUBLICATION, AND AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY

WHEREAS, COVID-19 has spread world-wide and has been declared a global pandemic by the World Health Organization; and

WHEREAS, confirmed cases have occurred in Dallas and Tarrant counties and community spread is continuing; and

WHEREAS, the continued worldwide spread of COVID-19 presents an imminent threat of widespread illness, which requires emergency action; and

WHEREAS, the City's emergency management plan has been activated by the declaration of local disaster signed by the Mayor of the City of Grand Prairie on March 13, 2020, which was ratified and extended by the Grand Prairie City Council on March 17, 2020 by Resolution Number 5076-2020 (hereinafter "Original Resolution"); and

WHEREAS, on March 19, 2020, pursuant to Ordinance No. 10825-2020, the Mayor and City Council amended the Original Resolution to adopt and approve additional measures to protect the health of persons in the City and extended the local disaster indefinitely until revoked (hereinafter "Amended Ordinance"); and

WHEREAS, the previous resolution and ordinance adopted by the City Council relative to continuing the proclamation of a local state of disaster and adopting and approving rules to protect the health of persons in the City as hereinabove described are hereinafter referred to as the "Previous Orders"; and

WHEREAS, a declaration of local state of disaster includes the ability to take measures to reduce the possibility of exposure to disease, mitigate the risk, and promote the health and safety of the residents of the City of Grand Prairie; and

WHEREAS, Sections 121.003 and 122.006 of the Texas Health and Safety Code provide that the City of Grand Prairie is authorized to adopt rules to protect the health of persons in the City of Grand Prairie; and

WHEREAS, unless the actions as hereby provided are immediately initiated, avoidable serious illnesses and deaths could occur; and

WHEREAS, in order to remain consistent with recent declarations of the Texas Department of State Health Services, the Executive Orders issued by Governor Abbott, and to harmonize, to the extent possible, with the provisions contained in the emergency orders and declarations of Dallas, Ellis and Tarrant County, and the other cities within Dallas, Ellis and Tarrant County, for the health and safety of persons within the City of Grand Prairie; and

WHEREAS, the City Council finds that it is in the public interest to authorize additional measures as described herein pursuant to the Texas Disaster Act of 1975, as amended, Vernon's Texas Government Code, and provide rules to protect the health of persons in the City pursuant to the Texas Health and Safety Code, as amended;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS:

SECTION 1. That the findings and recitations set out in the preamble of this ordinance are found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2. That effective immediately, and continuing through the later of May 15, 2020 or until GA-18 and GA-19 are rescinded or superseded by the Governor, Ordinance No. 10825-2020 is hereby amended by the adoption of the provisions of Executive Orders GA-18 and GA-19 issued by Governor Greg Abbott on April 27, 2020. The provisions of GA-18 and GA-19 are incorporated herein by reference as if written word for word. Except as provided in this ordinance, all other terms and provisions of Ordinance No. 10825-2020 shall remain unchanged and in full force and effect. In the event of conflict or inconsistency between the terms and provisions set for in this ordinance and the Previous Orders, this ordinance shall govern and control. For clarity, nothing in the ordinance is intended to impact the provisions related to the indefinite continuation of the local state of disaster or the authority granted to the City Manager to execute contracts as specified in Ordinance No. 10825-2020.

SECTION 3. Any person, firm, corporation, agent or employee thereof who violates any of the provisions of this ordinance commits an offense that is considered a class C misdemeanor and each day the violation continues shall be a separate offense punishable by a fine of not more than \$500. A culpable mental state is not required for the commission of an offense under this ordinance and need not be proven. The penalty provided for in this ordinance is in addition to any other remedies that the City may have under City ordinances and state law.

SECTION 4. All of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety, and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of the ordinance, acting for the City of Grand Prairie in the discharge of his/her duties, shall not thereby render himself/herself personally liable; and he/she is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of his/her said duties.

SECTION 5. Any violation of this ordinance can be enjoined by a suit filed in the name of the City of Grand Prairie in a court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this ordinance or in the Code of the City of Grand Prairie.

SECTION 6. That the terms and provisions of this Ordinance are severable and are governed by Section 1-4 of the Code of Ordinances of the City of Grand Prairie, Texas.

SECTION 7. That this Ordinance shall be and become effective immediately upon and after its passage, publication, and approval.

SECTION 8. That this Ordinance shall expire upon the earlier to occur of the termination of the state of emergency declared by the President or by the affirmative vote of the City Council.

PASSED AND APPROVED this the 5th day of May, 2020.

