



City of Rowlett

Meeting Minutes

City Council

4000 Main Street
Rowlett, TX 75088
www.rowlett.com

City of Rowlett City Council meetings are available to all persons regardless of disability. If you require special assistance, please contact the City Secretary at 972-412-6115 or write 4000 Main Street, Rowlett, Texas, 75088, at least 48 hours in advance of the meeting.

Tuesday, August 7, 2018

5:15 P.M.

Municipal Building – 4000 Main Street

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item herein.

The City of Rowlett reserves the right to reconvene, recess or realign the Regular Session or called Executive Session or order of business at any time prior to adjournment.

Present: Mayor Dana-Bashian, Mayor Pro Tem Brown, Deputy Mayor Pro Tem Grubisich, Councilmember Margolis, Councilmember Sherrill, Councilmember Bobbitt and Councilmember Bell

1. CALL TO ORDER

Mayor Dana-Bashian called the meeting to order at 5:15 p.m.

2. EXECUTIVE SESSION (5:15 P.M.)*Times listed are approximate.

- 2A.** The City Council shall convene into Executive Session pursuant to Texas Government Code, §551.071 (Consultation with City Attorney), to consult with and receive legal advice from the City Attorney relating to the Bayside project and the Development Agreement. (30 minutes) **THIS ITEM WILL BE DISCUSSED AFTER THE REGULAR SESSION**

After a short break at 10:43 p.m., Council reconvened to begin the Executive Session at 10:52 p.m.

In Executive Session at 10:52 p.m. Out at 1:09 a.m.

- 2B.** The City Council shall convene into Executive Session pursuant to Texas Government Code, §551.071 (Consultation with City Attorney), to consult with and receive legal advice from the City Attorney relating to Brandi Bull vs. City of Rowlett/Kimberly Wilson vs. City of Rowlett. (30 minutes) **THIS ITEM WILL BE DISCUSSED AFTER THE REGULAR SESSION**

In Executive Session at 7:03 p.m. Recessed at 7:24 p.m. Reconvened at 8:30 p.m. Out at 10:43 p.m.

3. WORK SESSION (5:15 P.M.)*

3A. Joint Work Session of Economic Development Advisory Board and Council. (30 minutes)

Drew Howard, Chair called their portion of the meeting to order at 5:16 p.m. He introduced members who were present: Mayor Dana-Bashian, Elaine Ritchie, Barry Young, Eva Hummel, Michael Gallops, Larry Glick and City Manager Brian Funderburk. Other members not present were Justin Blackburn, Jerry Johnson and Whitney Laning. Mr. Howard reviewed accomplishments of the past year, the tools available for economic development incentives and the review process, as well as goals for the next fiscal year. He adjourned their portion of the meeting at 5:34 p.m.

3B. Presentation of the Fiscal Year 2019 (FY2019) Proposed Budget. (30 minutes)

City Manager Brian Funderburk presented the proposed budget outlining budget priorities.

3C. Discuss authorizing the issuance of City of Rowlett, Texas Tax Notes, Series 2018. (30 minutes)

Wendy Badgett, Interim Director of Finance presented the information for this item. There was consensus from Council to proceed with the issuance of a tax note. After further discussion regarding the specifics, there was consensus from Council to approve the list of recommendations provided by staff.

3D. Discuss an amendment to Chapter 6 of the Code of Ordinances to add a new subsection to the Animal Care Guidelines, § 6-8(h), encouraging Trap, Neuter/Spay Return programs and policies. (30 minutes)

Maria Martinez, Neighborhood Services Manager, provided the details of the proposed program. Animal Shelter Advisory Board member, Katherine Rinz, was also available to provide information. It was the consensus of Council to proceed with the program, which will be presented at a future date for formal consideration.

4. DISCUSS CONSENT AGENDA ITEMS

Mayor Dana-Bashian requested that Fire Chief Neil Howard provide information on the grant and items being purchased for item 7B.

Shawn Poe, Director of Public Works, along with Tom Harris, City Engineer, explained the thought process behind items 7D, 7E, 7F, 7G and 7H.

Deputy Mayor Pro Tem Grubisich, relative to item 71, asked that all future contracts involving a tree trimming component be bid out with specifications for an arborist to be involved in the process.

Council adjourned the Work Session at 7:24 p.m.

CONVENE INTO THE COUNCIL CHAMBERS (7:30 P.M.)*

INVOCATION – Ann Dotson, First Christian Church

PLEDGE OF ALLEGIANCE – Led by the City Council
TEXAS PLEDGE OF ALLEGIANCE

Council reconvened in the Regular Session at 7:34 p.m.

5. PRESENTATIONS AND PROCLAMATIONS

5A. Hear presentation of the Monthly Financial report for the period ending June 30, 2018.

Wendy Badgett, Interim Director of Finance, presented the report.

5B. Update from the City Council and Management: Financial Position, Major Projects, Operational Issues, Upcoming Dates of Interest and Items of Community Interest.

Councilmembers made the following announcements as noted:

Councilmember Margolis:

PARKS & RECREATION

- SUMMER CONCERT SERIES SCHEDULED FOR FRIDAYS IN AUGUST
 - ACTIVITIES WILL BE HOSTED IN DOWNTOWN ROWLETT (4000 MAIN STREET), ACROSS FROM CITY HALL
 - EACH EVENT WILL BEGIN AT 7 PM, WITH LIVE MUSIC AT 7:30 PM
- ANNUAL POOCH PLUNGE SCHEDULED FOR SUNDAY, AUGUST 12TH
 - ACTIVITIES HELD AT WET ZONE WATERPARK (5304 MAIN STREET); ADMISSION IS \$10 PER DOG, HUMANS GET IN FREE
 - PROCEEDS FROM TICKET SALES WILL ASSIST ANIMALS IN THE ROWLETT AREA
- SCENTRAL SOCIAL SPLASH WILL BE HELD ON SATURDAY, AUGUST 18TH
 - ACTIVITIES HELD AT SCENTRAL BARK DOG PARK (4601 CENTENNIAL DRIVE), IN HERFURTH PARK; ADMISSION IS FREE, BRING YOUR OWN WATER BOWL
- SCHRADE BLUEBONNET PARK GRAND OPENING & SPIRIT OF ROWLETT SCULPTURE DEDICATION IS SATURDAY, AUGUST 25TH AT 9AM. THE PARK IS LOCATED AT 4701 SUNNYBROOK.
- VISIT WWW.ROWLETT.COM/PARKSANDREC FOR MORE INFORMATION.

LIBRARY

- ROWLETT PUBLIC LIBRARY IS OPEN AT 3900 MAIN STREET! A MAP SHOWING ALL THE PARKING AVAILABLE DOWNTOWN IS ON THE LIBRARY'S MAIN WEB PAGE.
- THE SENIOR BOOK CLUB MEETS THE FIRST WEDNESDAY OF THE MONTH AT 1PM AT THE ROWLETT COMMUNITY CENTRE. DON'T MISS FOR THE SEPTEMBER 5TH DISCUSSION OF *THE WARMTH OF OTHER SUNS* BY AWARD-WINNING AUTHOR ISABEL WILKERSON.
- RELAX AND ENJOY A SATURDAY AFTERNOON MOVIE THAT'S FUN FOR THE ENTIRE FAMILY! *THE INCREDIBLES* WILL BE FEATURED ON AUGUST 11TH, FOLLOWED BY *COCO* ON AUGUST 18TH. SHOWINGS BEGIN AT 2PM
- FOR MORE INFORMATION ON THESE AND OTHER LIBRARY PROGRAMS CALL 972.412-6161

Councilmember Sherrill:

ANIMAL SHELTER

- **NEXT LOW COST VACCINATION CLINIC** WILL BE HELD ON **SUNDAY, SEPTEMBER 2ND, 2 – 5PM** LOCATED AT 8502 LIBERTY GROVE RD. @ LIBERTY GROVE ANIMAL HOSPITAL. THESE CLINICS ARE HELD THE FIRST SUNDAY OF EVERY MONTH (EXCLUDING HOLIDAYS).
- ANIMAL SHELTER IS OPEN MONDAY – SATURDAY, 10AM – 5PM AND LOCATED AT 4402 INDUSTRIAL STREET.
- GOOD NEWS! THE ANIMAL SHELTER WILL BE OPEN UNTIL 7PM ON THURSDAYS IN AUGUST – 9TH, 16TH, 23RD AND 30TH!
- **ANIMALS AVAILABLE FOR ADOPTION**

CITIZENS POLICE ACADEMY

- THIS 12 WEEK COURSE IS DESIGNED TO HELP YOU BETTER UNDERSTAND WHAT A POLICE OFFICER ENCOUNTERS WHILE ON DUTY
 - BEGINS AUGUST 30TH AND HELD EVERY THURSDAY EVENING FROM 7-10PM
 - REGISTER TODAY! CLASS SIZE IS LIMITED TO 30 PARTICIPANTS AND ARE SELECTED ON A FIRST COME, FIRST SERVE BASIS.
 - CONTACT OFFICER REEVES @ 972.412.6242 OR EMAIL – DREEVES@ROWLETT.COM FOR MORE INFORMATION

CPR CLASS OFFERED

- NEXT CPR CLASS WILL BE HELD ON AUGUST 18TH; COST IS \$30 AND OPEN TO ANYONE 16 YEARS OLD AND UP. CALL JULIE @ 972.412.6230 TO REGISTER

Councilmember Bobbitt:

HABITAT FOR HUMANITY OF GREATER GARLAND

- WILL BE ACCEPTING APPLICATIONS FOR CRITICAL REPAIRS BEGINNING TUESDAY, JULY 17TH – FRIDAY, AUGUST 17TH
 - MUST LIVE IN ROWLETT, GARLAND OR SACHSE
 - FOR ALL INFORMATION REGARDING ELIGIBILITY AND APPLICATIONS, VISIT WWW.GARLANDHABITAT.ORG/HOME-PRESERVATION-REPAIR/

COME TO THE NEXT FARMERS MARKET

- NEXT DOWNTOWN FARMERS MARKET IS SCHEDULED FOR THURSDAY, AUGUST 9TH FROM 5 TO 9PM AND EVERY THURSDAY THROUGH SEPTEMBER
 - FOOD VENDORS AND MUCH MORE WILL BE AVAILABLE
 - LIVE MUSIC IS FEATURED TOO!

ACTION CENTER

- WHEN YOU NEED TO REPORT A POTHOLE OR A WATER MAIN LEAK, GO ONLINE OR CALL THE ACTION CENTER. IT'S YOUR ONE-STOP SHOP FOR INFORMATION AND ASSISTANCE.
 - ONLINE AT WWW.ROWLETT.COM AND CLICK ON THE ACTION CENTER BUTTON IN THE UPPER LEFT OF THE PAGE. CALL 972.412.6100 AND YOU'LL SPEAK TO A COURTEOUS REPRESENTATIVE WHO WILL GET YOU TO THE RIGHT PERSON OR ANSWER YOUR QUESTIONS.
 - YOU MAY VISIT IN PERSON AT CITY HALL LOCATED AT 4000 MAIN STREET. WE ARE HERE TO SERVE!

Mayor Pro Tem Brown:

ARTS & HUMANITIES COMMISSION

- THE ARTS & HUMANITIES COMMISSION PROUDLY ANNOUNCES THE 2018 PHOTOGRAPHY CONTEST. THIS YEAR'S THEME IS "ROWLETT'S PEOPLE, PLACES AND THINGS." CASH PRIZES WILL BE AWARDED. ENTRY TAKE-IN ON FRIDAY, AUGUST 24TH (3-5 PM) AND SATURDAY, AUGUST 25TH (10-NOON) AT THE CITY HALL ANNEX, 4004 MAIN STREET.
 - ENTRY FORMS AND CONTEST INFORMATION CAN BE FOUND ON THE CITY'S WEBSITE AND ARTS & HUMANITIES COMMISSION'S FACEBOOK PAGE.

BOARDS AND COMMISSIONS

- NOW ACCEPTING APPLICATIONS FOR OUR BOARDS AND COMMISSIONS
 - DEADLINE FOR APPLICATIONS IS TUESDAY, AUGUST 14TH
 - APPLICATIONS AVAILABLE BY EMAIL OR PICK UP IN THE CITY SECRETARY'S OFFICE @ 4000 MAIN STREET
 - FOR CURRENT BOARD MEMBERS - IF YOU WOULD LIKE TO BE REAPPOINTED PLEASE COMPLETE THE REAPPOINTMENT APPLICATION BY AUGUST 14TH
 - FOR MORE INFORMATION CALL 972.412.6100 OR STOP BY THE CITY SECRETARY'S OFFICE, DETAILED INFORMATION IS ALSO ON IN THE WEEKLY UPDATE - FRIDAY @ 5 AND THE CITY'S WEBSITE.

Deputy Mayor Pro Tem Grubisich:

TxDOT MEETING FOR HARBORSIDE & GLISTENING SPRINGS RESIDENTS ALONG PGBT

- TxDOT WILL BE PRESENTING OPTIONS AT A NOISE WORKSHOP FOR THE HARBORSIDE COMMUNITY RESIDENTS ON THE EAST SIDE OF 190 AND GLISTENING SPRINGS COMMUNITY RESIDENTS ON THE WEST SIDE OF 190 ON THURSDAY, AUGUST 9TH FROM 6-8PM AT THE RCC

- RESIDENTS WILL VOTE FOR PREFERRED MODIFICATIONS TO THE SOUND BARRIER ON PGBT
- IF YOU CANNOT ATTEND THE NOISE WORKSHOP, RESIDENTS MAY SEND A COMPLETED AND SIGNED BALLOT POSTMARKED BY MONDAY, AUGUST 20, 2018 TO:
TEXAS DEPARTMENT OF TRANSPORTATION, ADVANCE PROJECT DEVELOPMENT ATTENTION: SANDRA WILLIAMS
4777 E. HWY. 80
MESQUITE, TX 75159-6643
- WITHOUT 50% OF THE PROPERTY OWNERS VOTING, THE PROJECT CANNOT MOVE FORWARD.

Councilmember Bell:

COUNCIL MEETINGS

- NEXT REGULAR MEETINGS WILL BE AUGUST 21ST, SEPTEMBER 4TH AND 18TH AT CITY HALL.
- BUDGET PLANNING SESSIONS WILL BE HELD ON AUGUST 14TH AND 23RD, PLACE TO BE DETERMINED.

P & Z MEETINGS

- NEXT MEETING WILL BE HELD ON TUESDAY, AUGUST 14TH & 28TH, 6:30PM AT CITY HALL.

ROWLETT CITY ACADEMY

- REGISTRATION IS NOW OPEN FOR THE FALL CLASS BEGINNING ON THURSDAY, SEPTEMBER 6TH FROM 11:30AM – 2PM. REGISTER @ ROWLETT.COM/CITY ACADEMY OR CALL ELISE BOWERS @ 972.412.6165
 - CLASS IS LIMITED TO 20 AND REGISTRATION CLOSSES ON AUGUST 23RD
 - KNOW WHERE TO GO, WHO TO CALL AND WHAT IS GOING ON IN YOUR CITY!

Mayor Dana-Bashian:

DIVERSITY COMMISSION

- FIRST MEETING WILL BE HELD WEDNESDAY, AUGUST 15TH STARTING AT 6:30PM IN THE CITY HALL CONFERENCE ROOM
- HELD EVERY 3RD WEDNESDAY OF THE MONTH

CREATE YOUR AMI (ADVANCED METERING INFRASTRUCTURE) PROFILE

- WATER CUSTOMERS NOW HAVE THE ABILITY TO ACCESS WATER CONSUMPTION ONLINE
 - SYSTEM READS EVERY HOUR FOR REAL-TIME USAGE INFORMATION
 - CREATE YOUR ACCOUNT AT WWW.ROWLETT.COM/AMI
 - FOR MORE INFORMATION ABOUT THIS GREAT SERVICE, WATCH THE YOUTUBE VIDEO LISTED ON THE NEWS FLASH AT WWW.ROWLETT.COM, DATED FEBRUARY 5TH

TO FIND OUT WHAT'S HAPPENING IN ROWLETT – CHECK OUT THE *FRIDAY @ 5*, A WEEKLY NEWSLETTER FROM CITY HALL. IT'S FULL OF INFORMATION ABOUT YOUR CITY AND IS AVAILABLE ON THE CITY'S WEBSITE AND FACEBOOK PAGE

EVERY FRIDAY AFTER 5PM. OR YOU CAN CHOOSE TO HAVE IT SENT DIRECTLY TO YOUR EMAIL. STAY UP-TO-DATE AND KNOW WHAT'S GOING ON!

AND FOR MORE INFORMATION ON ANY CITY PROGRAMS OR SERVICES, VISIT ROWLETT.COM

- ANIMAL SHELTER STAFF BROUGHT **JASPER** ONE OF THE ANIMALS AVAILABLE FOR ADOPTION.

6. CITIZENS' INPUT

1. Laurieann Dygowski, 7242 Liberty Grove, Rowlett; spoke regarding a City lawsuit.
2. Sandy Barrow, 8714 Deerwood Drive, Rowlett; spoke regarding a City lawsuit.

7. CONSENT AGENDA

- 7A.** Consider action to approve minutes from the City Council Regular Meeting July 17, 2018 and Special Meeting July 26, 2018.

This item was approved on the Consent Agenda.

- 7B.** Consider action to approve a resolution authorizing the City Manager to accept a 2017 FEMA Assistance to Firefighters Grant award (EMW-2017-FO-03471) in the amount of \$175,650.

This item was approved as RES-064-18 on the Consent Agenda.

- 7C.** Consider action to approve a resolution entering into an Interlocal Agreement with the Public Employee Benefits Alliance ("PEBA") which will allow the City of Rowlett to cooperatively purchase goods and services under their competitively bid contracts.

This item was approved as RES-065-18 on the Consent Agenda.

- 7D.** Consider action to approve a resolution approving Master Professional Services Agreements with Binkley & Barfield, Inc. (BBI), BW2 Engineers, Inc., Chiang, Patel, & Yerby, Inc., Garver, LLC, Grantham & Associates, Inc., Halff Associates Inc., Huitt-Zollars Inc., Jones & Carter, Inc. dba Jones/Carter, Kleinfelder, Inc., Neel-Schaffer, Inc., O'Brien Engineering, Inc., RJN Group, Inc., Teague Nall and Perkins, Inc. (TNP), Walter P. Moore and Associates, Inc. and Westra Consultants, LLC, respectively, to provide engineering design and construction management services of Capital Improvement Plan (CIP) Projects.

This item was approved as RES-066-18 on the Consent Agenda.

- 7E.** Consider action to approve a resolution approving a Master Professional Services Agreements with Alliance Geotechnical Group, Inc., Alpha Testing, Inc., ECS Southwest,

LLP, Fugro USA Land, Inc., HVJ North Texas – Chelliah Consultants, Inc., Terracon Consultants, Inc., respectively, to provide Geotechnical services for the Capital Improvement Plan (CIP) Projects.

This item was approved as RES-067-18 on the Consent Agenda.

- 7F. Consider action to approve a resolution approving a Master Professional Services Agreements with Criado & Associates, Inc., Chiang, Patel, & Yerby, Inc., Surveying and Mapping (SAM) LLC, respectively, to provide survey services for the Capital Improvement Plan (CIP) Projects.

This item was approved as RES-068-18 on the Consent Agenda.

- 7G. Consider action to approve a resolution approving a Master Professional Services Agreements with Lamb-Star Engineering, L.P., Solaray Engineering, Inc., respectively, to provide Subsurface Utility Engineering (SUE) services for the Capital Improvement Plan (CIP) Projects

This item was approved as RES-069-18 on the Consent Agenda.

- 7H. Consider action to approve a resolution approving a Master Professional Services Agreements with Kimley-Horn and Associates, Inc., and Lee Engineering, LLC, respectively, to provide traffic engineering services for the Capital Improvement Plan (CIP) Projects.

This item was approved as RES-070-18 on the Consent Agenda.

- 7I. Consider action to approve a resolution exercising the fourth of four one-year renewal options for Section I mowing services with Ely Tree and Landscape in the unit amounts bid with an estimated annual amount of \$60,000 for the Code Enforcement Division.

This item was approved as RES-071-18 on the Consent Agenda.

- 7J. Consider a resolution authorizing the Mayor to execute a Master Professional Services Agreement and Task Authorization FY18-LT-01 with la terra studio in the amount of \$197,750.00 and approving a ten percent (10%) contingency amount of \$19,775.00, resulting in a total project budget of \$217,525.00 for design and construction services for Herfurth Park Phase One Renovations, and authorizing the Mayor to execute the necessary documents for said services.

This item was withdrawn from consideration.

Passed the Consent Agenda

A motion was made by Mayor Pro Tem Brown, seconded by Councilmember Margolis, including all the preceding items marked as having been approved on the Consent Agenda. The motion carried with a unanimous vote of those members present.

8. ITEMS FOR INDIVIDUAL CONSIDERATION

- 8A.** Consider action to approve an ordinance authorizing the issuance and sale of Series 2018 Tax Notes and approving all other matters incident thereto.

Ms. Badgett presented the information for this item.

A motion was made by Mayor Pro Tem Brown, seconded by Councilmember Margolis, to approve the item as presented. The motion carried with a unanimous vote of those members present. This item was approved as ORD-021-18.

- 8B.** Consider action to approve a resolution to call for public hearings on the FY2019 tax rate.

Vlad Steere, Budget Officer, presented the information for this item.

A motion was made by Deputy Mayor Pro Tem Grubisich, seconded by Councilmember Margolis, to approve the item as presented. The motion carried with a unanimous vote of those members present. This item was approved as RES-073-18.

- 8C.** Consider action to approve a resolution approving a Professional Services Agreement with Fitzpatrick Design Construction Services Group, LLC and approving Task Order 1 to the agreement in the amount of \$61,070.00 and providing a contingency amount totaling \$6,107.00 for a total services fee of \$67,177.00 to provide construction management and project management services for the renovation of 5702 Rowlett Road (formerly the Rowlett Public Library) and authorizing the Mayor to execute the necessary documents for said services.

Mr. Poe presented the information for this item.

A motion was made by Councilmember Bobbitt, seconded by Councilmember Sherrill, to approve the item as presented. The motion carried with a unanimous vote of those members present. This item was approved as RES-074-18.

- 8D.** Present the Community Development Block Grant Program – 2018 Annual Plan; conduct a public hearing requesting citizen input on participation in the program; consider a resolution supporting participation in the Community Development Block Grant programs; adopting the 2018 Community Development Block Grant Annual Plan; and authorizing the

City Manager to execute and submit all documentation and certifications to the United States Department of Housing and Urban Development.

Ms. Martinez presented the information for this item. The public hearing opened and closed with no speakers.

A motion was made by Councilmember Margolis, seconded by Mayor Pro Tem Brown, to approve the item as presented. The motion carried with a unanimous vote of those members present. This item was approved as RES-075-18.

After a short break at 8:20 p.m., Council reconvened at 8:29 p.m. to continue the Executive Sessions.

TAKE ANY NECESSARY OR APPROPRIATE ACTION ON CLOSED/EXECUTIVE SESSION MATTERS

There was no action taken. The Mayor read the following statement:


“We have adjourned the Executive Session and there is no formal action to be taken at this time. Contrary to published reports, the City has not scheduled a news conference. This is our public statement regarding the Bayside project. City Council is not in agreement with the plan presented on July 26. Bayside is a legacy project. We have to do this right. The stakes are too high. Council is seeking additional information from the developer to see if collaboration is possible. We will continue to keep the public informed.”

9. ADJOURNMENT

The meeting was adjourned at 1:10 a.m.



Tammy Dana Bashian, Mayor



Laura Hallmark, City Secretary

Date Approved: August 21, 2018