

*Our Vision: A well-planned lakeside community of quality neighborhoods, distinctive amenities, diverse employment, and cultural charm. Rowlett: THE place to live, work and play.*

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**Tuesday, December 4, 2018**

**6:00 P.M.**

**Municipal Building**

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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 6:00 p.m.

**2. EXECUTIVE SESSION (6:00 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 Development Agreement for the Bayside project. (30 minutes)

Convened into closed session at 6:01 p.m. Reconvened into open session at 7:01 p.m.

**3. WORK SESSION (6:30 P.M.)\***

- 3A.** Provide an update and upcoming initiatives from the Office of Neighborhood Life. (20 minutes)

Elise Bowers, Neighborhood Life Coordinator, provided the City Council with an update on past initiatives and future endeavors.

**DISCUSS CONSENT AGENDA ITEMS**

Items 7G and 7I were removed from the Consent Agenda to be considered individually.

**RECEPTION FOR STATE REPRESENTATIVE CINDY BURKETT FROM 7:00 P.M. TO 7:30 P.M. (IN LOBBY AND CITY HALL CONFERENCE ROOM)**

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

Convened in the Council Chambers at 7:33 p.m.

### **INVOCATION**

The invocation was led by Pastor Cliff King, New Vineyard Church.

### **PLEDGE OF ALLEGIANCE TEXAS PLEDGE OF ALLEGIANCE**

The Pledges were led by the City Council.

## **4. PRESENTATIONS AND PROCLAMATIONS**

- 5A.** Presentation of a Life Saving Award to Corporal Vedran Nasic, Captain Randall Lipsey, Driver Morgan Conoly, Firefighter Paramedic Shane LeCroy, Firefighter Paramedic Cole Hobbs, and Firefighter Paramedic Alyson Greenwald.

Police Chief Brodnax and Fire Chief Howard presented a letter of recognition and City coins to Garland Independent School District employee, James Griffin, for his life saving actions on September 28, 2018. Chief Brodnax also presented Corporal Nasic with the Rowlett Police Department's Life Saving Award. Chief Howard presented Captain Lipsey and Firefighter Paramedics Shane LeCroy and Alyson Greenwald with a Life Saving Award. Driver Morgan Conoly and Firefighter Paramedic Cole Hobbs were not in attendance.

- 5B.** Presentation of a proclamation recognizing the fourth graduating class of the Rowlett City Academy.

Councilmember Bell and Elise Bowers, Neighborhood Life Coordinator, presented a proclamation to each of the graduating City Academy members that were present.

Those citizens being recognized were:

Barbara Daniels, Brian T Strutton, Carol Purser, Chris Del Regno, Cristina Rodriguez Trejo, Dan Walker, DeWayne Gates, John Gorrie, Katherine Rinz, Margaret Diehl, Mark Purser, Melissa Wheeler, Mike Volz, Nancy Shakeri, Oznel Cutter, Pedro Andrade, Ruth Rey, Shelby Coleman, Susan Bell, Susan E Williams, Vickie Nelson, and Virginia Denson

Susan Williams spoke regarding the program and the knowledge acquired during the academy.

- 5C.** Presentation of Proclamation to Cindy Burkett for her many years of legislative work and Reception with honored dignitaries.

State Representative Cindy Burkett was recognized by Mayor Dana-Bashian, Mayor Pro Tem Brown, State Representative Button, City Manager Funderburk, former Mayor Gottel, and Rowlett Chamber of Commerce President Gallops.

State Representative Cindy Burkett stated she was honored to represent the 170,000 constituents in her district and thanked everyone for allowing her to represent Rowlett.

- 5D. 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:

#### **PARKS AND RECREATION**

- HOLIDAY PARADE IS THIS SATURDAY STARTING AT 5PM AND ENDING AROUND 8PM IN DOWNTOWN ROWLETT – DON'T MISS IT!
- COUNTING TONIGHT, THERE ARE STILL 5 DAYS OF CHRISTMAS LEFT IN ROWLETT'S COUNTDOWN OF THE 12 DAYS OF CHRISTMAS! COME OUT AND JOIN US FOR STORY TELLING, GINGERBREAD HOUSE MAKING, MOVIE NIGHT AND OF COURSE – THE PARADE!

#### **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.
- FRIDAYS ARE FOR FUN! ENJOY AN AFTERNOON MOVIE *EVERY* FRIDAY IN DECEMBER BEGINNING AT 3:30 PM.
  - DECEMBER 7TH – "THE SANTA CLAUSE"
  - DECEMBER 14TH – "HOW TO TRAIN YOUR DRAGON"
  - DECEMBER 21ST – "THE MUPPET CHRISTMAS CAROL"
  - DECEMBER 28TH – "HAPPY FEET"
- SATURDAYS ARE SPECIAL! ACTIVITIES BEGIN AT 2:00 PM.
  - DECEMBER 8TH – PRESENT WRAPPING! STOP BY THE LIBRARY FOR HELP IN GETTING YOUR HOLIDAY GIFTS WRAPPED
  - DECEMBER 15TH – THE POLAR EXPRESS! WATCH THE MOVIE, HEAR THE STORY AND SIP ON A CUP OF HOT CHOCOLATE
  - DECEMBER 22ND – GINGERBREAD DREAM HOUSES! MAKE AND DECORATE "GINGERBREAD" HOUSES WITH US
- AND DON'T MISS THE NOON YEAR'S EVE CELEBRATION ON SATURDAY, DECEMBER 29TH. THE FUN BEGINS AT 11 AM, WITH A BALLOON DROP AT 12:00 PM.
- FOR MORE INFORMATION ON THESE AND OTHER LIBRARY PROGRAMS CALL 972.412-6161

### **ANIMAL SHELTER**

- NEXT LOW COST VACCINATION CLINIC WILL BE HELD ON SUNDAY, JANUARY 6<sup>TH</sup>, 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.

### **CPR CLASS OFFERED**

- CPR CLASSES WILL BE HELD QUARTERLY NOW; NEXT CLASS IS SCHEDULED FOR JANUARY 19<sup>TH</sup> AT 8:30AM AT THE RCC. COST IS \$30 AND OPEN TO ANYONE 16 YEARS OLD AND UP. CALL JULIE @ 972.412.6230 TO REGISTER

### **COUNCIL MEETINGS**

- NEXT MEETING WILL BE DECEMBER 18<sup>TH</sup> – AT CITY HALL.
- SPECIAL MEETING WILL BE HELD ON DECEMBER 13<sup>TH</sup> WITH THE COMP PLAN STEERING COMMITTEE AND P & Z.

### **P & Z MEETINGS**

- NEXT MEETING WILL BE HELD ON DECEMBER 11<sup>TH</sup> AT CITY HALL.

### **STOP A COP**

IT'S THAT TIME OF YEAR WHEN THE ROWLETT POLICE OFFICERS ASSOCIATION PROUDLY HOLDS THEIR ANNUAL STOP A COP FOR CHRISTMAS TOY DRIVE. HELP THE ROWLETT POLICE OFFICERS ASSOCIATION GIVE A LESS FORTUNATE CHILD A MERRY CHRISTMAS THIS YEAR. WAVE DOWN ANY OFFICER OUT ON PATROL, IF THEY ARE NOT RESPONDING TO A CALL, THEY WILL BE HAPPY TO ACCEPT DONATIONS OF TOYS AND OTHER GIFTS APPROPRIATE FOR CHILDREN OF ALL AGES.

NEW AND UNWRAPPED TOYS MAY ALSO BE DROPPED OFF 24 HOURS A DAY AT THE LOBBY OF THE ROWLETT POLICE STATION LOCATED AT 4401 ROWLETT ROAD.

ALL TOYS AND GIFTS DONATED WILL GO TO A FAMILY WITH CHILDREN WHO HAVE FALLEN ON HARD TIMES OR ARE LESS FORTUNATE THAN OTHERS. LET'S MAKE SURE EVERY CHILD HAS A MERRY CHRISTMAS!

### **LIGHT UP ROWLETT!**

TOURING OUR NEIGHBORHOODS TO SEE LIGHTS AND YARD DISPLAYS IS A HOLIDAY TRADITION AND A GREAT WAY TO CREATE LASTING MEMORIES WITH FAMILY AND FRIENDS, SO THE CITY OF ROWLETT IS EXCITED TO BRING BACK THE "LIGHT UP ROWLETT" AWARDS. SALUTING THE TIME AND EFFORT THAT GOES INTO OUTDOOR DÉCOR, ONE HOME IN EACH QUADRANT OF THE CITY

WILL BE RECOGNIZED FOR THEIR OUTSTANDING HOLIDAY DISPLAYS, AND YOU GET TO CHOOSE THEM!

IF YOU SEE AN OUTDOOR DISPLAY THAT YOU THINK IS GREAT – OR IF YOU FEEL LIKE YOUR DISPLAY IS AMAZING – SNAP A PHOTO OR A SHORT VIDEO CLIP AND POST IT, ALONG WITH THE ADDRESS, TO FACEBOOK USING #LIGHTUPROWLETT (BE SURE THAT YOUR POST IS SET TO PUBLIC SO YOUR PHOTO CAN BE FOUND). YOU CAN ALSO EMAIL YOUR PHOTO TO NEIGHBORHOODLIFE@ROWLETT.COM AND WE'LL POST IT FOR YOU.

CAST YOUR VOTES BY VISITING #LIGHTUPROWLETT AND LIKING YOUR FAVORITES. THE DISPLAYS IN EACH QUADRANT WITH THE MOST LIKES BY DECEMBER 19th WIN!

THANK YOU TO THE HUNDREDS OF RESIDENTS AND BUSINESSES DECORATING YOUR OUTDOOR SPACES. YOUR EFFORTS DELIGHT AND INSPIRE US EVERY TIME WE DRIVE BY, WE APPRECIATE THE SPECIAL EFFORT IT TAKES TO BRIGHTEN THE HOLIDAY SEASON FOR US ALL!

#### **ACTION CENTER**

- WHEN YOU NEED TO REPORT A POT HOLE 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](http://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!

#### **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](http://WWW.ROWLETT.COM/AMI)
  - FOR MORE INFORMATION ABOUT THIS GREAT SERVICE, WATCH THE YOUTUBE VIDEO LISTED ON THE NEWS FLASH AT [WWW.ROWLETT.COM](http://WWW.ROWLETT.COM), DATED FEBRUARY 5<sup>TH</sup>

#### **DECEMBER SPIRIT OF ROWLETT AWARD**

- THE CITY OF ROWLETT NEIGHBORHOOD LIFE OFFICE IS EXCITED TO ANNOUNCE SHELBY COLEMAN AS THE DECEMBER RECIPIENT OF THE SPIRIT OF ROWLETT AWARD! THIS AWARD IS TO PUBLICLY RECOGNIZE ORDINARY RESIDENTS DOING EXTRA-ORDINARY THINGS IN OUR

COMMUNITY, AND THEY'RE NOMINATED BY YOU – THE CITIZENS OF ROWLETT.

- SHELBY WAS NOMINATED BY ROWLETT RESIDENTS ROB ROSE AND CHARLEE TABOR. ROB SAYS "SHE IS THE 'SPARKPLUG' OF THE VILLAGE OF ROWLETT DOWNTOWN ASSOCIATION. SHE PUTS SO MUCH ENERGY INTO EVERYTHING SHE DOES AND IT SHOWS! SHE AND HER HUSBAND OWN A FITNESS CLUB IN ROWLETT AND TOGETHER THEY ARE REMODELING A HOME IN LAKE COUNTRY ESTATES. ON TOP OF THIS, SHE IS THE PRINCIPLE IN FARMHOUSE LIVING. SHE IS NOW ATTENDING THE ROWLETT CITY ACADEMY. ON TOP OF ALL OF THAT, SHE ALSO IS THE MAIN PERSON THAT ORGANIZES THE FARMERS MARKET EVERY THURSDAY. SHE IS AN INSPIRATION TO ALL, AND QUITE A ROLE MODEL FOR OTHER YOUNG PEOPLE IN OUR CITY." CHARLEE SECONDED ROB'S COMMENTS, ADDING "SHELBY WORKS SO HARD AND TIRELESSLY TO GROW AND REVITALIZE THIS COMMUNITY AND ITS BUSINESSES!"
  
- DO YOU KNOW A LOCAL HERO? NOMINATE THEM ONLINE AT ROWLETT.COM. THIS IS A GREAT WAY TO SAY "THANK YOU" TO THOSE WHO HAVE ENCOURAGED, SUPPORTED AND ACTED IN A WAY THAT HAS IMPACTED YOU IN YOUR EVERYDAY LIFE. WE LOOK FORWARD

TO HEARING FROM YOU AND TO PROVIDING THIS RECOGNITION FOR GOOD DEEDS, DONE WELL!

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

CITY FACILITIES WILL BE CLOSED THIS FRIDAY (EXCEPT FOR EMERGENCY COMMUNICATIONS) FROM 11AM TO 1PM FOR CITY STAFF TO ATTEND THEIR ANNUAL HOLIDAY LUNCHEON. PLEASE MAKE ARRANGEMENTS TO VISIT THE CITY BEFORE 11AM OR AFTER 1PM ON DECEMBER 7<sup>TH</sup>. THANK YOU FOR YOUR PATIENCE.

CITY FACILITIES WILL BE CLOSED MONDAY AND TUESDAY, DECEMBER 24<sup>TH</sup> AND 25<sup>TH</sup> FOR THE CHRISTMAS HOLIDAY. WE WILL ALSO BE CLOSED ON TUESDAY, JANUARY 1<sup>ST</sup> FOR NEW YEAR'S DAY.

FCC TRASH SERVICES WILL BE DELAYED BY ONE DAY – THERE WILL BE NO TRASH COLLECTION ON CHRISTMAS DAY.

Councilmember Bobbitt reminded everyone about the upcoming pancake breakfast to be held at Applebee's.

**5. CITIZENS' INPUT**

There were no speakers during Citizens' Input.

**6. CONSENT AGENDA**

The Consent Agenda was read into the record with the exception of Items 7G and 7I.

- 7A.** Consider action to approve minutes from the City Council Meetings of November 6, 2018 and November 13, 2018.

**This item was approved on the Consent Agenda.**

- 7B.** Consider action to approve a resolution accepting the bid of and awarding a contract to McMahon Contracting, LP in the amount of \$3,445,762.00 with a ten percent (10%) contingency amount of \$344,576.20 and up to \$15,000.00 for an early completion bonus, resulting in a total project budget of \$3,805,338.20 for the Phase 2 Dalrock Estates Paving, Drainage, and Utility Improvement Project.

**This item was approved as RES-120-18 on the Consent Agenda.**

- 7C.** Consider action to approve a resolution accepting the bid of and awarding a contract to Quality Excavation, Ltd. in the amount of \$1,820,439.50 and approving a ten percent (10%) contingency amount of \$182,043.95 and up to \$15,000.00 for an early completion bonus, resulting in a total project budget of \$2,017,483.45 for the Highland Meadows Street Reconstruction & Improvements Phase 2 Project.

**This item was approved as RES-121-18 on the Consent Agenda.**

- 7D.** Consider action to approve a resolution accepting the bid of and awarding a contract to LJ Power in the amount of \$73,575 to purchase and install a generator at the City of Rowlett Animal Shelter located at 4402 Industrial Street.

**This item was approved as RES-122-18 on the Consent Agenda.**

- 7E.** Consider action to approve a resolution to authorize the City Manager to execute a Subrecipient Grant Agreement with Life Message, Inc. in the amount of \$36,909.00 for funding of health and human services that primarily benefit low-income recipients during the 2018-19 CDBG program year.

**This item was approved as RES-123-18 on the Consent Agenda.**

- 7F. Consider action to approve a resolution for a Maintenance Agreement between the City of Rowlett and Terra Lago Apartments, LLC., to ensure adequate funding of maintenance in perpetuity and replacement of right-of-way (ROW) and open space improvements.

**This item was approved as RES-124-18 on the Consent Agenda.**

- 7G. Consider and take action on a resolution granting approval of a Tree Mitigation Plan and related Tree Removal Permit for property located at 7420 Lakeview Parkway in the City of Rowlett, a 10.27+/- acre property located in the JW Gardner Survey, Abstract No. 526 and J Sanders Survey, Abstract No. 1426, City of Rowlett, Dallas County, Texas (Lakeview Senior Living Development).

This item was considered individually.

Munal Mauladad, Director of Community Development, presented this item.

Concerns were voiced regarding the reason for the removal of the protected trees; specific requirements to plant trees in a common space; and the number of trees per the caliper inch.

A member of Council stated the value of the mature trees cannot be replaced.

A motion was made and withdrawn by Deputy Mayor Pro Tem Grubisich.

**A motion was made by Deputy Mayor Pro Tem Grubisich, seconded by Mayor Pro Tem Brown, to deny the item as presented. The motion carried with an unanimous vote of those members present.**

- 7H. Consider and take action on a resolution granting approval of a Tree Removal Permit for property located at 4217 Rowlett Road in the City of Rowlett, an 8.20 acre portion of 18.22+/- acres of land located in Abstract No. 332 of the Thomas Collins Survey, City of Rowlett, Dallas County, Texas (Residences of Long Branch).

**This item was approved as RES-126-18 on the Consent Agenda.**

- 7I. Consider action to approve a resolution authorizing the Mayor to execute a Letter of Credit Agreement between the City of Rowlett, Texas, and Meritage Homes of Texas LLC in the amount of \$502,067 as financial guaranty to secure the installation of public improvements to serve Northaven Phase 1, a 34-acre residential subdivision located northeast of Larkin Lane and southeast of Hickox Road.

This item was considered individually.



Jeff Cohen, Assistant City Engineer, presented this item.

David Aughibaugh, developer, spoke regarding the timing perspective of Meritage Homes of Texas LLC requesting a Letter of Credit.

Concern was voiced regarding the size of the right-of-ways in regard to the landscape plantings.

**A motion was made by Councilmember Margolis, seconded by Mayor Pro Tem Brown, to approve the item as presented. The motion carried with an unanimous vote of those members present. This item was approved as RES-127-18.**

#### **Passed the Consent Agenda**

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

#### **8. ITEMS FOR INDIVIDUAL CONSIDERATION**

- 8A.** Conduct a public hearing and take action on a request from Roger Stacey for a Special Use Permit (SUP) to allow solar panels on the front roof elevation, on property zoned Planned Development (PD) for Single-Family Residential Uses. The 0.18 acre site is located at 3609 Shelley Lane, Dallas County, Texas.

Daniel Acevedo, Planning Manager, presented this item.

Corbin Abshier, representative of the applicant, stated the solar panels will produce more effectively and will reduce costs for the homeowner if they can utilize the southside of the roof.

The public hearing opened and closed at 9:38 p.m. with no one speaking.

**A motion was made by Mayor Pro Tem Brown, seconded by Deputy Mayor Pro Tem Grubisich, to approve the item as presented. The motion carried with an unanimous vote of those members present. This item was approved as ORD-038-18.**

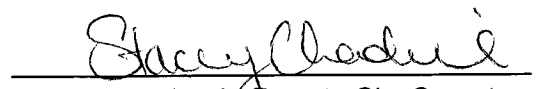
#### **TAKE ANY NECESSARY OR APPROPRIATE ACTION ON CLOSED/EXECUTIVE SESSION MATTERS**

There was no action taken on Item 2A.

#### **9. ADJOURNMENT**

The meeting adjourned at 9:38 p.m.

  
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Tammy Dana-Bashian, Mayor

  
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Stacey Chadwick, Deputy City Secretary

Date approved: December 18, 2018