



CITY OF ROWLETT CITY COUNCIL ACTION MINUTES

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.

Tuesday, February, 19, 2019

5:30 P.M.

Municipal Building

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, Councilmember Margolis, Councilmember Sherrill, Councilmember Bobbitt and Councilmember Bell

Absent: Deputy Mayor Pro Tem Grubisich

1. CALL TO ORDER*

Mayor Dana-Bashian called the meeting to order at 5:30 p.m.

2. EXECUTIVE SESSION (5:30 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 and litigation pertaining to the Bayside project. (45 minutes)

In Executive Session at 5:31 p.m. Out at 5:55 p.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 the City's lease with American Golf Corporation. (45 minutes)

In Executive Session at 5:55 p.m. Out at 6:17 p.m.

- 2C.** The City Council shall convene into executive session pursuant to the Texas Government Code, §551.074 (Personnel) to deliberate on the evaluation and duties of the City Manager. (30 minutes) **THIS ITEM WILL BE DISCUSSED FOLLOWING THE REGULAR SESSION.**

In Executive Session at 6:54 p.m. Out at 7:28 p.m.

- 2D.** 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 City's PILOT agreement with TX Lakeview Seniors LP. (20 minutes) **THIS ITEM WILL BE DISCUSSED FOLLOWING THE REGULAR SESSION.**

In Executive Session at 6:17 p.m. Out at 6:29 p.m.

- 3. WORK SESSION (7:00 P.M.)** * Times listed are approximate.

- 3A.** Discuss Impact Fee Program. (30 minutes)

- 4. DISCUSS CONSENT AGENDA ITEMS**

Council reconvened into the Regular Session at 7:35 p.m.

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

INVOCATION – Larry Traylor, Church in the City

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

- 5. PRESENTATIONS AND PROCLAMATIONS**

- 5A.** Presentation of a Proclamation recognizing the week of February 17 – 23, 2019 as Engineers Week.

Mayor Pro Tem Brown presented a proclamation to City Engineer Tom Harris and Assistant City Engineer Jeff Cohen for Engineers Week.

- 5B.** Receive the Comprehensive Annual Financial Report for the fiscal year ended September 30, 2018, which includes the independent auditors' report.

Wendy Badgett, Director of Financial Services, introduced the City's Finance team.

Sarah Demsey with Weaver and Tidwell, LLP., presented a favorable report with an unmodified opinion on the financial statements and found no exceptions, no significant deficiencies or material weaknesses.

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

COUNCILMAN MARGOLIS
PARKS AND RECREATION

THE LAKESIDE LEISURE LATEST EDITION IS OUT. CHECK OUT ALL OF THE UPCOMING PROGRAMMING & ACTIVITIES YOUR ROWLETT PARKS &

RECREATION CREW ARE OFFERING! SPECIAL EVENTS, ACTIVITIES FOR SENIORS, AND TONS OF SPRING FITNESS CLASSES AND PROGRAMS FOR KIDS AND GROWN-UPS ALIKE AT THE ROWLETT COMMUNITY CENTRE. THE LINK CAN BE FOUND UNDER NEWS AND EVENTS ON THE CITY'S WEBSITE – ROWLETT.COM

LIBRARY

- VISIT YOUR ROWLETT PUBLIC LIBRARY AT 3900 MAIN STREET! A MAP SHOWING ALL THE PARKING AVAILABLE DOWNTOWN IS ON THE LIBRARY'S MAIN WEB PAGE.
- FRIDAY FLICKS! ENJOY AN AFTERNOON MOVIE EVERY FRIDAY IN FEBRUARY, BEGINNING AT 3:30 PM. HERE'S WHAT'S SHOWING:
 - FRIDAY, FEB 22 – HIDDEN FIGURES
- ATTENTION FAMILIES! MAKE THE LIBRARY A PART OF YOUR WEEKEND! JOIN US AT 2:00 PM FOR:
- SATURDAY, FEBRUARY 23 – POKEMON! WATCH A MOVIE AND MAKE A CRAFT
- FEBRUARY IS LOVE YOUR LIBRARY MONTH! VISIT THE LIBRARY'S FACEBOOK PAGE AND LEAVE A COMMENT ABOUT WHY OR WHAT YOU LOVE ABOUT IT TO BE ENTERED INTO A DRAWING FOR A \$50 GIFT CARD. LIBRARIES CHANGE LIVES! VISIT YOURS TODAY
- FOR MORE INFORMATION ON THESE AND OTHER LIBRARY PROGRAMS CALL 972.412-6161

COUNCILMAN SHERRILL

ANIMAL SHELTER

- NEXT LOW COST VACCINATION CLINIC WILL BE HELD ON SUNDAY, MARCH 3RD, 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 APRIL 20TH 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 MARCH 5TH AND MARCH 19TH – AT CITY HALL.

P & Z MEETINGS

- NEXT MEETING WILL BE HELD ON FEBRUARY 26TH AT CITY HALL.

COUNCILWOMAN BOBBITT

ARTS & HUMANITIES COMMISSION

ARTS & HUMANITIES COMMISSION WRITING CONTEST

- THIS YEAR'S THEME IS "HEROES AROUND US". THE CONTEST HAS SEVERAL CATEGORIES FOR YOUTH AND ADULTS, AND IS OPEN TO ALL DALLAS AND ROCKWALL COUNTY RESIDENTS.
- DEADLINE FOR ENTRIES IS FRIDAY, MARCH 22, 2019

ROWLETT SINGS

- "ROWLETT SINGS" IS AN AMATEUR SINGING COMPETITION OPEN TO ALL ROWLETT RESIDENTS.

- CONTEST CATEGORIES INCLUDE INDIVIDUALS OR GROUPS.
- DEADLINE FOR CONTEST ENTRIES: SATURDAY, MARCH 23, 2019
- ENTRY INFORMATION FOR BOTH CONTESTS CAN BE FOUND UNDER “ROWLETT NEWS AND EVENTS” ON THE CITY’S WEBSITE.

COUNCILMAN BROWN

THERE’S AN “APP” FOR THAT!!

THE CITY OF ROWLETT HAS A MOBILE APP - CONVENIENTLY CONNECTING YOU WITH CITY GOVERNMENT SERVICES AND INFORMATION. STAY UP-TO-DATE WITH NEWS AND EVENTS, REVIEW CITY COUNCIL AGENDAS AND WATCH MEETINGS, VIEW JOB OPENINGS, SUBMIT ONLINE PAYMENTS, REPORT/TRACK CONCERNS AND SO MUCH MORE – ALL AT YOUR FINGERTIPS. DOWNLOAD THE CITY OF ROWLETT TEXAS APP AND CONNECT WITH OUR CITY TODAY! GO TO “NEWS AND EVENTS” ON THE CITY’S WEBSITE FOR INSTRUCTIONS ON HOW TO DOWNLOAD.

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

COUNCILWOMAN BELL

SPIRIT OF ROWLETT AWARD

- THE CITY OF ROWLETT NEIGHBORHOOD LIFE OFFICE IS EXCITED TO ANNOUNCE 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.

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!

MAYOR DANA-BASHIAN

THE NORTH TEXAS MUNICIPAL WATER DISTRICT WILL TEMPORARILY CHANGE THE DISINFECTANT IN ITS WATER TREATMENT PROCESS FROM MARCH 4 THROUGH APRIL 1, 2019. THE ANNUAL, ROUTINE CHANGE IS NECESSARY TO MAINTAIN THE REGIONAL SYSTEM AND YEAR ROUND WATER QUALITY. NTMWD HAS CONDUCTED THIS ROUTINE, TEMPORARY CHANGE IN WATER DISINFECTANT ANNUALLY FOR OVER 10 YEARS. THIS COMMON SYSTEM MAINTENANCE PRACTICE DOES NOT INCREASE THE AMOUNT OF CHLORINE, AND THE WATER REMAINS SAFE TO DRINK. RESIDENTS MAY NOTICE A CHANGE IN ODOR OR TASTE DURING THIS TIME. MORE INFORMATION AND SIMPLE STEPS TO HELP MINIMIZE TASTE, ODOR OR SKIN SENSITIVITIES CAN BE FOUND UNDER “ROWLETT NEWS AND EVENTS” ON THE CITY’S WEBSITE.

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

Mayor Dana-Bashian read a prepared statement thanking all for their thoughts and prayers following the loss of her mother and husband.

Animal shelter staff brought *Dover*, one of the dogs available for adoption at the shelter.

6. CITIZENS' INPUT

1. Beverly Rahlf, 3202 Sara Drive, Rowlett – spoke regarding commercial traffic.
2. Louis Frisbie, 2218 Loretta Lane, Rowlett – spoke in support of Item 8A.
3. Paul Atwood, 7704 Tulane Drive, Rowlett – spoke in support of Item 8A.
4. Julie Cannariato, 4206 Tradewind Drive, Rowlett - spoke in support of Item 8A.
5. Sammy Walker, 5609 Willowbrook Drive, Rowlett - spoke in support of Item 8A.
6. Glen Clegg, 5810 Greenway Drive, Rowlett - spoke in support of Item 8A.
7. David Harmon, PO Box 57, Van Alstyne - spoke in support of Item 8A.
8. David Franklin, 1760 Edgefield Drive, Garland - spoke in support of Item 8A.
9. Jodie Hudson, 2872 Lago Vista Lane, Rockwall - spoke in support of Item 8A.
10. Tamara Williams, 5518 Miller Heights Drive, Rowlett - spoke in support of Item 8A.
11. Jene McKenzie, 4621 Horizon Drive, Rowlett - spoke in support of Item 8A.
12. Gregg MacInnis, 2501 Echo Court, Rowlett - spoke in support of Item 8A.
13. William Shaver, 6916 Miller Road, Rowlett - spoke in support of Item 8A.
14. Jim Bradshaw, 5322 Miller Heights Drive, Rowlett - spoke in support of Item 8A.
15. Collin Mirza, 5206 Miller Heights Drive, Rowlett - spoke in support of Item 8A.

7. CONSENT AGENDA

- 7A.** Consider action to approve minutes from the City Council Meeting of February 5, 2019.

This item was approved on the Consent Agenda.

- 7B.** Consider action to approve a resolution authorizing a purchase order in the amount of \$55,000 to Southwest Gallery for purchase and installation of sculptures at Fire Station #3 and Veterans Park.

This item was approve as RES-023-19 on the Consent Agenda.

- 7C.** Consider action to approve a resolution accepting cooperatively bid pricing and issuing a purchase order to Foster Fence LTD (Foster) in the amount of \$65,721.35 for the purchase and installation of security fencing, gates, and associated hardware at the City facility located at 4401 Rowlett Road through the BuyBoard Local Government Purchasing

Cooperative, and authorizing the City Manager to execute the necessary documents for said purchase.

This item was approve as RES-024-19 on the Consent Agenda.

- 7D.** Consider action to approve a resolution executing a Professional Services Agreement (PSA) with la terra studio, Inc. for professional landscape and architectural design services associated with the Capital Improvement Plan (CIP).

This item was approve as RES-025-19 on the Consent Agenda.

- 7E.** Consider action to approve a resolution executing Task Authorization FY19 GA 01 in the amount of \$79,605 with Grantham & Associates, Inc. (Grantham & Associates) for the engineering design of a 60 inch sanitary sewer line, and authorizing the Mayor to execute the necessary documents for said services.

This item was approve as RES-026-19 on the Consent Agenda.

- 7F.** Consider a resolution approving the purchase of asphalt in an annual amount not to exceed \$120,000 through the Interlocal Cooperative Purchasing Agreement with Dallas County, and authorizing the Mayor to execute the necessary documents for the materials.

This item was approve as RES-027-19 on the Consent Agenda.

- 7G.** Consider action to approve a resolution issuing Task Authorization FY19-WM-01 in the amount of \$454,220 to Walter P. Moore and Associates, Inc. (Walter P. Moore) for engineering design work associated with the Lakeland Heights Phase I and Phase II Reconstruction Project (ST2133), and authorizing the Mayor to execute the necessary documents for said services.

This item was approve as RES-028-19 on the Consent Agenda.

- 7H.** Consider action to approve a resolution accepting and executing Task Authorization FY19-NS-01 in the amount of \$17,700 with Neel-Schaeffer, Inc for Sanitary Sewer Bidding and Construction Administration for the Dalrock Estates Phase II Sanitary Sewer Improvements (SS2114), and authorizing the Mayor to execute the necessary documents for said services.

This item was approve as RES-029-19 on the Consent Agenda.

- 7I.** Consider action to approve a resolution executing Task Authorization FY19-NS-02 in the amount of \$173,365 with Neel-Schaffer, Inc. (Neel-Schaffer) for engineering design work associated with the Alley Group A Reconstruction Project (ST2102), and authorizing the Mayor to execute the necessary documents for said services.

This item was approve as RES-030-19 on the Consent Agenda.

- 7J.** Consider action to approve a resolution executing Task Authorization FY19 RJN 02 in the amount of \$125,565 with RJN Group, Inc. (RJN) for engineering design work associated with the Alley Group B and Alley Group E Reconstruction Projects (ST2102), and authorizing the Mayor to execute the necessary documents for said services.

This item was approve as RES-031-19 on the Consent Agenda.

- 7K.** Consider action to approve a resolution executing Task Authorization FY19 WM 02 in the amount of \$103,120 with Walter P. Moore and Associates, Inc. (Walter P. Moore) for engineering design work associated with the Alley Group C and Alley Group J Reconstruction Projects (ST2102), and authorizing the Mayor to execute the necessary documents for said services.

This item was approve as RES-032-19 on the Consent Agenda.

- 7L.** Consider action to approve a resolution executing Task Authorization FY19-BB-01 in the amount of \$80,500 with Binkley & Barfield, Inc. (Binkley & Barfield) for engineering design work associated with the Alley Group F Reconstruction Project (ST2102), and authorizing the Mayor to execute the necessary documents for said services.

This item was approve as RES-033-19 on the Consent Agenda.

- 7M.** Consider action to approve a resolution executing Task Authorization FY19-JC-01 in the amount of \$116,440 with Jones & Carter, Inc. (Jones & Carter) for engineering design work associated with the Alley Group G Reconstruction Project (ST2102), and authorizing the Mayor to execute the necessary documents for said services.

This item was approve as RES-034-19 on the Consent Agenda.

- 7N.** Consider action to approve a resolution executing Task Authorization FY19 GAR 01 in the amount of \$78,500 with Garver, LLC (Garver) for engineering design work associated with the Alley Group I Reconstruction Project (ST2102), and authorizing the Mayor to execute the necessary documents for said services.

This item was approve as RES-035-19 on the Consent Agenda.

- 7O.** Consider approving a Joint Election Contract with the Dallas County Elections Administrator for the May 4, 2019, General Election for City Council, which includes the possible runoff election to be held June 8, 2019.

This item was approved on the Consent Agenda.

- 7P.** Consider an ordinance granting a franchise agreement to Atmos Energy Corporation, Mid-Tex Division (Atmos Energy).

This item was approve as ORD-004-19 on the Consent Agenda.

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 an unanimous vote of those members present.

8. ITEMS FOR INDIVIDUAL CONSIDERATION

- 8A.** Consider a resolution and take action on an appeal by Dave Holl (Kayak Instruction/Foundation) from the Planning and Zoning Commission's denial of an extension of a Temporary Use Permit (TUP) allowing the placement of five metal storage containers for a duration of two years on property located at 6917 Miller Road further described as being Tract 21 of the James Hobbes Survey Abstract 571, in the City of Rowlett, Dallas County, Texas.

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

The applicant and three representatives spoke regarding the temporary use application, the building timeline, the community impact, and a presentation by a former Girl Scout.

1. Dave Holl, applicant, 6809 Miller Road, Rowlett
2. Jeff Winget, 7506 Wilshire Drive, Rowlett – spoke regarding the building timeline.
3. Megan Snopik, 601 Twin Valley Drive, Murphy – spoke regarding the community impact of the business.
4. Cat Cannariato, 2913 Concord Drive, Mesquite – spoke regarding her personal story as a Girl Scout and working with Mr. Holl.

Members of Council spoke both in favor and voiced concerns regarding this item.

A motion was made by Mayor Pro Tem Brown, seconded by Councilmember Sherrill, to approve the item as presented. The motion carried with a vote of five in favor and one opposed (Margolis). This item was approved as RES-036-19

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

9. ADJOURNMENT

The meeting adjourned at 9:51 p.m.