



CITY OF ROWLETT CITY COUNCIL 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, September 21, 2021

6:00 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 Grubisich, Deputy Mayor Pro Tem Sherrill, Councilmember Margolis, Councilmember Bell and Councilmember Brown

Absent: Councilmember Laning

1. CALL TO ORDER

Mayor Dana-Bashian called the meeting to order at 6:00 p.m.

2. EXECUTIVE SESSION

2A. The City Council shall convene into Executive Session pursuant to Texas Government Code, §551.071 (Consultation with Attorney), to seek legal advice from the City Attorney regarding pending litigation: Herrera/Bankston/Brown/Gardner Plaintiffs, v. City of Rowlett. (15 minutes)

In Executive Session at 6:01 p.m. Out at 6:19 p.m.

3. WORK SESSION (6:15 P.M.)* Times listed are approximate.

City Council may receive public input on the following items:

3A. Discuss amending the Fiscal Year 2021 Adopted Budget. (15 minutes)

Robert Cone, Budget Officer, presented the proposed amendment. This item is on the Consent Agenda for this meeting.

3B. Discuss the City Council's Priorities for FY2022 and FY2023. (30 minutes)

Brian Funderburk, City Manager, reviewed the steps taken thus far for the list of priorities. Councilmembers provided their final recommendations, which included the following (in order presented – not importance):

- Complete Herfurth Park
- Hire a Diversity Manager and develop a diversity plan for City staff
- Plan and implement the new Facility Plan
- Increase investment in alley improvement/alley master plan
- Develop a long-term strategy plan for Waterview Golf Course
- Make a significant investment in the Coyle House
- Merritt Road Interconnector funding options
- Miller Road Bridge funding options
- More investment in public safety
- Invest in Emergency Management planning
- Asphalt road improvement/replacement plan
- Increase capacity of the Rowlett Animal Shelter
- Increase investment in the City's water and sewer infrastructure
- Keep employee pay competitive
- Establish an Internal Auditor Department/Plan

Staff will compile a final list and provide to Council.

3C. Discuss implementing a COVID-19 vaccine incentive for City employees. (20 minutes)

Public comment received from Joel Medina, Rowlett.

Richard Jones, Director of Human Resources, provided the information for this proposed incentive. Council discussion regarding accommodations for staff at the time they had COVID; accommodations for those who don't get the vaccine; active employees and timeline for incentives. It was the consensus of Council to proceed with the program at the \$500 level.

4. DISCUSS CONSENT AGENDA ITEMS

Mayor Dana-Bashian requested that item 7Q be postponed to a later meeting and that item 7M be pulled for Individual Consideration. Councilmember Margolis requested that item 7R be pulled for Individual Consideration.

After a short break at 7:15 p.m., Council reconvened at 7:30 p.m.

INVOCATION – Councilmember Brown

PLEDGES OF ALLEGIANCE – led by Council

CONVENE REGULAR SESSION (7:30 P.M.)* Times listed are approximate.

5. PRESENTATIONS AND PROCLAMATIONS

5A. Presentation of the Arts and Humanities Commission's Photography Contest awards.

Councilmember Brown, Laura Tschoerner – Director of Library Services and Deborah Crosby – Chair, Arts and Humanities Commission, announced the winners and presented those who were present with their awards.

Best of Show: A. Voth for "Praying with Grandma"

First Place, People Category: A. Strick for "Reflection of a Hometown Hero"

Second Place, People Category: Sean Linebaugh for "Paddling Where Trees Once Grew"

Third Place, People Category: J. Vermeir for "Back to School"

First Place, Places Category: S. Hunter for "Reflection"

Second Place, Places Category: Jim Katzenberger for "Snowy Morning"

Third Place, Places Category: J. Vermeir for "Day on Dart"

First Place, Things Category: Jacob Kopplin for "Rustic Railroad"

Second Place, Things Category: Emma R. for "Fire of the Phoenix"

Third Place, Things Category: A. Strick for "Hometown USA"

- 5B.** Presentation of Proclamation recognizing September 21, 2021 as National IT Professionals Day.

Deputy Mayor Pro Tem Sherrill presented the proclamation to Joey Brock, Director of It and staff members, Robert Emminger – Desktop Administrator, Susie Sun – Application Manager and Matt Mayer – Infrastructure Manager. Staff members unable to attend in person were: Trey Switzer, Network Administrator; Alex Buie, Systems Administrator; Lieutenant Steve Ferrie, Support Services; Ella Li, GIS Manager; and Brandon Liu, GIS Analyst.

- 5C.** Presentation of Proclamation to Glen Garrison as part of the Rowlett Veterans Recognition Program.

Mayor Dana-Bashian presented the proclamation to Corporal Garrison. Brian Wilburn with VROC and Third Watch LEMC provided additional information about Corporal Garrison's service and character. Police Chief Michael Godfrey provided additional comments. Corporal Garrison made some personal remarks.

- 5D.** Presentation of Proclamation recognizing September 15 through October 15 as National Hispanic Heritage Month.

Mayor Dana-Bashian presented the proclamation to Diana Moore – Chair and Munal Mauladad – Staff Liaison of the Rowlett Diversity, Equity and Inclusion Commission.

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

Mayor Pro Tem Grubisich read the following announcements:

September is Library Card Sign-Up Month. There's still time to register for a new library card and check out materials to be eligible for a gift card drawing.

During GISD's Fall Break from October 4th – 8th, the Library will host Star Wars Reads Week with programs for school-age children every weekday at 2:00 p.m.

VILLAGE OF ROWLETT DOWNTOWN EVENTS:

Announcing Rowlett's first "Taste of Fall" Farmers Market – every Thursday evening from 6 – 9 beginning September 23rd through November 11th. Themed evenings with local artists, vendors, produce, flowers and more! Fun for the whole family.

Lunch on the Lawn is back for the fall – every Monday from September 20th through October 25th from 11 a.m. to 2 p.m. A variety of food trucks will be on hand to offer something for everyone's tastes.

And don't forget – this Friday is your last chance to catch Movies on Main. There is a kids' area, vendors and other attractions for the entire family. This week's movie, Scoob, will begin at dusk.

The Rowlett Police Department invites you and your neighborhood to participate in National Night Out October 5th, an annual event designed to heighten awareness of crime and drug prevention; generate support for, and participation in, local anti-crime programs; strengthen neighborhood spirit and police-community partnerships; and to send a message to criminals letting them know that citizens are organized and fighting back. To register your neighborhood's celebration or for more information, please contact Officer Dana Reeves.

OTHER OCTOBER EVENTS:

Celebrate DiverCity – Saturday, October 2nd

Fire Station 2 Grand Opening – Saturday, October 9th

Harvest Market on Main – Saturday, October 16th

For more information on these and all other City-related events, please visit the City's website at Rowlett.com or call the Action Center at 972-412-6100.

A mosquito sample from zone 2 has tested positive for WNV.

Ground spraying will be conducted tonight and tomorrow night, (September 21 & 22) between 9 pm- 5am, weather permitting.

Councilmember Brown announced the following:

Keep Rowlett Beautiful's 5th annual Tri-City Cleanup on October 2nd.

Electronics recycling/document shredding event on October 16th.

For more information: www.keepprowlettbeautiful.org.

6. CITIZENS' INPUT

1. Debra Shinder, Rowlett; vaccine incentive program
2. Terry Millican, Rowlett; lawsuit vs. City of Rowlett

3. Susanne Herrera, Rowlett; lawsuit vs. City of Rowlett
4. John Shumaker, Rowlett; lawsuit vs. City of Rowlett
5. Laura Khalil, Rowlett; short-term rentals

Mayor Pro Tem Grubisich read an email submitted by Chris Johnson, Rowlett; short-term rentals.

7. CONSENT AGENDA

7A. Consider approving the minutes.

Consider action to approve minutes from the following City Council meeting(s): September 7, 2021 Regular Meeting.

This item was approved on the Consent Agenda.

7B. Consider an ordinance amending the FY21 budget.

Consider action to adopt an ordinance amending the Fiscal Year 2021 (FY2021) Capital and Operating budgets.

This item was approved on the Consent Agenda as ORD-036-21.

7C. Consider a resolution amending the Master Fee Schedule.

Consider action approving a resolution amending the Master Fee Schedule to reduce rates fees in the Solid Waste and Utility sections.

This item was approved on the Consent Agenda as RES-099-21.

7D. Consider a resolution approving a task authorization with RJN Group, Inc.

Consider action to approve a resolution authorizing and approving Task Authorization FY21-RJN-05 in the amount of \$372,000 with RJN Group, Inc. for engineering design work associated with the reconstruction, widening and landscaping of Industrial Street from President George Bush Turnpike (PGBT) Southbound Frontage Road (SBFR) to the Dallas Area Rapid Transit (DART) parking lot (ST2148), and authorizing the Mayor to execute the necessary documents for said services.

This item was approved on the Consent Agenda as RES-100-21.

7E. Consider a resolution awarding a contract for the Lakeland Heights Reconstruction Project.

Consider action to approve a resolution accepting the bid of and awarding a contract to Tiseo Paving Co. in the amount of \$5,637,590 and approving a ten percent (10%) contingency amount of \$563,759 and up to \$40,000 for an early completion bonus, resulting in a total project budget

of \$6,241,349 for the Lakeland Heights Reconstruction Project, and authorizing the Mayor to execute the necessary documents for said services.

This item was approved on the Consent Agenda as RES-101-21.

7F. Consider a resolution approving a task authorization with Fugro USA Land, Inc.

Consider action to approve a resolution approving and authorizing Task Authorization FY21-FL-02 in the amount of \$63,995 with Fugro USA Land, Inc. (Fugro) for geotechnical and construction materials testing for the Lakeland Heights Reconstruction Project and authorizing the Mayor to execute the necessary documents for said services.

This item was approved on the Consent Agenda as RES-102-21.

7G. Consider a resolution approving a task authorization with Walter P. Moore, Inc.

Consider action to approve a resolution issuing Task Authorization FY21-WM-01 in the amount of \$312,665 to Walter P. Moore, Inc. (Walter P. Moore) for engineering design work associated with the Country Aire Estates Phase I and Phase II Reconstruction Project (ST2147) and authorizing the Mayor to execute the necessary documents for said services.

This item was approved on the Consent Agenda as RES-103-21.

7H. Consider a resolution approving a task authorization with Halff Associates, Inc.

Consider action to approve a resolution approving and authorizing Task Authorization FY21-HA-01 in the amount of \$299,100 to Halff Associates, Inc. (Halff) for engineering design work associated with the Long Branch Creek Erosion Control Project (DR2112) and authorizing the Mayor to execute the necessary documents for said services.

This item was approved on the Consent Agenda as RES-104-21.

7I. Consider a resolution awarding a contract for the 30-inch sanitary sewer line.

Consider action to approve a resolution accepting the bid of and awarding a contract to ANA Site Construction, LLC. in the amount of \$1,581,565 with a ten percent (10%) contingency amount of \$158,157 and up to \$20,000 for an early completion bonus, resulting in a total project budget of \$1,759,722 for construction of the 30-inch sanitary sewer line (Project 1), and authorizing the Mayor to execute the necessary documents for said services.

This item was approved on the Consent Agenda as RES-105-21.

7J. Consider a resolution approving an Interlocal Cooperative Agreement for information technology services.

Consider action to approve a resolution approving an Interlocal Cooperation Agreement (ILA) for mutual aid for information technology services and authorizing the City Manager to execute the necessary documents.

This item was approved on the Consent Agenda as RES-106-21.

7K. Consider approving appointments to boards and commissions.

Consider and ratify appointments to the various boards and commissions and ratify appointments of City Council liaisons to the City's various boards, commissions and Council sub-committees.

This item was approved on the Consent Agenda.

7L. Consider a resolution terminating an Economic Development Incentive Agreement.

Consider action to approve a resolution to terminate an Economic Development Incentive Agreement with Arcadia Realty Corp., pertaining to the Homestead at Liberty Grove development.

This item was approved on the Consent Agenda as RES-107-21.

7M. Consider a resolution executing a Professional Services Agreement for planning and consulting services.

Consider a resolution authorizing the City Manager to execute a professional services agreement with Clarion Associates, LLC to provide professional planning and consulting services for the update of the City's development codes.

This item was pulled for Individual Consideration.

Alex Koenig, Planning and Urban Design Manager, provided the information for this item. Munal Mauladad, Managing Director of Community Development and Engineering, provide additional information.

Motion by Deputy Mayor Pro Tem Sherrill, seconded by Mayor Pro Tem Grubisich, to approve the item as presented. The motion passed with a unanimous vote of those members present. This item was approved as RES-108-21.

7N. Consider a resolution authorizing an emergency purchase order for sanitary sewer force main line replacement.

Consider action to approve a resolution approving and ratifying an emergency purchase order to Moss Utilities in an amount of \$71,301.73 for replacement of 20 feet of 18-inch sanitary sewer force main line.

This item was approved on the Consent Agenda as RES-109-21.

- 7O. Consider a resolution authorizing an Interlocal Agreement for mosquito ground control services.**

Consider action to approve a resolution authorizing the City Manager to enter into an Interlocal Agreement with Dallas County Health and Human Services for Mosquito Ground Control for FY2022.

This item was approved on the Consent Agenda as RES-110-21.

- 7P. Consider a resolution rescinding a contract with SRH Landscape LLC.**

Consider action to approve a resolution rescinding the award and cancelling a contract with SRH Landscape LLC in the total amount of \$130,050 for annual mowing services for Streetscapes Section II.

This item was approved on the Consent Agenda as RES-111-21.

- 7Q. Consider a resolution authorizing an expenditure for the ROBUST Grant program.**

Consider action to approve a resolution authorizing the expenditure of \$22,667.20 for a nonprofit round of the Rowlett Business Stimulus (ROBUST) Grant program.

This item was pulled from the agenda and will be considered at an upcoming meeting.

- 7R. Consider a resolution approving a lease for a communications studio.**

Consider action to approve a resolution entering into a facility lease agreement for the Schrade building located at 3809 Main Street for a studio for the Public Information Office and authorizing the City Manager to execute the necessary documents.

This item was pulled for Individual Consideration.

Drew Rist, Creative Services Producer, presented the information for this item. Council discussion regarding demand for space Downtown; lease structure, length and options and support for the item.

Motion by Councilmember Brown, seconded by Councilmember Margolis, to approve the item as presented. The motion passed with a unanimous vote of those members present. This item was approved as RES-113-21.

Passed the Consent Agenda

A motion was made by Councilmember Margolis, seconded by Councilmember Bell, including all the preceding item(s) marked as having been approved on the Consent Agenda. The motion carried with a unanimous vote of those members present.

8. INDIVIDUAL CONSIDERATION

- 8A.** Conduct a public hearing and consider action to approve an ordinance reviewing and approving the Amended and Restated Bayside Public Improvement District (PID) Service and Assessment Plan including the annual update to the Assessment Roll pursuant to the Service and Assessment Plan for the Bayside PID – North Improvement Area.

This item was pulled from the agenda and will be considered at the October 12, 2021 City Council meeting.

- 8B.** Consider action to approve an ordinance adopting changes to the Bayside Public Improvement District (PID) Service and Assessment Plan including the annual update to the Assessment Roll and levy of assessments on property in the PID pursuant to the Service and Assessment Plan for the Bayside PID – South Improvement Area.

Wendy Badgett, Director of Finance, and Josh Arndt, with MuniCap – PID Administrator, presented the information for this item.

Motion by Councilmember Margolis, seconded by Deputy Mayor Pro Tem Sherrill, to approve the item as presented. The motion passed with a unanimous vote of those members present. This item was approved as ORD-037-21.

- 8C.** Consider action to approve an ordinance adopting changes to the Trails at Cottonwood Creek Public Improvement District (PID) Service and Assessment Plan including the annual update to the Assessment Roll and levy of assessments on property in the PID pursuant to the Service and Assessment Plan for the District.

Mr. Arndt presented the information for this item.

Motion by Deputy Mayor Pro Tem Sherrill, seconded by Councilmember Brown, to approve the item as presented. The motion passed with a unanimous vote of those members present. This item was approved as ORD-038-21.

- 8D.** Consider action to approve an ordinance adopting the budget for fiscal year 2021-2022 (FY2022).

Mr. Cone presented the information for items 8D, 8E and 8F.

Mayor Dana-Bashian turned the meeting over to Mayor Pro Tem Grubisich.

Motion by Mayor Dana-Bashian, seconded by Deputy Mayor Pro Tem Sherrill, to adopt an ordinance approving the Fiscal Year 2021 – 2022 Budget as presented. The motion passed with a unanimous vote of those members present. This item was approved as ORD-039-21.

- 8E.** Consider action to ratify the property tax revenue increase reflected in the Budget for FY2022.

Motion by Mayor Dana-Bashian, seconded by Councilmember Brown, that the property tax revenue increase reflected in the budget be ratified. The motion passed with a unanimous vote of those members present.

Mayor Pro Tem Grubisich turned the meeting over to Mayor Dana-Bashian.

- 8F.** Consider an ordinance approving and adopting the proposed ad valorem tax rate of \$0.745000 per \$100 of taxable value for fiscal year 2021-22 (FY2022).

Motion by Councilmember Brown, seconded by Deputy Mayor Pro Tem Sherrill, that the property tax rate be increased by the adoption of a tax rate of 0.745000, which is effectively a 0.43 percent increase in the tax rate. The motion passed with a unanimous vote of those members present. This item was approved as ORD-040-21.

- 8G.** Conduct a public hearing and consider action to approve a resolution to establish the Texas Property Assessed Clean Energy (PACE) Program in Rowlett and to enter into an agreement with the Texas Pace Authority to Administer the Program.

Libbey Tucker, Assistant Director of Economic Development and Charlene Heydinger, President – Texas PACE Authority, presented the information for this item. The public hearing opened and closed with no speakers.

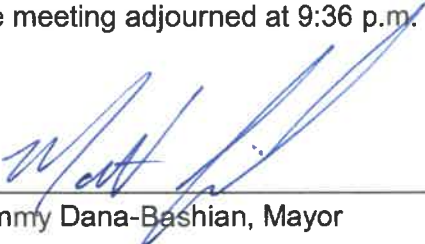
Motion by Councilmember Margolis, seconded by Councilmember Bell, to approve the item as presented. The motion passed with a unanimous vote of those members present. This item was approved as RES-114-21.

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

There was no action taken.

9. ADJOURNMENT

The meeting adjourned at 9:36 p.m.



Tammy Dana-Bashian, Mayor



Laura Hallmark, City Secretary

Approved on: October 12, 2021