



# City of Grand Prairie

City Hall  
317 College Street  
Grand Prairie, Texas

## Minutes - Final

### City Council

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Tuesday, June 6, 2017

4:30 PM

City Hall - Briefing Room  
317 College Street

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#### Call to Order

**Mayor Jensen called the meeting to order at 4:30 p.m.**

**Present** 9 - Mayor Ron Jensen  
Mayor Pro Tem Jeff Wooldridge  
Deputy Mayor Pro Tem Jeff Copeland  
Council Member Jorja Clemson  
Council Member Richard Fregoe  
Council Member Greg Giessner  
Council Member Tony Shotwell  
Council Member Jim Swafford  
Council Member Mike Del Bosque

#### Staff Presentations

#### 1 Update on Legislative Session - Presented by Focused Advocacy

*Brandon Aghamalian and Andrew Keefer, Focused Advocacy, presented a update of the 85th session to Council. Mr. Aghamalian said there were 1,208 bill sent to the Governor and of those 18% passed, zero bills vetoed and nine constitutional amendments passed.*

*Mr. Aghamalian stated that Governor Abbott announced emergency items; Child Protective Services, Sanctuary Cities, Ethics and Convention of the States and Voter ID.*

*Mr. Aghamalian discussed the bills that passed and the results on the cities. Mr. Aghamalian stated that SB4 - Sanctuary Cities, SB1004 - Small Cell Deployment Right of Way Fees, HB100 - TNC Transportation Network Companies Uber and SB345 - Authorizes Convention Center Hotel Program.*

*Council Member Copeland asked when Council would be briefed on SB4. Mr. Hart stated a briefing would be given next month on SB4.*

*Mr. Aghamalian stated this was the most difficult legislative session for Texas cities in recent years. Mr. Aghamalian noted it is time to think about the City's future needs to annex, issue debt, execute an economic development agreement, regulate adoption of ordinance or generate more venue. Mr. Aghamalian stated that the special session lasts 30 days per our state constitution and noted that on the back end the Governor can continue to address issues.*

*Mayor Jensen thanked Mr. Aghamalian and Mr. Keefer for the update.*

**Presented**

**2** Senator Hancock Resolution honoring Grand Prairie Fire Department

*Robert Fite, Fire Chief, informed Council that Senator Hancock presented the proclamation to the Fire Department. Chief Fite mentioned that this is a great accomplishment and deserving award for Fire Department paramedics.*

**Presented**

**3** Moratorium on the acceptance of any development related applications or permits for emergency care clinics and outpatient care clinics for six months - Presented by Don Postell, City Attorney

*Don Postell, City Attorney updated Council on the moratorium law for commercial properties. Mayor Jensen thanked Mr. Postell for his presentation.*

**Presented**

**Agenda Review**

*Mayor Pro Tem Clemson asked Council if they had any questions or comments on Consent Agenda Items 6 through 30. Council Member Swafford stated the votes on the May 16, 2017 minutes showed former Council Member Lila Thorn instead of newly elected Council Member Mike Del Bosque and ask that the minutes be revised with this correction.*

*Mayor Jensen referred to Consent Agenda Item 32 and noted the reappointment of Greg Giessner, Jorja Clemson and Eddie Freeman to the Grand Prairie Sports Development Corporation.*

*Mayor Jensen referred to Consent Agenda Item 33 and noted the appointment of Council Member Jeff Wooldridge as Mayor Pro Tem and Council Member Jeff Copeland as Deputy Mayor Pro Tem.*

*Tom Hart, City Manager referred to Consent Agenda Item 31 and mentioned that he had requested a presentation on the Atmos Rate Change be given to Council by Gina Alley, Senior Assistant to the City Manager due to the questions received on this item by Council Member Tony Shotwell. Ms. Alley presented to Council an overview of the options to accept the negotiated rate of \$19.60, take no action or reject the new rate and the City would enter into an appeal process. Council Member Shotwell stated that in addition to the increase in the negotiated rate there is also a 22% increase in the consumption charge. Ms. Alley reviewed the appeal process with Council if this item is rejected tonight. Council Member Del Bosque asked what the timeline for the appeal process. Ms. Alley stated she does not have this information. Council Member Wooldridge asked how many cities have voted it out. Ms. Alley stated that she is not aware that any cities have voted it out. Ms. Alley mentioned that there are 164 cities in the Atmos Cities Steering Committee, 127 cities have currently passed the rate increase and the City of Mesquite has tabled it. Ms. Cardenas, Atmos Representative gave an overview of the other coalition. Council Member Copeland asked which organization offered the less expensive rates. Ms. Cardenas stated the rates in the Atmos Steering Committee were less expensive. Council Member Giessner asked for a report for our city and homeowners of the infrastructure improvements from the rate increase. Ms. Cardenas said she would email a current report to Council. Mr. Hart said he has worked with Council Member Shotwell for several years and noted that Council Member Shotwell's position on this*

*issue has been very consistent. Mr. Hart said Council Member Shotwell asked questions that needed to be answered. Mr. Hart mentioned to Council that if they are not comfortable with this item, they can table it tonight and come back in two weeks for their approval. Mr. Hart said he is not minimizing the increase, but said we have made a policy decision to be part of a consortium to give us buying power. Mr. Hart also mentioned that if the City branches out on its own, there is a possibility to get a lower rate but could also get a much higher rate. Mr. Hart stated that his recommendation at this stage is that the City move forward, accept the rate and has been told that next year the process will change. Council Member Shotwell stated that the rate has increase 19 times in 20 years. Council Member Shotwell stated that if Council does not take an action tonight, the negotiated rate of \$19.60 plus the 22% increase consumption increase still applies. Mr. Hart stated that a policy discussion can be discussed in the future.*

*Mayor Jensen referred to Consent Agenda Item 17 and said an explanation of this item could be given in Executive Session if needed. Council did not need an explanation.*

### **Executive Session**

*There was no executive session.*

### **Recess Meeting**

**Mayor Jensen recessed the meeting at 5:54 p.m.**

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### **6:30 PM Council Chambers**

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**Mayor Jensen reconvened the meeting at 6:30 p.m.**

**The invocation was given by Rev. Larry Nickerson, Lake Ridge Tabernacle of Faith Church.**

**Pledge of Allegiance to the US Flag and to the Texas Flag were led by Council Member Swafford.**

### **Presentations**

**4**

**Announcement of the Tammy Chan Youth Scholarship - Presented by Dr. Patricia Redfearn, Solid Waste Manager and Keep Grand Prairie Beautiful Commission**

*Mayor Jensen recognized Amanda Lindberg, Keep Grand Prairie Beautiful Coordinator and Tammy Chan, Public Art Coordinator. Ms. Lindberg presented the announcement of the Tammy Chan Youth Scholarship and noted the efforts by Ms. Chan and the members of the scholarship committee. Ms. Lindberg, Ms. Chan and members of the scholarship committee recognized the recipients of this scholarship. Mayor Jensen thanked Ms. Chan for all of her hard work and dedication to Keep Grand Prairie Beautiful.*

- 5 Grand Prairie Fire Department EMS Gold Standard Award - Presented by Chief Robert Fite

*Robert Fite, Fire Chief recognized the Grand Prairie Fire Department paramedics and explained the outstanding efforts required to receive the EMS Gold Standard Award. Mayor Jensen thanked them for their hard work and dedication.*

### **Consent Agenda**

**Mayor Pro Tem Clemson moved, seconded by Council Member Fregoe, to approve Items 6 through 30 on the Consent Agenda and noted the correction of May 16, 2017 minutes. The motion carried unanimously.**

- 6 Minutes of the May 16, 2017 Meeting

**Approved on the Consent Agenda**

- 7 Ratification for Change Order No. 1 with North Texas Contracting in the amount of \$119,773 for the repair of a water main break on Beltline Road at Stratford Avenue

**Approved on the Consent Agenda**

- 8 Ratify agreement with Siddon's-Martin for emergency repair expenses to unit #2734, an aerial ladder truck damaged from a traffic accident on May 2, 2016, to be performed by the manufacturer, Pierce Manufacturing of WI, through area dealer Siddon's-Martin of Denton, TX at a total cost of \$278,392.36

**Approved on the Consent Agenda**

- 9 Price agreement for emergency clean-up and restoration services from ServPro through a national inter-local agreement with Buyboard at an estimated annual cost of (\$25,000 annually) for 15 months with the option to renew for ----one additional one-year period totaling \$56,250 if all extensions are exercised; and authorize the City Manager to execute the renewal options with aggregate price fluctuations of the lesser of up to \$50,000 or 25% of the original maximum price so long as sufficient funding is appropriated by the City Council to satisfy the City's obligation during the renewal terms.

**Approved on the Consent Agenda**

- 10 Price agreement for emergency clean-up & restoration services from Blackmon Mooring as a secondary vendor, through a national inter-local agreement with Buyboard at an estimated annual cost of (\$25,000 annually) for 15 months with the option to renew for ----one additional one year periods totaling \$56,250 if all extensions are exercised; and authorize the City Manager to execute the renewal options with aggregate price fluctuations of the lesser of up to \$50,000 or 25% of the original maximum price so long as sufficient funding is appropriated by the City Council to satisfy the City's

obligation during the renewal terms

**Approved on the Consent Agenda**

- 11** Price agreement for carpet floor covering material and/or services from Carpet Services, Inc. through a national inter-local agreement with TXMAS for a one year period with no options to renew totaling \$100,000

**Approved on the Consent Agenda**

- 12** Contract with Marathon Fitness for cardio, weight and free weight fitness equipment for the EPIC in the amount of \$986,771.67 through BuyBoard contract # 502-16 and a contingency of \$13,228.33 for a total of \$1,000,000

**Approved on the Consent Agenda**

- 13** Change Order No. 4 for the construction contract with McMahon Contracting, Inc. in the net negative amount of -\$109,741.14 for Oakdale Paving and Drainage Improvements

**Approved on the Consent Agenda**

- 14** Change Order II for temporary IT personnel from KForce, Inc. through a national inter-local agreement with the Department of Information Resources (DIR) increasing the estimated annual cost from \$130,000 to \$210,000 bringing the two-year total to \$420,000

**Approved on the Consent Agenda**

- 15** Right-of-Way Acquisition - purchase of a temporary construction easement, permanent slope easement and permanent right-of-way in the amount not to exceed \$52,000 required for the widening of Great Southwest Parkway from Arlington Independent School District

**Approved on the Consent Agenda**

- 16** Authorize the City Manager to accept a grant from the Texas Department of State Health Services (DSHS), Tobacco Prevention and Control Branch Tobacco Enforcement Program, through an Interlocal Agreement with Texas State University in the amount of \$6,000 for the purpose of compliance-related activities of tobacco retailers

**Approved on the Consent Agenda**

- 17** Resolution granting 380 Incentive Agreement with Haier US Appliances Solutions, LLC d/b/a GE Appliances granting a 50% rebate on business personal property for nine years

**Adopted**

- 18** Resolution authorizing the City Manager to submit a Hazard Mitigation Grant Program (HMGP) Application to the Texas Division of Emergency

Management (TDEM) in the amount of \$750,000 with the City designating \$187,500 or more in matching funds for a generator at the Dorchester Levee

**Adopted**

- 19** Resolution authorizing the City Manager to accept a Selective Traffic Enforcement (STEP) grant from the Texas Department of Transportation (TxDOT) for the enforcement of safety belt, child safety seat, speed, intersection traffic control, distracted driving and DWI laws in the amount of \$329,682.43

**Adopted**

- 20** Ordinance amending the Police Department's authorized positions in each classification for Fiscal Year 2017.

**Adopted**

- 21** Ordinance amending the FY2016/2017 Parks Building Upkeep Fund; contract with Trane in the amount of \$11,743 through U.S. Communities Government for complete replacement of a gas/electric rooftop unit for the Tony Shotwell Life Center locker room

**Adopted**

- 22** Ordinance amending the FY2016/2017 EPIC Capital Project Fund; contract with GameTime By Total Recreation Products, Inc. in the amount of \$436,637.76 and approve a 3.06% contingency in the amount of \$13,362.

**Adopted**

- 23** Ordinance amending the FY 2016/2017 Capital Improvement Projects Budget; employment of a Contract Manager at Risk (CMAR) for the Warmack Library expansion.

**Adopted**

- 24** Ordinance amending the FY 2016/2017 Capital Improvement Projects Fund; Amendment/Change Order No. 2 with Canary Construction, Inc. in the net amount of \$32,718.40 for Main Street Water and Wastewater Improvements behind 321 W. Main Street from Center Street to NW 6th Street project

**Adopted**

- 25** Ordinance amending the FY2016/2017 PARKS Capital Projects Fund; contract with Childs Play, Inc. in the amount of \$52,159, a 5% contingency of \$2,608, and approve \$15,000 for excavation and paving services for Charley Taylor PlayGround Improvements

**Adopted**

- 26** Ordinance authorizing the partial abandonment of a public utility easement

located at 734 West North Carrier Parkway.

**Adopted**

- 27** Ordinance authorizing the expenditure of \$173,000 for the purchase and rehabilitation of a home as part of the 4-Gov Program, and authorizing the City Manager, or his designee, to enter into the associated contracts and agreements

**Adopted**

- 28** Ordinance amending the Code of Ordinances, Chapter Five, "Animals Services," Section 5-48(g) covering rabies quarantine

**Adopted**

- 29** Ordinance amending the FY 2016/2017 Capital Improvement Projects Budget; and a contract with Sprint Communication Company L.P. to clear a box culvert installation on East Main Street at the Union Pacific Railroad Bridge Drainage Improvements Project in the total amount of \$32,468

**Adopted**

- 30** An ordinance of the City of Grand Prairie Texas, amending Sec. 28-27 (a) (b) amending multi-family housing inspection fees and authorizing the addition of two (2) positions (Housing Enforcement Supervisor and Housing Enforcement Officer) to the HNS Housing Services staff

**Adopted**

### **Items for Individual Consideration**

- 31** Second and final reading of an ordinance approving a negotiated settlement between the Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division regarding the company's 2017 Rate Review Mechanism Filings

*Mayor Jensen recognized Council Member Shotwell. Council Member Shotwell read an article from Houston Chronicle regarding Atmos Energy and the annual commodity cost decrease by 55.5% in 2004 to 2015. Council Member Shotwell also stated that the Texas Coalition for affordable power say that according to regulatory findings has increased its rates 19 times. Council Member Shotwell mentioned that the negotiated rate is \$19.60 plus an increase of 22% consumption charge increase. Council Member Shotwell stated that this increase hurts our senior citizens and those on fixed income.*

*Mayor Jensen stated there was no action on this item by Council.*

**Withdrawn**

- 32** Grand Prairie Sports Facilities Development Corporation, Board of Directors Appointments and Appointment of President

**Council Member Swafford moved to approve, seconded by Council Member Giessner the reappointment of Greg Giessner, Jorja Clemson and Eddie Freeman to the Grand Prairie Sports Facilities Development Corporation Board and the reappointment of Mayor Jensen as President. The motion carried unanimously.**

**Ayes:** 9 - Mayor Ron Jensen; Mayor Pro Tem Jeff Wooldridge; Deputy Mayor Pro Tem Jeff Copeland; Council Member Jorja Clemson; Council Member Richard Fregoe; Council Member Greg Giessner; Council Member Tony Shotwell; Council Member Jim Swafford and Council Member Mike Del Bosque

**33**

Selection of Mayor Pro Tem and Deputy Mayor Pro Tem

**Mayor Pro Tem Clemson moved, seconded by Council Member Fregoe, to appoint Council Member Wooldridge as Mayor Pro Tem and Council Member Copeland as Deputy Mayor Pro Tem. The motion carried unanimously.**

**Ayes:** 9 - Mayor Ron Jensen; Mayor Pro Tem Jeff Wooldridge; Deputy Mayor Pro Tem Jeff Copeland; Council Member Jorja Clemson; Council Member Richard Fregoe; Council Member Greg Giessner; Council Member Tony Shotwell; Council Member Jim Swafford and Council Member Mike Del Bosque

### **Citizen Comments**

*Luis Alvarado, 717 College Street spoke under citizen comments.*

*Luis Alvarado, 717 College Street, stated that he was falsely arrested and mentioned that a letter of complaint was delivered to the City Attorney's office noting his complaint of obstruction of records, false arrest, conspiracy by Officer Akins and other police officers.*

*Council Member Shotwell stated that by Council not taking an action on agenda item regarding negotiated settlement between the Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division regarding the company's 2017 Rate Review Mechanism Filings, the negotiated rate still goes into effect.*

### **Adjournment**

**Mayor Jensen adjourned the meeting at 6:54 p.m.**

*The foregoing minutes were approved at the June 20, 2017 meeting.*

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*Gloria Colvin, Secretary*