



# City of Grand Prairie

City Hall  
317 College Street  
Grand Prairie, Texas

## Minutes - Final

### City Council

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Tuesday, February 21, 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 4:32 p.m.**

- Present** 7 - Mayor Ron Jensen  
Mayor Pro Tem Jorja Clemson  
Deputy Mayor Pro Tem Jeff Wooldridge  
Council Member Jeff Copeland  
Council Member Greg Giessner  
Council Member Jim Swafford  
Council Member Lila Thorn
- Absent** 2 - Council Member Richard Fregoe  
Council Member Tony Shotwell

#### Staff Presentations

#### 1 Update on Epic Waters - Presented by American Resort Management

*Rick Coleman, American Resort Management, gave a development update on Epic Waters including various types of admission.*

*Council Member Copeland suggested a tie-in between the Epic and the lake parks camping/cabins, perhaps a package deal. Mr. Herold said they have had that discussion especially during the slow season. Mr. Coleman said there would be certain days of the year the venue will be closed. Peak Time will be 9 a.m. to 10 p.m. and regular hours will be 10 a.m. to 9 p.m. Mayor Jensen asked if there will be an area in the fitness center for birthday parties and in the water park. Mr. Herold said there would be.*

*Mr. Coleman stated the roof has natural light and with this structure and complete convection it can exchange the chlorine filled air. Mr. Copeland asked if it will be air conditioned. Mr. Coleman said the air will be de-humidified which will take the temp down at least 10 degrees. He said when the venue is not open (i.e. early morning; late evenings) there will be Flow Rider lessons; teen dances, special events, and private facility rentals.*

*Mr. Coleman said pricing for Grand Prairie residents over 48" will be \$19; and \$29 for non-Grand Prairie residents. For Grand Prairie residents under 48" the ticket price will be \$14; and \$24 for non-Grand Prairie residents. Additional discounts will be available throughout the year (i.e. social and sport clubs; fundraisers). Summer Mini Season passes will be \$59 for Grand Prairie residents; and \$69 for non-Grand Prairie residents. Passes for a family of four will be \$199; and \$219 for non-Grand Prairie residents. The Mini Season Fall passes will be \$49 for Grand Prairie residents and \$59 for non-Grand Prairie residents. Year found any time single passes will be \$199 for Grand Prairie residents and \$239 for non-Grand Prairie*

residents. Mr. Coleman said the Epic will include a 5,000 sq. ft. arcade

Michael Hays, General Manager, stated that he had worked in this industry for 23 years including Schlitterbahn and Alaska. Chelsea Lamar, Marketing Director, stated she worked at NRH2O as a teenager, and has worked for Disney, and will work on Marketing and Special Events for the Epic.

Marc Kapiloff, stated he was in Grand Prairie for 14 years running Lone Star Park. He said the annual payroll for the Epic will be \$3.4-\$3.8 million

Mr. Coleman went over the upcoming events including: website launch; inaugural sale for annual passes; campaign launch; construction update media events; sponsorship announcement; tours; VIP events, soft opening; and grand opening.

Council Member Copeland suggested adding AirHogs passes to those with the Epic family of four passes; or camping at Loyd Park. Council Member Giessner asked if there would be a video on the website. Mr. Coleman said there is a video now that is live. He said a season pass holder will get 15% off prior to April 1. Council Member Copeland asked if people would be able to bring in their own food. Mr. Coleman said only for those who have food allergies.

**Presented**

**2**

2016 Parks and Recreation Annual Report - Presented by Rick Herold, Director of Parks, Arts and Recreation

Rick Herold, Parks, Arts and Recreation Director, submitted the 2016 Parks and Recreation Annual Report to Council and thanked them and city staff for their ongoing support.

**Presented**

**3**

Discussion of Housing Tax Credits - Presented by Bill Crolley, Executive Director

Bill Crolley, Assistant City Manager, referred to Item 23 (Resolution of Support for Tax Credit Housing at the northwest corner of Robinson Road and Woodcrest Drive). He said the Council Development Committee had discussed this project and the resolution must be considered by Council by the end of the month. Mr. Crolley said the tax credit law had changed (HUD) and the developer must have a resolution of support from the city, but in the past it only required a letter from the Mayor. Mayor Jensen stated this change gives the city more local control. Mr. Crolley said there will be a subsidy for a family based on tax credits. Tax credits enable building a project and in return the developer must provide certain units at an affordable rent (families with a \$70,000 or less income). Mayor Jensen asked how many units were in this development. Mr. Crolley said there would be 290 units with 60% at market value and 40% subsidized.

Mayor Jensen asked Bill Hills, Housing and Neighborhood Services Director, about affordable housing. Mr. Hills said this project is 60/40 in that 40% would be controlled rent by income of people based on a rent schedule. He added that this would result in people living next door to each other with some paying \$500, next to someone paying \$1000 for the same size unit. Mr. Hills said there is a police issue with the existing tax credit housing. He said the city needs to have some of these and there are areas that are perfect for tax credit housing. Council Member Copeland asked Mr. Hills to share his comments on the current tax credit housing. Mr. Hills said the Prairie Ranch developer said he would keep the development forever but after 15

years he sold it and now it has a high number of police calls. Mr. Crolley said the developer is asking for a variance from 18 units per acre to 24 units. Council Member Swafford said he has no problem with this project, but has a problem with the resolution and the legal wording in it. Mayor Jensen asked Mr. Crolley if this is passed, can they go from 18 to 24 units. Mr. Crolley said that would have to be included in the zoning ordinance. Mayor Jensen asked why there could not be a market-driven apartment there. Council Member Swafford said the reason this developer gave is the economics of the project and city requirements with regard to building requirements. Mayor Jensen replied there are many apartments in the city that are not tax credit that are filling up fast.

Mayor Pro Tem Clemson asked Chief Steve Dye to discuss the crime element of tax credit housing. Chief Dye said there is no problem with tax credit complexes but there might be a better location for this one. He said Prairie Ranch is not a good example of tax credit housing. Chief Dye said if this is passed, the department will be very proactive in the design of this project. He said the rent price dictates the type of clientele. He added that the market seems to be such that full market price is feasible. Council Member Copeland said the Council Development Committee spent around an hour and half on this discussion and multiple factors gave cause for concern including the 60/40 split because most people would not want to live next to someone getting subsidized rent. Also, the retail aspect was a concern because this is close to SH161 on the south side of Mayfield. Council Member Giessner asked what staff knows about this company. Mr. Crolley said he only knew what they had provided. He said that the owner is required by HUD to keep it for 15 years. Council Member Wooldridge said the zoning is there, but he was not a fan of vouchers because the developer said that if we do not approve the resolution, he is out.

Mr. Crolley stated that Section 1 of the resolution supports the construction of this project, but this is more than the current zoning allows. Council Member Swafford noted that Section 1 confirms that the governing body voted to approve the construction of the development. Mayor Jensen said the resolution needs corrected language. Council Member Swafford asked Council's thoughts about housing because if Council did not want any more affordable housing, he wanted to know. Council Member Copeland said the developers were very professional and he did not have a problem with affordable housing, but he had an issue with this location. Council Member Wooldridge said tax credits were great for revamping older projects, but not for new projects, mainly because there is no problem filling up new apartments. Council Member Giessner said he did not want any more affordable housing, but he wanted new projects to be the best use of available land. He said these types of projects do not fare well after 15 years. Council Member Thorn said she agreed. Mayor said he was not in support of tax credit housing. Council Member Swafford said the resolution wording needed to be amended before the Council vote.

#### **Presented**

### **Agenda Review**

Mayor Pro Tem Clemson asked if Council had questions on the Consent Agenda Items 7 through 17. There were no questions. Mr. Crolley asked Council to table Item 18 to March 21, Item 19 is being withdrawn, and to table Item 21 to March 21.

**Executive Session**

*Mayor Jensen convened a closed session at 7:02 p.m. pursuant to Chapter 551, Subchapter D of the Government Code, V.T.C.A., to discuss Section 551.087 "Deliberations Regarding Economic Development Negotiations." The closed session was adjourned at 7:55 p.m.*

**Recess Meeting**

**Mayor Jensen recessed the meeting at 5:50 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.**

**Mayor Pro Tem Clemson gave the invocation. The Pledge of Allegiance to the US Flag and to the Texas Flag were led by Council Member Giessner.**

**Presentations**

- 4** Presentation of \$25,000 Check from Matthew Loh to PlayGrand Adventures
- Mayor Jensen accepted a \$25,000 donation from Matthew Loh for PlayGrand Adventures.*
- Presented**
- 5** Presentation of \$50,000 donation for PlayGrand Adventures from David Sargent, Stripe-A-Zone
- Mayor Jensen accepted a \$50,000 donation from David Sargent, Stripe-a-Zone, and a \$25,000 donation from Mark Albertine, Open Air, for PlayGrand Adventures.*
- Presented**
- 6** Raving Fan recognition of Andrew Snyder, Assistant Cemetery Manager - Presented by Mayor Jensen
- Rick Herold, Parks, Arts and Recreation Director, recognized Andrew Snyder, Assistant Cemetery Manager, who had recently saved a woman in distress by administering the Heimlich Maneuver.*
- Presented**

## Consent Agenda

**Mayor Pro Tem Clemson moved, seconded by Council Member Thorn to approve Items 7-17 on the Consent Agenda. The motion carried unanimously.**

- 7** Minutes of the February 7, 2017 Meeting

**Approved on the Consent Agenda**

- 8** Price agreement for Micro-Surfacing & Slurry Seal Treatment from Viking Construction, Inc. in the annual estimated amount of \$500,000 for one year with the option to renew for four additional one year periods 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**

- 9** Price agreement for Self-Contained Breathing Apparatus (SCBA) equipment, parts and maintenance from Municipal Emergency Services, Inc. (up to \$18,000) through an inter-local cooperative agreement with the City of Austin for 3 (three) months with the option to renew for three additional one year periods totaling \$72,000 and authorize the City Manager to execute up to four renewals 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** Interlocal cooperation agreement between the City of Grand Prairie and the Grand Prairie Independent School District establishing the GP "Future Builders" Program; reprogram \$70,000 of HOME funds for the project; and authorize the hiring of one (1) part-time Superintendent to supervise the program

**Approved on the Consent Agenda**

- 11** Acquisition of replacement utility easements for relocation of city water and sanitary sewer lines (IH 30 Frontage Roads from NW 7th Street to Beltline Road) in the amount of \$25,929

**Approved on the Consent Agenda**

- 12** Authorize the City Manager to enter into a grant application and accept if awarded with Texas Commission on the Arts for Library programming to include: \$650 for marionettes; \$525 for a musical performer; \$125 for Weather Wonders with Meteorologist Maggie; and ratify \$375 for A Day in

Africa led by Elizabeth Kahura

**Approved on the Consent Agenda**

- 13** Contract with Site Landscape Development for landscape maintenance (\$283,517.54) in Westchester PID (Council District 6)

**Approved on the Consent Agenda**

- 14** Award bid for construction contract to Facilities Solution Group in the amount of \$73,781 for installation of a new digital sign structure at the northeast corner of Arkansas Lane and Epic Place, plus a 5% construction contingency in the amount of \$3,689, for a total request of \$77,470; and a contract to Lantek Communications of Grand Prairie for the video boards and their installation through a national interlocal agreement with TCPN in the amount of \$83,534.68, for a total project cost of \$161,004.68

**Approved on the Consent Agenda**

- 15** Resolution authorizing the City Manager to execute a master inter-local purchasing agreement between the City of Grand Prairie and the City of Austin, Texas

**Adopted**

Enactment No: RES 4873-2017

- 16** Ordinance amending the FY 2016/2017 Capital Improvement Projects Fund; Change Order No. 1 with Canary Construction, Inc. in the amount of \$45,362.00 for Main Street Water and Wastewater Improvements behind 321 W. Main Street from Center Street to NW 6th Street project

**Adopted**

Enactment No: ORD 10235-2017

- 17** Ordinance authorizing the abandonment of an un-needed utility easement at 2231 Talon Street, High Hawk at Martin's Meadow, Phase I Addition

**Adopted**

Enactment No: ORD 10236-2017

## **Public Hearing Consent Agenda**

**Mayor Pro Tem Clemson moved, seconded by Council Member Thorn, to table Case TA170101 until March 21 and table Case Z170201/CP170203 indefinitely. The motion carried unanimously.**

- 18** TA170101 - Text Amendment - Article IV, "Permissible Uses" of the UDC. Amending Section 14, "Use Charts" of Article 4: Permissible Uses of the Unified Development Code, to establish a specific use permit requirement for all new schools (public, private, vocational and institutional), exclusive of

additions and remodels, in all zoning districts. The owner/applicant is the City of Grand Prairie Planning Department. (On January 9, 2017, the Planning and Zoning Commission recommended approval of this request by a vote of 9-0; tabled at the January 24, 2017 Council meeting)

**Tabled**

**19**

Z170201/CP170203 - Zoning Change/Concept Plan - Hwy. 161 and January Ln. (City Council District 5). A request to amend the concept plan and base zoning for 4.26 acres in Planned Development-196 (PD-196) and incorporate an additional 5.00 acres in the Light Industrial (LI) District into PD-196 to allow LI District uses. The 9.26-acre property, located at 2300 January Lane, 1101 State Highway-161 (SH-161), and 8 NW 19th Street, is zoned PD-196 and LI Districts and is within the SH-161 Corridor Overlay District. The agent is Eugenio Mesta, Exigo Architecture, the applicant is Hamilton Peck, Hamilton Commercial LLC, and the owner is Bob Brueggemeyer, Brueggemeyer & Shwartz. (On February 6, 2017, the Planning and Zoning Commission tabled this case by a vote of 8-0).

**Tabled**

### **Public Hearing on Zoning Applications**

**20**

SU170104 - Specific Use Permit - Juan's Beer Barn (City Council District 5). A request to approve a Specific Use Permit to operate a drive-through facility to operate a retail beer and wine facility for off-site consumption. The 0.678-acre property is zoned Central Area (CA) District, located within the Central Business (CBD) Overlay District, Section 2 and addressed as 507 E. Main Street, Suite 100. The applicant is Erik Jaimes and the owner is Blanca Barbosa. (On February 6, 2017, the Planning and Zoning Commission recommended approval of this request by a vote of 7-1).

*Mr. Crolley reviewed Case SU170104 a drive thru in connection with a retail beer and wine facility. He said the business was closed and had a non-conforming status that was lost, and now requires an SUP. Mr. Crolley said there were some concerns about what was going on in the previous operation. He said some conditions have been placed in the SUP to make sure these concerns were addressed. He said that nothing is changing on the building. Staff recommended approval as did the Planning and Zoning Commission with conditions including dress, business hours, loud music, and not standing close to the street as part of advertisement. Mayor Jensen said he would like to ask Council to table this case since Council Member Shotwell whose district this is in is not present. Council Member Wooldridge said business hours should include Friday but appeared to be omitted in the ordinance. Council Member Giessner asked about where cars enter from. Mr. Crolley said they would enter from Main Street and the drive-thru has six stacking spaces.*

**Council Member Giessner moved, seconded by Council Member Copeland, to table Case SU170104 to the next meeting. The motion carried unanimously.**

**Ayes:** 7 - Mayor Ron Jensen; Mayor Pro Tem Jorja Clemson; Deputy Mayor Pro Tem Jeff Wooldridge; Council Member Jeff Copeland; Council Member Greg Giessner; Council Member Jim Swafford and Council Member Lila Thorn

### **Items for Individual Consideration**

**21**

Ordinance providing for a six month moratorium on the acceptance of any development related applications or permits for schools

**Council Member Swafford moved, seconded by Council Member Wooldridge to table the six month moratorium on permits for development of schools to March 21, The motion carried unanimously.**

**Ayes:** 7 - Mayor Ron Jensen; Mayor Pro Tem Jorja Clemson; Deputy Mayor Pro Tem Jeff Wooldridge; Council Member Jeff Copeland; Council Member Greg Giessner; Council Member Jim Swafford and Council Member Lila Thorn

**22**

Resolution of support for proposed legislation to designate SH360 South from IH-20 to US 287 as the Senator Chris Harris Memorial Highway

*Mayor Jensen said Senator Harris was a strong advocate for the extension of SH360 so the Cities of Mansfield, Arlington and Grand Prairie each will be passing resolutions in support of naming the SH360 extension the Chris Harris Memorial Hwy.*

**Council Member Thorn moved, seconded by Council Member Wooldridge, to approve the resolution of support for the naming of the SH360 Extension. The motion carried unanimously.**

**Ayes:** 7 - Mayor Ron Jensen; Mayor Pro Tem Jorja Clemson; Deputy Mayor Pro Tem Jeff Wooldridge; Council Member Jeff Copeland; Council Member Greg Giessner; Council Member Jim Swafford and Council Member Lila Thorn

Enactment No: RES 4874-2017

**23**

Resolution of support to the Texas Department of Housing and Community Affairs for a multi-family project at the northwest corner of Robinson Road and Woodcrest Drive and located in planned development -28 (PD-28) (application from Village Robinson Road, LP)

*Mr. Crolley said the agenda packet contained information on zoning and density for the subject property. He said he had clarified with the City Attorney the language of the resolution about what would be approved via this resolution. Below is the alternative language for Section 1 and Section 2 of the resolution.*

*Section 1. That the City of Grand Prairie, hereby supports the concept proposed Village at Robinson Road development, and confirms that its governing body has voted specifically to approve the concept of the Development and we support a concept that would conform to the zoning on the property and to authorize an allocation of Housing Tax Credits for the Development pursuant to Texas Local Government Code 2306.6703(a)(4); and*

*Section 2. That for the purpose of supporting the Development and qualifying for points under Title 10 Rule 11.9(d)(1) of the Texas Administrative Code, the City of*



*Grand Prairie, Texas acting through its governing body, hereby confirms that it supports the Village at Robinson Road development that would conform to the zoning on the property to be located at approximately the NW Quadrant of I-20 & Robinson Road, Grand Prairie, Texas and that this formal action has been taken to put on record the opinion expressed by the City on this date for the purpose of Title 10, Rule 11.9(d)(1) of the Texas Administrative Code; and*

*Council Member Swafford asked Mr. Crolley to determine if the applicant could use the resolution with the revisions to Section 1 and 2. Mr. Crolley asked the applicant to address the Council.*

*Bobken Simonians, Senior Vice President, Itex Property Management, 9 Greenway Plaza, Houston, asked Council for their support of this resolution. Council Member Swafford thanked Mr. Simonians for the time he spent with Council and staff. Mr. Swafford asked Mr. Simonians if the amended resolution language was agreeable. Mr. Simonians said he was not sure if the TCHCA lawyers would approve but he would give them the amended language.. He said he did not see any issues with the language because it just says what they intend to do and if this is what the city requires, he accepted it. Council Member Swafford referred to the number of units and clarified with Mr. Simonians that this resolution does not give zoning. Mr. Swafford said of the total of 252 units, 116 units would be affordable housing and 136 would be market rate, and anything other than that would have to come back for a zoning change. Mr. Simonians said staff had asked for 60 percent of market units and now he is proposing 145 combined affordable and market; and a second portion of 145 all market units; so the total market units would be 174 and 116 affordable housing units. Mr. Simonians said Council was not approving this deal and they would be coming back for various permits and approvals. They are only asking for approval of the resolution so they know the city welcomes the project. He said there are 14 acres of land and they are building at 18 units per acre but they need 21 units per acre, but they are willing to go back to 18 units. Mr. Simonians said he did not like to create problems with the city or community and would do what needs to be done so that the city would be pleased with the project.*

**Council Member Swafford moved to adopt the resolution with amended language in Sections 1 and 2. The motion failed for lack of a second.**

### **Citizen Comments**

*There were no citizen comments.*

### **Adjournment**

**Mayor Jensen adjourned the meeting at 7:58 p.m.**

*The foregoing minutes were approved at the March 7, 2017 meeting.*

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*Catherine E. DiMaggio, City Secretary*