



City of Grand Prairie

City Hall
317 College Street
Grand Prairie, Texas

Minutes - Final

City Council

Tuesday, February 2, 2016

4:30 PM

Council Chambers
317 College Street

Call to Order

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

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

Staff Presentations

1

Video Alarm Registration Program - Presented by Deputy Chief Ronnie Morris

Chief Ronnie Morris explained the Video Alarm Registration Program. He said that businesses and citizens can voluntarily register their security cameras and the police department can utilize these cameras in the event a crime is committed in the area where the cameras are located.

Council Member Copeland asked if there was any cost to register a security camera. Chief Morris said the registration is free. Council Member Copeland asked if the registered security camera owners must show video to police when asked. Chief Morris said it was a voluntary program and the owner is under no obligation to show the police the video.

Presented

2

Animal Services Review - Presented by Danielle Tate, Animal Services Manager

Danielle Tate, Prairie Paws Manager, said the first animal shelter was built in 1962. In 1985, a new shelter was opened at 1225 W. Freeway and the new center on Warrior Trail was unveiled in 2003. Ms. Tate went over the mission and services provided by Animal Services and statistics for 2015. She stated that Council had recently approved the Trap Neuter Release (TNR) program. Deputy Mayor Pro Tem Clemson asked how the 2014 number of volunteers compared to 2015. Ms. Tate said the numbers were about the same, but this year she was starting a new training program which has different levels of volunteers. Council Member Shotwell commented that this was a full service animal shelter. He said he recently needed a stroller for his animal with a torn ACL and the staff at Prairie Paws found one for him.

Council Member Copeland said he had a family of raccoons a couple years ago and asked about a trap and the answer was that they only had a couple traps and there was a long waiting list. He asked if more funds are needed to purchase additional traps. Ms. Tate said that last year the budget was increased and they now have 30 to loan out. She added that she would probably request more money in this year's budget to purchase additional traps. Council Member Fregoe stated the TNR program is one the citizens have wanted for a long time. He asked if Ms. Tate was comfortable with this program. Ms. Tate replied the program would be a great benefit to introduce cats back to the community because someone was feeding them so they would be well taken care of again after they are released.

Presented

3

Design of Great Southwest Parkway from IH-20 to Mayfield - Presented by Romin Khavari, City Engineer

Romin Khavari, City Engineer, stated that this project would be built in two phases. He then introduced Brad Tribble, Kimley Horn. Mr. Khavari said the original road was constructed over 40 years ago. This project will widen Great Southwest Parkway from I-20 to Mayfield from four lanes to six. Mr. Tribble said there is a lot of traffic at I20 and Great Southwest Parkway with the mall and there will be even more with the development of Ikea. He said there is a bottle neck between Sara Jane and the frontage road. He added that there are several driveways in that area and Kimley Horn will take counts of these driveways to see how much driveway consolidation may help this situation. Mr. Tribble said he would discuss this consolidation with Traders Village which is one of the largest traffic generators in this area. He said they will also look at the construction sequencing. Mr. Tribble said at this time they are recommending closing one side of the boulevard section and maintaining one side at two lanes and detouring the other side onto Sara Jane to Forum and then back to Great Southwest Parkway. During the second Phase traffic would be flipped to the new road and the other side would take Forum over to Sara Jane. There are 17,000 vehicles a day using this corridor. Mr. Tribble said they would look at possible changes that may need to be made to Sara Jane during the detours.

Council Member Shotwell referred to the detour plan, and said if someone is going southbound going to Forum then Sara Jane, when they get back to Great Southwest Parkway, they would have to make a left turn back onto Great Southwest Parkway. Mr. Tribble said the traffic study will show the level of service before the design is finished. Council Member Copeland said he lives at Forum and Great Southwest Parkway and from experience he know that traffic figures will be skewed based on time of year because of Traders Village. Mr. Tribble said the traffic study will be done on Saturday and Sunday and they had done some regional modeling in this area in the past and would look at those numbers also. Council Member Copeland stated that the city had tried to keep Traders Village traffic off Forum so that is a concern because of the detour route. Mr. Tribble said that signage and flashing speed signs could be placed on Forum. Council Member Copeland said if Traders Village patrons would learn all the new routes it would help. Mayor Jensen suggested putting up signs on I-20 for traffic coming from the east warning of the Great Southwest Parkway construction and to exit earlier. Council Member Copeland suggested using bi-lingual signage. Mr. Khavari said staff may look at roundabouts in this area. He said there is also a need to construct a 30" water line and staff had received approval from the Finance and Government Committee to go ahead with this design. Construction of Phase One would start in FY 17 and Phase II would start in FY18. The cost for construction of Segment 1 is \$7.35 million and for Segment 2 it is \$3.55 million. Council Member Copeland said if construction starts in February he asked that everything be done to have the least amount of construction going on in April to June because of high levels of traffic into Traders Village. Council Member Giessner

asked about the estimated construction time on the whole project. Mr. Khavari said each phase will take a year. Council Member Giessner said it did not seem that this project would be amendable to avoiding spring construction. Council Member Copeland asked if an outside firm would be building the project. Mr. Khavari replied it would be an outside company. Council Member Copeland asked if the company would be working 24 hours a day. Mr. Khavari said that could be a part of the bid process and the city could provide an incentive to get the project done earlier. Council Member Fregoe remarked that the first phase would cost over \$7 million. Mr. Khavari stated that was because of the 30" water line construction (\$1.7 million). Council Member Fregoe asked if that amount included the bridge also. Mr. Khavari said the bridge was included as well as sidewalks. Council Member Fregoe noted there is an international school at Great Southwest and Forum that was about to be built. Mr. Khavari said he would coordinate with them.

Presented

Agenda Review

Mayor Pro Tem Swafford stated that Finance and Government Committee covered 11 items that appeared on the Council Agenda. He said Item 11 would need to be tabled to the March 1 meeting and would be taken back to the Finance and Government Committee for review. He said Item 18 would need to be tabled to February 16. Items 21 to 23 were Economic Development Items and these were also discussed at the Finance and Government meeting. He said staff would be providing a presentation on Item 29 during Agenda Review. Council Member Wooldridge referred to Item 12 (naming the baseball complex at Jennifer McFalls Park the "Gene Campbell Baseball Complex") and said this was a great gesture on the part of the Park Board.

Megan Mahan, Assistant City Attorney, gave an overview of the proposed ordinance on credit access businesses. She said these businesses provide small cash advances, usually around \$500, to tide the customer over until their next payday. These advances sometimes require an auto title for security or they are sometimes an unsecured loan. Ms. Mahan said Texas does not have any regulations on what can be loaned. One in seven auto title borrowers lose their car because of refinancing and interest rates. There are 21 payday businesses in Grand Prairie. Thirty one Texas cities have enacted an ordinance similar to this one. Ms. Mahan went over an option to the original ordinance that was included in the Council packet. It would require that sample loan agreements be provided in English and Spanish languages. She said five lawsuits had been filed, four have been dismissed and one is pending at the Texas Supreme Court.

Council Member Shotwell said he thought the ordinance was a great idea. He asked if this ordinance would apply to pawnshops which renew loans every month. Ms. Mahan said the pawnshop would have to be providing this type of payday loan for it to apply. Bill Crolley, Executive Director of Planning, stated that part of the notice that is sent out would let them know they need to revise their Certificate of Occupancy. He added that they are required to be registered by the State and the city would know to send them a notice. Council Member Shotwell asked if the ordinance would include little companies that make loans and renew them. Ms. Mahan said if they fall under this ordinance, they would be required to follow this law. Council Member Shotwell asked if the 25% payment provision was set in stone. Ms. Mahan said that the Texas Municipal League (TML) suggested this, but it could be changed. City Attorney Don Postell said TML used this amount based on the other cities that enacted a similar ordinance. Ms. Mahan said Arlington's ordinance is identical to this ordinance. Council Member Shotwell said this ordinance does not say what staff is recommending as the fee. Ms. Mahan said the fee would be set by

Council but most cities are setting the registration fee at \$50. Council Member Shotwell asked if there would be a fee to renew the registration. Ms. Mahan said the idea is that each time there is a new application a fee would be required every year. Council Member Shotwell asked if the ordinance would apply to "tote the note" car lots. Ms. Mahan said it would not apply to them. Mayor Jensen said that this item should be tabled so that staff and Council could have sufficient time to make sure the city is getting the ordinance right. Mayor Pro Tem Swafford stated that 31 cities enacted the ordinance and 5 got sued and one of those cases is in the Supreme Court. Ms. Mahan said only the first cities that implemented the ordinance got sued, and four of those cases were dismissed. Council Member Shotwell asked when the Supreme Court would hear this case. Ms. Mahan said that depends on whether or not the court picks it up or not. If they do not, the case will be dismissed.

Executive Session

Mayor Jensen convened a closed session pursuant to Chapter 551, Subchapter D of the Government Code, V.T.C.A., to discuss Section 551.071 "Consultation with Attorney" Ronald Jackson v. City of Grand Prairie; Section 551.072 "Deliberation Regarding Real Property"; and Section 551.087 "Deliberations Regarding Economic Development Negotiations." The closed session was adjourned at 5:55 p.m.

Recess Meeting

Mayor Jensen recessed the meeting at 5:55 p.m.

6:30 PM Council Chambers

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

Rev. William Nkea, Bethel Apostolic Ministry, gave the invocation. The Pledge of Allegiance to the US Flag and to the Texas Flag were led by Council Member Copeland.

Presentations

- 4** Royal Ranger Certificate - Presented to Sam Safaei-Mehro
- Council Member Copeland read a Certificate of Appreciation for for Sam Safaei-Mehro for having achieved the rank of Royal Ranger. Mayor Jensen presented the certificate to Mr. Safaei-Mehro.*
- Presented**
- 5** Presentation of the 2015 Get Fit Partner of the Year Award to Medical Center Arlington/ER at Grand Prairie - Presented by Jim Cummings, Environmental Services Director
- Mayor Jensen presented the 2015 Get Fit Partner of the Year Award to*

representatives of Medical Center Arlington/ER at Grand Prairie.

Presented

- 6 Civitan Clergy Appreciation Week - Presented to Stephanie Moreno

Deputy Mayor Pro Tem Jorja Clemson read a proclamation for Civitan Clergy Appreciation Week. Mayor Jensen presented the proclamation to Stephanie Moreno.

Presented

Consent Agenda

Mayor Pro Tem Swafford moved, seconded by Council Member Wooldridge, to approve Items 7-10 on the Consent Agenda, table Item 11 to March 1, approve Items 12 through 17, table Item 18 to February 16, approve Items 18-28, table Item 29 indefinitely and approve Items 30 and 31. The motion carried unanimously.

- 7 Minutes of the January 19, 2016 Meeting

Approved on the Consent Agenda

- 8 Price agreement for water pipe repair clamps from Fortiline at an annual cost of \$112,409 for one year with the option to renew for four additional one year periods totaling \$562,045 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 term

Approved on the Consent Agenda

- 9 Price agreement for fence repairs and replacements from Llano River Fence Company, LLC (up to \$30,000 annually) for one year with the option to renew for four additional one year periods totaling \$150,000 if all extensions are exercised; award a secondary to Diamond Fence & Concrete (up to \$30,000 annually) to be used only if the primary is unable to fulfill the needs of the department; 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 Purchase of one (1) 2016 Dodge Ram 5500 flatbed truck with lift gate from Freedom Dodge in the amount of \$65,186 through an Interlocal Agreement with Houston-Galveston Area Council (HGAC)

Approved on the Consent Agenda

- 11 Two annual lease agreements with Caterpillar Financial Services Corporation

to acquire landfill equipment: an 826K Compactor and a D8T-T4 Dozer, totaling \$518,089.55 through a national, interlocal agreement with Buyboard

Tabled

- 12** Naming the baseball complex at Jennifer McFalls Park "The Gene Campbell Baseball Complex"

Approved on the Consent Agenda

- 13** Change Order/Amendment No. 1 for engineering and surveying services contract with KSA Engineers, Inc. for Waterwood Drive Extension from Arkansas Lane to north of Warrior Trail, for Drainage, Water and Wastewater Improvements in the total amount of \$95,500

Approved on the Consent Agenda

- 14** Engineering services amendment/Change Order No. 2 with Alliance Geotechnical, Team Consultants and Reed Engineering will increase engineering geotechnical and material testing services to a maximum contract of \$500,000 for each firm

Approved on the Consent Agenda

- 15** Change Order/Amendment No. 2 for professional services contract with Freese and Nichols, Inc. in the amount of \$42,940, for professional engineering design and surveying services for Oakdale Road paving and drainage improvements between Roy Orr Blvd and State Highway 161

Approved on the Consent Agenda

- 16** Change Order No. 2 with Lee Lewis Construction, Inc. in the amount of \$6,794,652.49 for pre-GMP subcontractor efforts that will jump start initial construction activities at the EPIC site

Approved on the Consent Agenda

- 17** Developer Participation Agreement with Green Oaks DQ, LLC for the construction of a new traffic signal at the intersection of Green Oaks Blvd and Riverside Drive in the amount of \$174,600 with a Developer Participation amount of \$25,400 for an overall project cost not to exceed \$200,000

Approved on the Consent Agenda

- 18** Professional Services Contract with Freese and Nichols, Inc. for Stormwater Utility 5-Year Program in the approximate amount of \$140,000

Tabled

- 19** Final Reconciliation Change Order/Amendment No. 1 with Hill & Wilkinson General Contractors for the Main Street Facade Improvement Program Phase III in the net negative amount of (\$45,561.59)

Approved on the Consent Agenda

- 20** Resolution to authorize City Manager, Tom Hart, to apply for and if awarded accept funding for the FY2016 Urban Area Security Initiative (UASI) Grant by signing the Sub-Recipient Agreement and other grant related documents from the Office of the Governor-Homeland Security Grants Division. The grant amount has yet to be determined, but expected to remain in the same range as previous years (\$150,000). These funds will be managed by the Office of Emergency Management and allocated by project to both the Fire Department and the Police Department to provide and/or enhance emergency response equipment and planning.

Adopted

Enactment No: RES 4802-2016

- 21** Resolution authorizing a Separated Sales Tax Contract with Cabot IV - TX1L01, LLC

Adopted

Enactment No: RES 4803-2016

- 22** Resolution authorizing an Economic Development Agreement and Five-Year Tenant Lease with Three 2 One, LP for the Construction and Operation of a Restaurant

Adopted

Enactment No: RES 4804-2016

- 23** Resolution authorizing the assignment of the partial tax abatement from WR Pioneer Parkway, LLC to CPUS 1303 W. Pioneer Parkway, LP, a Delaware limited partnership for the ad valorem real estate improvements of the 858,000 square foot distribution facility located at 1303 W. Pioneer Parkway, Grand Prairie, Dallas County, Texas

Adopted

Enactment No: RES 4805-2016

- 24** Resolution supporting the two-year continuation of the Police Department's Victim Assistance Program grant in the amount of \$298,152

Adopted

Enactment No: RES 4806-2016

- 25** Ordinance amending the FY 2014/2015 Cemetery Operating Fund Budget by appropriating \$40,206 from Ending Resources and adding \$131,047 in revenues from increased Section Sales, Marker Sales, Internment Fees, Mausoleum Sales, and Burial Vault Sales

Adopted

Enactment No: ORD 10001-2016

- 26** Ordinance adopting the Housing Choice Voucher (Section 8) Fund 300192 operating budget for 2016 and allocating the REO and Housing Relief funds for 2016

Adopted

Enactment No: ORD 10002-2016

- 27** Ordinance amending the Capital Improvement Projects Budget; Engineering and surveying services contract with Kimley-Horn and Associates for Project Development Study and 30 Percent Design of Great Southwest Parkway from Mayfield Road to IH-20 Improvement in the total amount of \$545,200

Adopted

- 28** An ordinance amending Chapter 25 of the Code of Ordinances of the City of Grand Prairie, Texas, amending Section 23-13, Use of Wireless Communication Devices while Driving; providing for a fine of up to \$200 for each offense in violation of the ordinance; providing this ordinance be cumulative, providing a savings clause, providing publication and an effective date

Adopted

Enactment No: ORD 10007-2016

- 29** Ordinance of the City of Grand Prairie, Texas, amending Chapter 17 of the Code of Ordinances of the City of Grand Prairie, Texas by the addition of Article V, Credit Access Businesses, which sets forth registration requirements and credit extension guidelines for credit access businesses; providing for a fine of up to \$500 for each offense in violation of this ordinance

The following individuals submitted speaker cards in opposition to this item: Karen Bauhaus, 3725 S. Carrier Parkway; Adah Scott, 906 Canadian; Victor Music, 3626 Park Rise; Sam Hargrove, 2714 Santan Drive; and Tamala Hargrove, 2714 Santan Drive.

Tabled

- 30** Ordinance amending the FY 2015/2016 Capital Improvement Projects Budget; Purchase of bionic wind sensors from Gifford Electric \$75,680.00, a sole source vendor, to be installed on the city's Outdoor Warning Sirens with a 5% contingency of \$3,784.00, for a total cost of \$79,464

Adopted

Enactment No: ORD 10004-2016

- 31** Ordinance calling the May 7, 2016 General City Election to elect the following Council positions: Mayor, Council Member, District Two; and

Council Member, District Four

Adopted

Enactment No: ORD 10005-2016

Citizen Comments

Elizabeth Beard, Victory Temple Church, stated that she and her husband, John, are new pastors of Victory Temple Church on Acosta. She thanked the city for working so fast to make repairs to the culvert near their church where someone had driven into the ditch and damaged the culvert.

Adjournment

Mayor Jensen adjourned the meeting at 6:43 p.m.

The foregoing minutes were approved at the February 16, 2016 meeting.

Catherine E. DiMaggio, City Secretary