



# City of Grand Prairie

City Hall Plaza  
317 College Street  
Grand Prairie, TX

## Minutes - Final City Council

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Tuesday, October 19, 2010

4:30 PM

Council Briefing Room

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### Call to Order

*Mayor England called the meeting to order at 4:34 p.m.*

**Present** 6 -

Mayor Charles England; Mayor Pro Tem Ruthe Jackson; Deputy Mayor Pro Tem Richard Fregoe; Council Member Mark Hepworth; Council Member Tony Shotwell and Council Member Bill Thorn

**Absent** 3 -

Council Member Greg Giessner; Council Member Ron Jensen and Council Member Jim Swafford

### Staff Presentations

- 1 John Peter Smith Clinic Update - Presented by Robert Earley, President and CEO

*John Earley, President and CEO, John Peter Smith Clinic, gave an update on the city's clinic. He stated that there have been 8,500 patients at the Grand Prairie clinic. He thanked Tom Hart, City Manager, for taking the initiative to make the clinic a reality. Deputy Mayor Pro Tem Fregoe asked Mr. Earley if there would be a chance that the clinic would accept residents of Dallas County. Mr. Earley stated that this is a charity program and patients must be a resident of Tarrant County, however, anyone can go to this clinic if they pay. Mr. Early stated that John Peter Smith is now a Level 1 Trauma Center and is the only hospital in Tarrant County with this level.*

- 2 Tarrant County 9-1-1 District Budget for FY 2010-2011 - Presented by Greg Petrey, Director, Tarrant County 9-1-1 District

*Mr. Greg Petrey, Director, Tarrant County 9-1-1 District, stated there has been continued emphasis on wireless devices because of a growing number of callers who have switched their phone service completely to internet-based telecommunications services and other wireless VoIP services. He stated that there will be \$16.8 million in reserve at the end of 2011 and that a 5-year forecast had been included in the Council packet. Deputy Mayor Pro Tem Richard Fregoe stated it was an honor to service on the Tarrant County 9-1-1 Board and commended Mr. Petrey for his excellent work.*

- 3 2011 Legislative Priorities - Presented by Don Postell, City Attorney

*Don Postell, City Attorney, stated that the 2011 Legislative Session will be a difficult one for the legislature with a large budget gap and redistricting to be considered. The city's legislative priorities have always emphasized maintaining the city's authority. Priorities are placed in three categories: Priority: a sponsor would be sought for*

*these items; Support: staff would testify on behalf of these items, but would not seek a sponsor; Endorse: representative in Austin would sign that Grand Prairie is supportive of these items. Mr. Postell listed the items in each category. Council Member Shotwell asked that easements be included under "authorize a city to divest itself of unneeded owned alleys by giving them at no cost to the adjacent landowners." Mayor England asked that an item be added under "Priority" to allow citizens to vote on expanded gaming. Council Member Shotwell asked to include region-wide local sales tax for transit. Mr. Postell replied that is included as the first item under "Support" (Exempt city sales tax that is used for transit from the cap on sales tax). Council Member Hepworth stated he had a problem with the item to "increase from 1,000 to 1,500 hours the limit part-time employees can work without creating benefits." Deputy Mayor Pro Tem Fregoe stated there was support from cities on the TMRS committee for this proposed legislation.*

### **Agenda Review**

*There were no questions on the agenda items.*

### **Executive Session**

*Mayor England convened an executive session at 5:21 p.m. pursuant to Chapter 551, Subchapter D of the Government Code, V.T.C.A., Section 551.074, "Personnel Matters" to discuss the Police Chief. The executive session was adjourned at 5:47 p.m.*

### **Recess Meeting**

*Mayor England recessed the meeting at 5:47 p.m. and reconvened the meeting at 6:37 p.m.*

**Mayor Pro Tem Ruthe Jackson gave the invocation and led the Pledge of Allegiance to the US Flag and to the Texas Flag.**

### **Presentations**

- 4** Certificate of Appreciation - Jessica Boudria, Founder of "Teddy Bears for Troopers" Project

*Mayor England presented a Certificate of Appreciation to Jessica Boudria, Founder of "Teddy Bears for Troopers" Project which collects teddy bears for Texas State Troopers and other police organizations to give to children in crisis. She has earned more than 8,000 hours of community service and is a freshman at South Grand Prairie Ninth Grade Center and a flutist in the South Grand Prairie High School Warrior Band.*
- 5** Girl Scout Gold Award: Presented to Jamese Iman Broadnax

*Mayor England presented a Certification of Appreciation to Jamese Iman Broadnax for having earned the Girl Scout Gold Award, the highest award in Girl Scouts.*

- 6 Employee of the Month - Jared Tadlock, Firefighter/Paramedic, Station Three

*Clif Nelson, Fire Chief, introduced Jared Tadlock, Firefighter/Paramedic, Station Three, as Employee of the Month for October. Mr. Tadlock pulled an unconscious victim from a house involved in an early morning fire at 417 Forrest Hill Lane. City Manager Tom Hart presented him with a city shirt and clock and thanked him for his heroic efforts.*

- 7 Raving Fans Recognition - Fire personnel involved in the rescue at 417 Forrest Hill Drive, July 3, 2010

*A Raving Fans recognition was made to the fire personnel involved in the July 31, 2010 house fire at 417 Forrest Hill Lane. Mayor England thanked the following firefighters for their heroic efforts (Jared Tadlock - paramedic; Lt. Dennis Webb; Lt. Derek Townsend; Chad Hill – paramedic; Jason Lahman – paramedic; Branten Rose – driver engineer; and Jeremy Jurik – driver engineer) and presented them each with a Grand Prairie tool chest.*

### Consent Agenda

- 8 Minutes of the September 9, 2010 Special CIP Budget Meeting and the September 21, 2010 Meeting

**A motion was made by Mayor Pro Tem Ruthe Jackson, seconded by Council Member Mark Hepworth, to approve Items 8 through 40 on the Consent Agenda. The motion carried unanimously.**

- 9 2011 Council Meeting Schedule

- 10 Routine Airport Maintenance Grant (RAMP) from Texas Department of Transportation (TxDOT)-Aviation Division in the amount of \$100,000 (\$50,000 City/\$50,000 TxDOT-Aviation)

- 11 Contract with Garrett Demolition, Inc. in the not to exceed amount of \$189,000 and an asbestos abatement contract with Southwest Structural Systems in the amount not to exceed amount of \$108,215 for the demolition/asbestos costs of former Police Station at 801 Conover for the future Grand Prairie Community Health Clinic

- 12 Amendment/Change Order No. 2 with High Sierra Electronics Flood Flasher and Rain and Stream Gauge Installations in the amount of \$42,641.50

- 13 Agreement with Dallas Area Agency of Aging for \$156,262.50 as a reimbursable program, and a price agreement contract with Paper Plate, Inc., through an interlocal agreement with the City of Lancaster for provision of congregate meals at The Summit in an amount not to exceed \$150,423, and authorize City Manager to execute the annual contract with an option for a (1) year renewal.

- 14 Construction contract with Barson Utilities for the Water Main Replacements in the amount of \$1,217,336.50 and an ordinance amending the 2010-11 CIP Budget
- This item was Adopted**
- Enactment No: ORD 9107-2010
- 15 Sustainable Marketing Campaign Contract for Curbside Recycling to hck2 for \$70,000.
- 16 Amendment/Change Order No. 2 to Engineering Services contract with Freese and Nichols in the net negative amount of (\$7,051) for additional services and design modifications to the Sara Jane Extension from East Dead end to Forum Drive
- 17 Change Order No. 3 with Circle C Construction in the net negative amount of (\$9,105) for the 24" Water Transmission Line along Wildlife Parkway - Phase I
- 18 Right-of-Way Acquisition (KP Land Partners, L.P.) - Lynn Creek Parkway
- 19 Change Order No. 3 with UtiliTex Construction LLP in the amount of \$32,073 for FY 2007 Wastewater Master Plan Overflow Project
- 20 Cooperating Technical Partners Flood Study Agreement with FEMA in the amount of \$70,450
- 21 Final Reconciliation Change Order No. 14 with Mario Sinacola in the net negative amount of \$55,100.08 for Arkansas/Warrior
- 22 Change Order No. 2 with Halff Associates for Lakeridge Parkway Drainage Y0718
- 23 Emergency Water System Interconnect Agreement with the City of Arlington and an ordinance appropriating funds in the amount of \$243,750
- This item was Adopted**
- Enactment No: ORD 9108-2010
- 24 Ratify the acceptance of video teleconferencing services provided by the Region 10 Education Service Center, paid for through available grants funds by the North Central Texas Council of Governments in the amount of \$3,500 for membership in the Region 10 Video Teleconferencing System, plus acceptance of an additional \$1,000 to operate a loaned portable video teleconferencing system.
- 25 Ratify Grant Application to the Tarrant County 9-1-1 District - Public Safety Answering Point funding in the amount of \$77,345.

- 26 Tarrant County 9-1-1 Distribut Budget
- 27 One year maintenance agreement with Motorola, a sole source provider, in the amount of \$270,491.64 for maintenance and management of the City-Wide Radio Communications System from October 1, 2010 through September 30,2011.
- 28 Change Order No. 2 to the Construction Contract with Tri-Tech Construction in the amount of \$37,660 for additional modifications to Sandra Lane Project
- 29 Sale of tax foreclosure properties located at 1 NW 21st Street and 534 Austin Street.
- 30 Annual Hardware and Software Support and Maintenance to Tiburon, Inc. in the amount of \$182,546
- 31 Annual Hardware and Software Support and Maintenance to North Central Texas Council of Governments (NCTCOG) in the amount of \$365,000
- 32 Purchase of Golf Maintenance Equipment thru Buy Board Cooperative Purchase Agreement
- a. Golf fairway mower, in the amount of \$67,621.15, from Professional Turf Products, L.P., through TASB Buy Board;
  - b. Two large capacity truckster units, in the amount of \$41,288.64, from John Deere Company Governmental & National Sales, through TASB Buy Board;
  - c. Three utility truckster units, in the amount of \$25,776.96, from John Deere Company Governmental & National Sales, through TASB Buy Board;
  - d. Sole source purchase of a trailer mounted turf blower unit, in the amount of \$10,795, from Austin Turf & Tractor;
- 33 Engineering Services Contract with Kimley-Horn and Associates, Inc. for the design of six (6) new traffic signals in the amount of \$65,000; staff costs of reviewing signal design plans, \$3,900; and a 5% contingency of \$ 3,250, for a total cost of \$72,150.
- 34 Change Order No. 1 with UtiliTex Construction LLP in the net amount of \$23,803 for the Lake Ridge Utility Relocation Project
- 35 Amendment No. 13 of the Construction Manager at Risk Contract with Manhattan Construction Company in the net amount of \$128,186 for various items at Public Safety Building and Summit facilities
- A motion was made by Mayor Pro Tem Ruthe Jackson, seconded by Council Member Mark Hepworth, to approve Items 8 through 40 on the Consent Agenda . The motion CARRIED**
- 36 Ratification of Emergency Wastewater Line Repair at 612 Ave. J and an

ordinance appropriating funds in the amount of \$157,540

**This item was Adopted**

Enactment No: ORD 9109-2010

37

Ordinance Appropriating Proceeds from the Water Infrastructure Fund Loan to the Mansfield Water Supply Line Project in the amount of \$5,043,000

**This item was Adopted**

Enactment No: ORD 9110-2010

38

An ordinance amending the Code of Ordinances by adding Chapter 28, "Housing Enforcement" and amending Chapter 29, "Code Enforcement," to establish a standard process of inspections and addressing code issues at all hotels and motels in the City of Grand Prairie

**This item was Adopted**

Enactment No: ORD 9111-2010

39

Resolution Establishing the City's Priorities in the 2011 Legislature

**This item was Adopted**

Enactment No: RES 4463-2010

40

Resolution declaring expectation to reimburse expenditures with proceeds of future debt in the amount of \$940,616 for expenses for the Fire Department aerial ladder truck.

**This item was Adopted**

Enactment No: RES 4464-2010

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

41

Reconsideration of Case SU100901/S100901 - Specific Use Permit/Site Plan

**Council Member Shotwell moved, seconded by Mayor Pro Tem Jackson to reconsider Case SU101001 (previously approved at the September 21, 2010 meeting). The motion carried by the following vote:**

**Ayes: 6 -**

Mayor Charles England; Mayor Pro Tem Ruthe Jackson; Deputy Mayor Pro Tem Richard Fregoe; Council Member Mark Hepworth; Council Member Tony Shotwell and Council Member Bill Thorn

42

SU100901/S100901 - Specific Use Permit/Site Plan - 217 W. Main Street (City Council District 5). Approval of a Specific Use Permit and Site Plan for a multipurpose room and special event center on 0.306 acres. The subject property is zoned Central Area (CA) District, and is located on the south side of Main Street, west of N.W. 2nd Street. The subject property is located

within the Central Business District No. 2 (CBD-2) Overlay District.

Owner: Jose A. Camarena; Applicant: Pedro Solano; Agent: Elvira Fernandez. (On September 13, 2010 the Planning and Zoning Commission recommended approval of this request by a vote of 7-0.)

**A motion was made by Council Member Tony Shotwell, seconded by Mayor Pro Tem Ruthe Jackson, to close the public hearing and approve Case SU101001 with the following added language: "The Multipurpose Facility shall be used for organized group assemblies only, and shall not be used for single admission type events involving a cover charge entrance fee for individuals not associated with the organized group assembly." The motion carried by the following vote:**

**Ayes:** 6 -

Mayor Charles England; Mayor Pro Tem Ruthe Jackson; Deputy Mayor Pro Tem Richard Fregoe; Council Member Mark Hepworth; Council Member Tony Shotwell and Council Member Bill Thorn

Enactment No: ORD 9075-2010

**43**

SU101001 - Specific Use Permit - Treasures Child Development Center - 300 W. Pioneer Parkway (City Council District 2). Approval of a Specific Use Permit for a child care facility on 0.745 acres. The subject property is zoned General Retail (GR) District, and is located at the northwest corner of the intersection of W. Pioneer Parkway and S.W. 3rd Street. The owner is Fellowship of Joy and the applicant is Gwyneth Enriquez. (On October 4, 2010 the Planning and Zoning Commission Recommended approval of this request by a vote of 7-0).

*Kevin Lasher, Chief City Planner, stated that the proposed site had been a day care in the past and the applicant wished to re-open with the same requirements as the previous owner.*

**A motion was made by Council Member Tony Shotwell, seconded by Mayor Pro Tem Ruthe Jackson, to close the public hearing and approve Case SU101001. The motion CARRIED by the following vote:**

**Ayes:** 6 -

Mayor Charles England; Mayor Pro Tem Ruthe Jackson; Deputy Mayor Pro Tem Richard Fregoe; Council Member Mark Hepworth; Council Member Tony Shotwell and Council Member Bill Thorn

Enactment No: ORD 9115-2010

**44**

TA101001 - Text Amendment - Article 8, "Landscape and Screening," & Appendix C, "Fence Detail," of The Unified Development Code by providing a width and depth dimension for required dumpster enclosures, updating certain graphic illustrations within the Article, and implementing grammatical and format modifications to improve the clarity of the Article. The owner is the City of Grand Prairie and the applicant is Kevin Lasher, Planning Department. (On October 4, 2010 the Planning and Zoning Commission recommended approval of this request by a vote of 7-0).

*Mr. Lasher stated this text amendment clarified requirements for dumpster enclosures and format modifications to improve the clarity of the article. He asked Council to include in the motion to change the required screening dimensions from 10' x 13' to 12' x 12'; and a second amendment to add the standard for double-dumpster screening.*

**A motion was made by Council Member Mark Hepworth, seconded by Council Member Tony Shotwell, to close the public hearing and approve Case TA101001 with the two proposed amendments. The motion CARRIED by the following vote:**

**Ayes: 6 -**

Mayor Charles England; Mayor Pro Tem Ruthe Jackson; Deputy Mayor Pro Tem Richard Fregoe; Council Member Mark Hepworth; Council Member Tony Shotwell and Council Member Bill Thorn

Enactment No: ORD 9116-2010

**45**

TA101002 - Text Amendment - Article 10, "Parking and Loading Standards," of The Unified Development Code," Section 10.7.4 by revising the method for calculating the amount of garage and covered parking spaces required for multi-family developments. The owner is the City of Grand Prairie and the applicant is Kevin Lasher, Planning Department. (On October 4, 2010 the Planning and Zoning Commission recommended approval of this request by a vote of 7-0).

*Mr. Lasher said this text amendment revised the method for calculating the amount of garage and covered parking required for multi-family developments.*

**A motion was made by Deputy Mayor Pro Tem Richard Fregoe, seconded by Council Member Bill Thorn, to close the public hearing and approve Case TA101002. The motion CARRIED by the following vote:**

**Ayes: 6 -**

Mayor Charles England; Mayor Pro Tem Ruthe Jackson; Deputy Mayor Pro Tem Richard Fregoe; Council Member Mark Hepworth; Council Member Tony Shotwell and Council Member Bill Thorn

Enactment No: ORD 9117-2010

**46**

SU101002/S101002 - Specific Use Permit/Site Plan - 242 Idlewild Road (City Council District 5). Approval of a Specific Use Permit for used automotive sales on 4.69 acres. The subject property is zoned Heavy Industrial (HI) District, and is located at the southwest corner of the intersection of E. Jefferson Street and Idlewild Road at 242 Idlewild Road. The property is located within the Central Business District-Four (CBD-4) Overlay District. the owner is Shahriar Kasrai and the applicant is Navid Forutan. (On October 4, 2010 the Planning and Zoning Commission recommended approval of this request by a vote of 7-0).

*Mr. Lasher stated that the proposed area is approximately 1/2 acre and the applicant is proposing to add used car sales. There will be no salvaging of inoperable vehicles and no body work. He said staff proposed a one-year review to make sure all*



*requirements are being complied with.*

*Mr. Navid Forutan, 242 Idlewild Road, was present to answer questions.*

**A motion was made by Council Member Tony Shotwell, seconded by Mayor Pro Tem Ruthe Jackson, to close the public hearing and approve Case SU101001/S101002. The motion CARRIED by the following vote:**

**Ayes:** 6 -

Mayor Charles England; Mayor Pro Tem Ruthe Jackson; Deputy Mayor Pro Tem Richard Fregoe; Council Member Mark Hepworth; Council Member Tony Shotwell and Council Member Bill Thorn

Enactment No: ORD 9118-2010

## **Items for Individual Consideration**

**47**

Public Hearing - Ordinance authorizing the abandonment of an unneeded portion of the unimproved Riverside Parkway Right-of-Way

*Romin Khavari, City Manager, stated that in June 2010, the City Council removed this section of roadway from the Thoroughfare Plan and the owner is requesting this abandonment.*

**A motion was made by Council Member Tony Shotwell, seconded by Mayor Pro Tem Ruthe Jackson, to close the public hearing and adopt an ordinance authorizing the abandonment of an unneeded portion of the unimproved Riverside Parkway Right-of-Way. The motion CARRIED by the following vote:**

**Ayes:** 6 -

Mayor Charles England; Mayor Pro Tem Ruthe Jackson; Deputy Mayor Pro Tem Richard Fregoe; Council Member Mark Hepworth; Council Member Tony Shotwell and Council Member Bill Thorn

Enactment No: ORD 9112-2010

**48**

Personal Services Contract with Glen Hill and an Ordinance appropriating funds

**A motion was made by Deputy Mayor Pro Tem Richard Fregoe, seconded by Mayor Pro Tem Ruthe Jackson, to adopt an ordinance authorizing a Personal Services Contract with Glen Hill and appropriating funds. The motion CARRIED by the following vote:**

**Ayes:** 6 -

Mayor Charles England; Mayor Pro Tem Ruthe Jackson; Deputy Mayor Pro Tem Richard Fregoe; Council Member Mark Hepworth; Council Member Tony Shotwell and Council Member Bill Thorn

Enactment No: ORD 9113-2010

**49**

Ordinance confirming the appointment of an Interim Police Chief

**A motion was made by Deputy Mayor Pro Tem Richard Fregoe, seconded by Mayor Pro Tem Ruthe Jackson, to adopt an ordinance confirming the appointment of Michael Shaw as Interim Police Chief. The motion CARRIED by the following vote:**

**Ayes:** 6 -

Mayor Charles England; Mayor Pro Tem Ruthe Jackson; Deputy Mayor Pro Tem Richard Fregoe; Council Member Mark Hepworth; Council Member Tony Shotwell and Council Member Bill Thorn

Enactment No: ORD 9114-2010

### **Citizen Comments**

*There were no citizen comments.*

### **Adjournment**

*Mayor Pro Tem Jackson announced that the 5th Circuit Court had upheld the use of the words "under God" in the Texas Pledge.*

*Mayor England adjourned the meeting at 7:20 p.m.*

*The foregoing minutes were approved at the November 2, 2010 City Council Meeting.*

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*Catherine DiMaggio, City Secretary*