



City of Grand Prairie

City Hall
317 College Street
Grand Prairie, Texas

Minutes - Final City Council

Tuesday, July 15, 2014

4:30 PM

City Hall - Briefing Room
317 College Street

Call to Order

Mayor Pro Tem Fregoe called the meeting to order at 4:30 p.m.

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

Staff Presentations

- 1** Video Boards at City Entryways - Presented by Savannah Ware, Planning Department
- Savannah Ware, City Planner, stated that Council had approved a contract with Moore Construction Management on June 16, 2014. The purchase of six videoboards is on tonight's agenda for Council's consideration. The first location of the videoboard will be at Roy Orr and Carrier. Ms. Ware said each site will have landscaping, irrigation and uplighting. The monument sign will be comprised of cast stone, aluminum composite materials and natural stone. Ms. Ware showed a rendering of the proposed sign. The second location will be at Carrier and I-20 (near Kohl's). City Manager Tom Hart said the boards would advertise city events, school events and communications with citizens. The signs can be controlled from City Hall and from the EOC. The third location will be at Lynn Creek Parkway and Lake Ridge; this sign will be a corner sign at angles to be able to be read from Lake Ridge and Lynn Creek Parkway. Mr. Hart said he hoped to include more of these in the budget each year to be located at strategic locations in the city. Council Member Copeland asked if the sign at Lake Ridge and Lynn Creek would be visible from the angles to be readable from Lake Ridge. Bill Crolley, Planning Director, said visibility has been looked at by the architect to make sure sun and angles will not be a problem with visibility at this corner. Deputy Mayor Pro Tem Shotwell said it would be good to place one of these boards near City Hall.*

Presented

- 2** 2015 Legislative Priorities - Presented by Don Postell, City Attorney

Don Postell, City Attorney, said he had reviewed the legislative priorities with the Council Finance and Government Committee at their meeting today. He went through the issues that the city would like the 2015 Legislature to consider. He said he added the Juvenile Case Manager Fund to the list that Council had received

earlier. Council Member Swafford suggested that cities' control of zoning with regard to gas pipelines and compressor stations be moved from the "Support" category to the "Endorse" category. Discussion took place regarding specific city structures such as Verizon and Lone Star Park and the sale of those facilities to the lessee.

Presented

3

Police Physical Fitness Program - Presented by Chief Steve Dye

Chief Dye discussed Consent Agenda Item 22, physical fitness incentive for police officers. He said the program had been discussed with a wide variety of officers as well as with the Police Association. The annual physical fitness exam will not contain sanctions. He said the goal of the program is to reduce injuries and make the department more effective. Chief Dye said this incentive is considered "special pay" and must be approved by Council according to the Local Government Code.

Presented

4

Walnut Creek Cleanup Project - Presented by Tammy Chan, Special Projects Coordinator

Tammy Chan, Special Projects Coordinator, gave a presentation on the Walnut Creek Cleanup which took place on June 21, 2014. She thanked Byron Allen, who works at Loyd Park, for initiating this cleanup on the kayak trail at Loyd Park. Ms. Chan showed before and after pictures of the cleanup. Council Member Wooldridge presented a certificate for two free nights of camping at Loyd Park to Vandella Menifee who recruited volunteers for the cleanup. Council Member Clemson asked Ms. Chan what it would take to maintain the kayak trail. Ms. Chan said they would need to do two cleanups a year for the next few years. She added that this creek is attached to SH360 from Arlington and litter floats into the creek from the highway. Mr. Allen suggested that some incentives be put in place such as offering a free canoe for a day for picking up a bag of trash.

Presented

Agenda Review

Bill Crolley, Planning Director, distributed a revised Fiscal Impact Statement for Item 17 (Agreement with Union Pacific Railroad for automatic crossing warning lights and gate at 113th Street). Council Member Clemson thanked Council for their support of the railroad quiet zone. Deputy Mayor Pro Tem Shotwell asked Duane Strawn, Parks Department, what the \$109,000 was for in Item 14 ((construction of a lodging unit at Loyd Park). Mr. Strawn said this would fund the cost of constructing a replica of Loyd Cabin. Deputy Mayor Pro Tem Shotwell asked that Item 29 be postponed to the second meeting in August to provide time for the new Transportation Director to review the Traffic Impact Analysis. Kathleen Mercer, Budget Director, introduced Ken Reid, new Purchasing Manager. Mr. Hart presented Anna Doll, Deputy City Manager, with a plaque from the Texas City Managers Association recognizing her 20 years of service in city management.

Mr. Crolley referred to Case SU140701 (Item 32) and stated it was staff's recommendation to pave the parking lot; but the Planning and Zoning Commission recommended that the applicant would not have to pave the lot. Mr. Hart referred to Case Z140501/CP140401 (Item 33) and said the developer asked to replace masonry with stucco. He said the current UDC does not allow that. Mr. Crolley said the applicant would be making a detailed presentation on the amount of masonry, but right now stucco is not allowed except as an accent. He added that some cities

consider stucco as masonry. Mayor Jensen stated that he liked stucco as an accent. He said that perhaps the Council Development Committee could look at the possibility of considering stucco as masonry but to be careful to make clear the difference between EFIS and stucco. Deputy Mayor Pro Tem Shotwell pointed out that some houses made of stucco may not fit in some neighborhoods that are mainly brick homes.

Ron McCuller, Public Works Director, stated that Item 36 (Water Conservation Plan) was not making significant change, but is just the required update. He stated that changes have been made in the Drought Contingency Plan to make the 6 a.m. -10 p.m. watering prohibition permanent. He said the only other change is to revise goals every five years with the new goal at 120,000 per capita. Mr. McCuller said the city had met its goal for the first five years.

Council Member Clemson asked to remove Item 17 (Installation of Automatic Warning Lights and Gates on the 113th Street Railroad Crossing) for individual consideration. Council Member Swafford declared a conflict of interest on Item 31 (Case S140701).

Executive Session

Mayor Jensen convened an executive session at 5:15 p.m. pursuant to Chapter 551, Subchapter D of the Government Code, V.T.C.A., Section 551.071 "Consultation with Attorney" Tommy Winn and Leland Gjetley v. City of Grand Prairie, Cause No. DC-11-08305-J and related cases; and Section 551.087 "Deliberations Regarding Economic Development Negotiations." The executive session was adjourned at 5:49 p.m.

Recess Meeting

Mayor Jensen recessed the meeting at 5:49 p.m.

6:30 PM Council Chambers

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

Pastor Jordan Tew, Eighth St. Baptist Church, gave the Invocation. The Pledge of Allegiance to US Flag and to the Texas Flag was led by Council Member Wooldridge.

Presentations

5

Employee of the Month - Nathan Lawless, Police Department - Presented by Chief Steve Dye

Chief Dye introduced Officer Nathan Lawless, as Employee of the Month for July. City Manager Tom Hart presented Officer Lawless with an engraved clock and thanked him for his dedication to the city.

Presented

- 6** North Central Texas Council of Governments - Regional Cooperation Award (Electronic Warrant Payments Shared Services Program with the Cities of Arlington, Carrollton, Euless, Plano and Grand Prairie)

Monte Mercer, North Central Texas Council of Governments, presented the Regional Cooperation Award for a multi-jurisdictional warrant project to Steven Cherry, Municipal Court Director.

Presented

- 7** Investment Policy Certification and Silver Leadership Circle Award for Financial Transparency - Presented by Diana Ortiz, Finance Director

Diana Ortiz, Finance Director, recognized Tannie Camarata and Jackie Hathorne for their excellent work that resulted in the city received an Investment Policy Certificate from GFOA in recognition of meeting all criteria for the city's investment policy. Ms. Ortiz also recognized Tannie Camarata, Lee Jen Lee, Lee Harriss and Cheryl Hazelwood for achieving the Silver Leadership Circle Award for Financial Transparency.

Presented

Consent Agenda

Mayor Pro Tem Fregoe moved, seconded by Deputy Mayor Pro Tem Shotwell, to approve Items 8 through 16 on the Consent Agenda, remove Item 17 for individual consideration, and approve Items 18 through 28. The motion carried unanimously.

- 8** Minutes of the June 17, 2014 Meeting

Approved on the Consent Agenda

- 9** Engineering services contract with Halff Associates, Inc. for a maximum contract amount of \$160,000 to provide engineering drainage plan review services, to ensure compliance with current city, state and federal drainage and water quality requirements

Approved on the Consent Agenda

- 10** Contract with DCC, Inc. through TASB BuyBoard, for swimming pool shell repairs at Kirby Creek Natatorium in the amount of \$75,338.40, and a 5 % contingency in the amount of \$3,767, for a total of \$79,105.40

Approved on the Consent Agenda

- 11** Service contract with Dake Construction Company for Avenue H Flow Vault, Installation of Water Valve with Actuator, in the amount of \$222,000, and authorize a staff controlled 5% contingency fund of \$11,100, for a total amount of \$233,100

Approved on the Consent Agenda

- 12** Contract with Moses, Palmer, and Howell L.L.P to represent the city in claims with Chesapeake Exploration, L.L.C

Approved on the Consent Agenda

- 13** Purchase six (6) outdoor video boards from Lantek Communications, inclusive of installation, for use at three sign structures located throughout the City in the amount of \$295,644.78, plus a 3% contingency in the amount of \$8,869.34 for a total request of \$304,514.12, with procurement of these boards executed through a national interlocal agreement with The Cooperative Purchasing Network (TCPN)

Approved on the Consent Agenda

- 14** Change Order #1 in the amount of \$109,000, with Symone Construction for the construction of a lodging unit at Loyd Park.

Approved on the Consent Agenda

- 15** Resolution Adopting an updated Drought Contingency Plan

Adopted

Enactment No: RES 4701-2014

- 16** Resolution of support for a Municipal Setting Designation (MSD) at 912 - 934 N. Collins Street, Arlington, Texas

Adopted

Enactment No: RES 4702-2014

- 17** Resolution authorizing the City Manager to enter into an agreement with Union Pacific Railroad Company for installation of automatic crossing warning lights and gates on 113th Street at Union Pacific rail crossing in the amount of \$213,882, and \$1,939 for in house inspection, for a total project cost of \$215,821

Council Member Clemson moved, seconded by Mayor Pro Tem Fregoe, to approve Item 17. The motion carried unanimously.

Enactment No: RES 4703-2014

- 18** Resolution Establishing Legislative Priorities for 2015

Adopted

Enactment No: RES 4704-2014

- 19** Resolution authorizing the City Manager to enter into a License Agreement

with North Texas Tollway Authority, (NTTA) for installation of three changeable message signs (“CMS”) within NTTA right-of way along SH 161 frontage roads from IH 20 to Rock Island

Adopted

Enactment No: RES 4705-2014

- 20** Resolution adopting amendments to the Bylaws of Reinvestment Zone Number Three, Peninsula Tax Increment Financing (TIF) District

Adopted

Enactment No: RES 4706-2014

- 21** Ordinance amending the FY 2013/2014 Capital Improvement Projects Budget in the amount of \$40,000 in order to install a privacy concrete fence at the Dalworth Rec Center

Adopted

Enactment No: ORD 9734-2014

- 22** Ordinance providing for special pays for police officers and physical fitness incentive hours; other seniority pay for City of Grand Prairie tenure, longevity pay, field training officer pay, certification pay, educational pay, shift differential pay and lateral entry pay and providing an effective date

Adopted

Enactment No: ORD 9735-2014

- 23** Ordinance authorizing the abandonment of an unneeded utility easement at 3300 East Abram Street to Sargent Investments, LLC

Adopted

Enactment No: ORD 9736-2014

- 24** Ordinance amending the FY 2013/2014 Capital Improvement Projects Budget in the amount of \$37,680, and an amendment to the KSA contract to add parking lot and lighting design to the current contract to design electrical improvements in the terminal area

Adopted

- 25** Ordinance to supersede and replace Ordinance 7951 in its entirety for geotechnical and material testing services fee for City and private development work

Adopted

Enactment No: ORD 9737-2014

- 26 Engineering services contract with Alliance Geotechnical, Team Consultant and Reed Engineering to provide engineering geotechnical and material testing services for a maximum contract amount of \$150,000 for each firm

Approved

- 27 Revisions to the Council Travel Policy

Approved

- 28 Revisions to Council Town Hall Policy

Approved

Public Hearing Consent Agenda

- 29 S140602 - Site Plan - Wildlife Commerce Park Building II (City Council District 1). Approve a site plan to construct a 344,400-square-foot speculative warehouse building. The 17.22-acre property, generally located at the southwest corner of the Wildlife Parkway/Belt Line Road intersection, is zoned Planned Development 217C (PD-217C) for Commercial, Retail, and Light Industrial. The applicant is Lorelei Mewhirter, O'Brien & Associates. (On June 2, 2014, the Planning and Zoning Commission recommended approval of this request by a vote of 7-0.)

Deputy Mayor Pro Tem Shotwell moved, seconded by Mayor Pro Tem Fregoe, to table case S140602 until the August 19, 2014 meeting. The motion carried unanimously.

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

- 30 SU140702 - Specific Use Permit - 521 W Marshall Drive (City Council District 2). Consider a request for a Specific Use Permit for Automotive Uses; Tire Sales (New and Used), Car Wash and Detailing, Quick Lube & Tune Services (Oil Change), and Minor Auto Repair. The subject property is located at 521 W. Marshall Dr. and zoned General Retail District (GR). The owner/applicant is Pastor Gomez. (On July 7, 2014, the Planning and Zoning Commission tabled this case by a vote of 6 to 0 until the applicant reactivates the case.)

Mayor Pro Tem Fregoe moved, seconded by Council Member Clemson to table Case SU140702 until the applicant reactivates the case. The motion carried unanimously.

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

Public Hearing on Zoning Applications

31

S140701 - Site Plan - DFW Oral and Facial Surgical Arts (City Council District 2). Approval of a Site Plan for a development within Planned Development 177 (PD-177), approximately 0.98 acres. The subject property is located at 3261 S Carrier Pkwy. The agent is Arlyn Samuelson, Pogue Engineering and the owner is Thad Taylor IV, and James Swafford, Beatty Commons, LP. (On July 7, 2014, the Planning and Zoning Commission recommended approval of this request by a vote of 6-0.)

Council Member Swafford declared a conflict of interest on this item and left the Chambers during discussion and vote on Case S140701.

Jim Hinderaker, Chief City Planner, reviewed Case S140701, a proposal for a new medical and dental office building with 5,310 sq. ft. on the northeast corner of S. Carrier and Hobbs Drive. He stated that the applicant has met all requirements of PD177. Mr. Hinderaker pointed out that Commercial adjacent to residential zoning requires masonry screening. He said there was prior access off Hobbs Drive and there will be an access for northbound traffic off Carrier and Betty on the north. Mr. Hinderaker said that the Planning and Zoning Commission had a discussion about the elevations because this proposal is more modern than existing offices in this area, but there is no requirement for certain elevations to match.

Council Member Giessner moved, seconded by Council Member Thorn, to close the public hearing and approve Case S140701. The motion carried with Council Member Swafford abstaining.

Ayes: 8 - Mayor Ron Jensen; Mayor Pro Tem Richard Fregoe; Deputy Mayor Pro Tem Tony Shotwell; Council Member Jorja Clemson; Council Member Jeff Copeland; Council Member Greg Giessner; Council Member Lila Thorn and Council Member Jeff Wooldridge

Excused: 1 - Council Member Jim Swafford

32

SU140701 - Specific Use Permit - Acker Transportation Services (City Council District 1). Approval of a Specific Use Permit for Truck Equipment Sales and Service with Outside Storage on 4.207 acres. The subject property, addressed as 400 E. Shady Grove, is zoned Light Industrial (LI) District and located west of N. Belt Line Road on the south side of E. Shady Grove. The applicant is Stephen Acker, Acker Transportation Services and the owner is A. R. Taylor. (On July 7, 2014, the Planning and Zoning Commission recommended approval of this request by a vote of 5-1.)

Mr. Hinderaker reviewed Case SU140701, for commercial trailer sales and leasing with outdoor storage on a site that was the former Irving Impound Yard. The property is zoned LI on a little over 4 acres. Mr. Hinderaker showed adjacent land uses and noted that there is an existing metal office and garage. He said the applicant withdrew a request for overnight truck parking on a portion of the property. The

Planning and Zoning Commission recommended that the dumpster enclosure be moved inside the fence. Mr. Hinderaker showed the proposed site plan and landscape plan which exceeds requirements. Mr. Hinderaker said the Site Plan had two existing structures: an office and carport (20' x 142') but the remainder is crushed rock and asphalt in bad condition. He said the applicant is expecting 20-40 trailers on site but could have 109 at any one time. It is anticipated that there will be 2-3 employees and hours of operation will be Monday through Friday, 8:00 a.m. to 5:00 p.m.

Mr. Hinderaker then reviewed variance requests: 1) concrete paving on temporary storage yard and primary storage yard; the applicant has requested relief of concrete paving; 2) UDC requires a wood fence adjacent to LI zoning and PD; a masonry fence is required along street r-o-w line for outside storage less than 40' from property line; the applicant has requested a 6' chain link fence with screening slates. 3) the applicant has requested that the dumpster screening requirements be waived. The Planning and Zoning Commission asked that the dumpster be moved inside the storage yard. The Planning and Zoning Commission approved the three appeals including waiving surface striping of fire lanes but that fire lane signage be added in lieu of striping.

The Planning and Zoning Commission approved the SUP with conditions that the approach to Shady Grove will be paved with concrete; there will be no parking or storage on the temporary parking area; in lieu of striping, fire lane signage shall be provided; and a Knox Box to be added to the entrance gate. Mr. Hinderaker said that staff did not recommend approval primarily because of the variance request to not have to do the concrete paving.

Walter Nelson, 3012 Hobbie Court, agent for the applicant, stated that Mr. Acker wants to relocate his business and has a current operation in Grand Prairie and this site is available for lease. Mr. Nelson said this property is zoned LI and he said he believed that in LI there can be a waiver for paving requirements in the rear of the property. He said the applicant will improve the approach off Shady Grove. He said that Irving brought in gravel for the impound garage when they owned this property and it is all base material and will hold a 60,000 lb. vehicle. He said some excavation had been done to verify that the site would hold a 60,000 lb. vehicle. Mr. Nelson said he had discussed fire lane striping with the Fire Marshall's Office and they accepted signage designating fire lanes rather than striping. He said there will probably not be 109 trailers on site at one time. This property has been used for 15 years by wreckers when it was the Irving Impound facility, but it has been vacant since 2005. Mr. Nelson said there will be no vehicle repairs done on this site.

Council Member Copeland asked Mr. Nelson what would happen if excavating more holes does not show the site would hold a 60,000 lb. vehicle. Mr. Nelson said he would be okay with approving the case with that condition.

Clyde Coburn, 731 San Grande Court, spoke in opposition to this case. He said he would like to see the location used but the traffic on Shady Grove has increased greatly. Mr. Coburn said Shady Grove is in poor condition and he was told there are no plans to improve it. He also had a concern about the heavy vehicles on Shady Grove. The auto traffic from SH161 had become heavier also. Shady Grove has no sidewalks so pedestrians have to walk at the side of the road to get to Beltline to get to public transportation. Mr. Coburn said at Shady Grove and Roy Orr, Shady Grove has been improved but nothing has been done in the east end.

Council Member Clemson asked Mr. Hinderaker if he had changed his recommendation regarding this SUP after hearing the speakers. Mr. Hinderaker said

he was concerned about setting a precedent. Mayor Jensen said if the applicant has 8 inches of asphalt he thought that would be sufficient and he questioned the rationale for requiring concrete paving. Council Member Copeland asked if this was a zoning change request. Mayor Jensen said it was not a zoning change request, just a special use permit request. Council Member Wooldridge asked if Shady Grove was on the Master Plan for improvement. Mr. Hinderaker said it was on the Master Plan to be improved to four lanes, but nothing in the immediate future.

Council Member Clemson moved, seconded by Council Member Wooldridge, to close the public hearing and table Case SU140701. The motion carried unanimously.

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

33

Z140401/CP140401 - Zoning Change/Concept Plan - Lakeside Lodge (City Council District 6). Rezone property from Agriculture (A) district to Planned Development District for multi-family uses. The 17.64-acre property is generally located south of S.H. 360 and west of Mirabella Blvd. (S.L. Ferrell Survey, Abstract 516 Tracts 2C02, 2A05, and 2A04A), is zoned Agricultural (A) District and is within the S.H. 360 Overlay District. The applicant is Brian Rumsy, Cross Architects and the owner is Johnny Campbell, Sunbelt Land Development LTD. (On July 7, 2014, the Planning and Zoning Commission recommended approval of this request by a vote of 6-1.)

Mr. Hinderaker reviewed Case Z140401/CP140401 on 17.64 acres located east of SH360 and W. of Mirabella Blvd. The current zoning is Agriculture, and the applicant is proposing a PD for multi-family. There will be 17 dwelling units per acre; a total of 304 units; and 611 parking spaces which exceeds requirements. Mr. Hinderaker said the applicant would follow multi-family standards except for the following variances:

- 1) masonry requirements from 100% masonry to 80/20 masonry/stucco ratio for buildings facing SH360; and 50/50 ratio for facades facing internal driveways; and 30/70 for facades facing courtyards;*
- 2) ratio of one bedroom units - 69.4% one bedroom units (UDC limits percentage to 50% of complex);*
- 3) Covered parking with two sides with simulated stone and stucco (UDC requires three sides with brick or stone masonry);*
- 4) Roof pitch of 5:12 rather than UDC required 6:12 or 10:12 slope;*
- 5) 9 ft. wide garage doors instead of the UDC required 10' wide;*
- 6) 75' side and rear yard setbacks in lieu of the required 85'.*

Mr. Hinderaker said there would be two access points from SH360. He said the Comprehensive Plan recommendation is for mixed use on this site so this use is inconsistent with the Comprehensive Plan. He said staff cannot recommend approval of the site plan because of the requested appeals, but did not oppose the use.

Brian Rumsey, 1255 W. 15th Street, Ste.125, Plano, said this development would have 304 luxury units with mission style architecture and a density of 17.2 units per acres with average 870 sq. ft. size units. The clubhouse will be 8,000 sq. ft. with a leasing center; pool; and business center with amenities. The buildings facing SH360 do not have garages and the ratio of stone to stucco was increased to 80/20. The buildings inside the complex have garages to meet requirements. There are five

casita buildings with garages. Mr. Rumsey outlined the options for the one-, two- and three-bedroom units. Mr. Rumsey introduced Spencer Byington, 5600 FM148, Kaufman Township, who was representing the owner of the property. Mr. Rumsey said there will be an arched entryway, low-sloped roofs, cornice brackets and Juliet balconies with metal railings. He showed articulations on the clubhouse and buildings. He requested that Council approve the variances for stucco veneer and garage door width. He added that he believed this is the best use for this site. Mr. Rumsey showed renderings of a similar property in San Antonio which had won design awards.

Council Member Copeland asked to see pictures of the 80/20 and 30/70. Mr. Rumsey showed the renderings of these combinations of stucco and masonry. Mr. Copeland asked how many buildings would be 30/70. Mr. Rumsey said every building on the courtyard side and facing the interior courtyard would be 70/30 and anything facing SH360 would be 80/20. Council Member Wooldridge said the 30/70 is not acceptable but he liked the looks of the 80/20. He asked Mr. Rumsey if he would be willing to change those numbers. Spencer Byington, 5600 S. FM148, Kaufman, said the development had been redesigned several times and had a difference of opinion of what looks best. He said his other properties similar to the proposed development are 90-95% occupied. He said his company does a lot of market research to find out what people are renting and this product is what people are asking for. He said he had negotiated in good faith to get where they are now. Mr. Byington said he was using more stone than they typically use. Council Member Wooldridge said he would be fine with 80/20 on the whole project. Mr. Byington said that would date the project to the 70's and 80's look. Mayor Jensen said the city's UDC is written this way because we want the price point and there are a lot of developments with stucco that look good. He said he would like this to be a good price point 20 years from now. Mayor Jensen said staff's concern is that a deviation from the UDC is actually cost savings, so the price point for rentals would be lower. But, he said he personally like the stone/stucco mix. He added he was concerned about the number of variances requested and what the price point is. Mr. Byington said he has to be cost conscience and stone costs more than stucco but it is not attractive. He said he had six other developments that were full. Mayor Jensen said he was sensitive to changing the zoning to MF because of the burden on the public safety departments.

Deputy Mayor Pro Tem Shotwell asked Mr. Rumsey if the stucco would be made of Portland cement, not EFIS. Mr. Rumsey said the stucco would be two layers with a scratch coat of concrete on metal lath. Deputy Mayor Pro Tem Shotwell said he would be okay with 50/50 except those units facing SH360. Mr. Rumsey said the 30/70 is only in the courtyard. Council Member Copeland asked Mr. Rumsey to point out buildings with the 50/50 stucco/masonry. Mr. Rumsey pointed out the end units that would be 50/50. Council Member Wooldridge asked if the carports would be three-way or two-way. Mr. Hinderaker said they would be 2-sided.

Mayor Jensen read into the record those who did not wish to speak but who support this case: Blake Barnard, 14823 Surveyor Blvd., Addison; and Johnny Campbell, 2904 Hwy. 121, Bedford.

Council Member Wooldridge moved, seconded by Deputy Mayor Pro Tem Shotwell, to close the public hearing and approve Case Z140401/CP140401 with the approval of all variances, with the masonry/stucco ratio to be 80/20 on all buildings along SH360 and all other buildings to have a ratio of 50/50 and the stucco to be made of Portland cement. The motion carried unanimously.

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

Enactment No: ORD 9738-2014

34

AV140701 - Alcohol Variance - GiftTree (City Council District 1). Consider of a request for a variance to the proximity requirement for the selling of alcoholic beverages (more specifically wine) for off premise consumption within 300 feet of a church, measured along the property lines of the street fronts and from front door to front door, and in direct line across intersections. The property, addressed as 1525 Greenview Drive, is generally located south of Avenue K and west of Greenview. The applicant is Craig Bowen, Gift Services, Inc./GiftTree.com.

Mr. Hinderaker said this variance was for a new retail wine store for off-premise consumption within 300' of a church (Christ Embassy). He said Council could grant a variance. The distance from door to door is 257'. Mr. Hinderaker said he had not received any responses from church after the notification was sent. Mr. Hinderaker said the applicant said he had spoken with the pastor and did not receive any opposition and staff had no objections.

Council Member Wooldridge asked if this would be mostly on sales. Mr. Hinderaker said that initially the applicant wanted a winery, but they cannot have a winery unless they bottle on premise. This is for off-premise consumption only. Council Member Wooldridge commented if the variance is approved, they may want to expand.

Craig Bowen, 5109 NW 143rd, Vancouver, WA 98685 submitted a speaker card in support of this item.

Council Member Clemson moved, seconded by Deputy Mayor Pro Tem Shotwell, to close the public hearing and approve Case AV140701. The motion carried unanimously.

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

Items for Individual Consideration

35

Annual appointments to city boards and commissions

Cathy DiMaggio, City Secretary, read into the record the list of nominations for boards and commissions.

Council Member Swafford moved, seconded by Council Member Clemson to approve board appointments as presented. The motion carried unanimously.

Airport Advisory Board: Ray Doss and Gerome Randle

Animal Shelter Advisory Board: Debra Danhof, Virginia Stinchfield and

Priscilla Martinez

Building Advisory and Appeals Board: Kevin Krajewski, Ron Blackwell, and Carol Ann Adams

Civil Service Commission: Oliver Thompson

Commission on Aging: Jerry Long and Carlton Adams

Housing and Community Improvement Commission: Karen Eddlemon

Keep Grand Prairie Beautiful: Eula Vaughan and Richard Kurth

Library Board: Barbara Macdonald, Karen Blackwell, and Derek Rodriguez

Park Board: Jonathan Head, Antonio Lawrence, and Jim Dart

Planning and Zoning Commission: Bill Moser, Kurt Johnson, and Charlie Womack

Public Health Advisory Committee: Clyde Coburn, Ralph Wiegman, and Sallie Villareal

Sports Facilities Development Corporation: Bryan Arnold and R. J. Garcia

Zoning Board of Adjustments: Barry Anderson, Cindie Moss, and Melinda Polley Rodgers

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

36

Public Hearing and Resolution accepting the 2014 revision of the city's Water Conservation Plan

Ron McCuller, Public Work Director, stated that the city's Water Conservation Plan did not need much change because the city has exceeded conservation goals. New goals have been set at 121,000 gallons per capita. He stated that this plan along with the Drought Contingency Plan, prohibits watering between 10:00 a.m. and 6:00 p.m. at all times. Mayor Jensen stated this was a public hearing and invited anyone who wished to speak to approach the podium. No one requested to speak on this item.

Council Member Giessner moved, seconded by Council Member Thorn, to close the public hearing and approve the revision to the city's Water Conservation Plan. The motion carried unanimously.

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

Enactment No: RES 4707-2014

Citizen Comments

Kathleen Stevens, 2345 Tiago, said the immigrant children at Lamar school was a GPISD issue, and she understood that the city did not have a vote. She said she was speaking on behalf of citizens who could not attend the meeting. Ms. Stevens said many she spoke with many citizens who were opposed to the use of Lamar. She said government has a responsibility to hear the citizens. She said the crisis at the border is a humanitarian issue and did not have to be one. The immigration issue has evolved because the government has not secured our borders. Ms. Stevens said there are other solutions than bringing them to our city such as camps at the border and bringing in the National Guard. It is not the best option to infiltrate them into the city. If this location is approved, we have become part of the problem, not the solution. She said she would like to know why the school is allowed to use this as a shelter when it is not zoned for this type of use.

Brian Gordon, 1829 Prince John Drive, said he had heard stories about how the city was ignorant of the school board's decision to build the processing center. He said the school board is overstepping their power. City officials and ordinances should be the deciding factor. Mr. Gordon said there are issues with zoning, funding, health and transparency. There are many other issues that the council need to be addressing. He said he wanted to see Grand Prairie grow in the spotlight as something other than a detention center. He asked that the Council add to the city agenda to monitor the impact to the city to ensure that this project stays on track. Mr. Gordon asked that it be kept active on the agenda until the detention property is turned back to its use as a school. He asked Council Member Clemson to back this request, knowing it has brought controversy to the district. He then asked the Mayor and Council to back this request because it could escalate into a loss for the city.

Sherri Bishop, 417 NW 10th Street, said she was opposed to the children coming to Grand Prairie. She said these children have health issues and city residents may contract some kind of disease. Ms. Bishop said the Council had the right to speak up that the city did not want them here. She added they may take jobs away from citizens.

Esmerelda Rodriguez, 1322 Clark Trail, thanked Chief Steve Dye for his commitment as well as the commitment of his officers. She said over last three years crime is down over 30%. Ms. Rodriguez said that on Tuesday, July 8, a close friend was killed in a motorcycle accident. She thanked witnesses who stopped to render aid and stayed with him. Ms. Rodriguez asked that anyone who witnessed the accident to report any information they may have about the accident and the person who left the scene.

Kathryn Monette, 1814 Abilene Court, asked Council to pass a resolution on August 5 to protect the health and welfare citizens. She said the Grand Prairie Charter, Article 4, Section 17, stated that any council member could place an item on the agenda. Ms. Monette said the city would need to rezone and approve this processing center. She said the children would be bringing in diseases. The school board should not have the final say in this issue because the zoning has to be approved, so city has a say and is involved.

Wendell Davidson, 3456 Country Club, thanked Council for their leadership in passing the electric fence ordinance. He thanked them for being leaders and the harmonious decisions with GPISD and those decisions made for health and welfare of the city. He said he would like to see this continue and the permits issued for Lamar and would like the city and school to work as a team. Mr. Davidson said if

Lamar is chosen, it will have to be brought up to Code. It is being used as a storage facility and does not meet some Code requirements. He said this is a great opportunity for the school district because the federal government will be paying for these improvements. This will assist the Grand Prairie taxpayers to make it a viable building for future use. It will become an economic boon in this area of town because the center would require nurses, medical personnel, security 24 hours a day and they will eat and buy gas in Grand Prairie. Mr. Davidson said so many people are misinformed.

John Wilhite, 2430 Kingsbridge, said he had worked with youth and charities in Grand Prairie for many years and helped the people with Katrina and Mission Arlington and as a result he saw more gang members and a decline in education as a result. He said the current agreement would be to bring in aliens with a 120-day lease with an option to renew for another 120 days. He asked if they would ever really shut down the facility. He said Grand Prairie should not have this facility. The children would be bringing in diseases. Mr. Wilhite said the government is here to protect its citizens. He asked Council to put an item on the agenda to oppose this coming to our city. He said he realized the children need help but this needs to be stopped. He said the city could turn down rezoning on this property.

Adjournment

Mayor Jensen noted that this was the first Council meeting since Council Member Clemson has been diagnosed with cancer. He said Ms. Clemson will begin chemotherapy next week and offered his prayers.

Mayor Jensen adjourned the meeting at 8:30 p.m.

The foregoing minutes were approved at the August 5, 2014 Council Meeting.

Catherine E. DiMaggio, City Secretary