

**MINUTES OF A REGULAR MEETING
OF THE
EULESS CITY COUNCIL
Tuesday, June 25, 2013**

A regular meeting of the Euless City Council was called to order by Mayor Mary Lib Saleh at 4:00 p.m. on Tuesday, June 25, 2013, in the Precouncil Conference Room of City Hall, 201 North Ector Drive. Those present included Mayor Mary Lib Saleh, Mayor Pro Tem Leon Hogg, Council Members Linda Martin, Linda Eilenfeldt, Glenn Porterfield, and Perry Bynum. Council Member Tim Stinneford arrived at 4:05 p.m.

During the Precouncil meeting:

- Mayor Mary Lib Saleh announced that she attended the Greater Fort Worth Builders Association 2013 Municipal Awards Night on June 13, 2013, and stated that the City received the Community Spotlight Award. Additionally, she stated that Wendy Davis, Texas State Senator, District 10, presented the City a proclamation in recognition of receiving the award.
- Mayor Pro Tem Leon Hogg stated that the Town Hall meeting held on June 13, 2013, was well attended.
- City Manager Gary McKamie announced the following:
 - 'Welcome to the City of Euless!' brochure, provided to all new residents;
 - National Law Enforcement Leadership Forum, June 19, 2013, topic on dependence on volunteers in economic times; and
 - Introduced Dale Harwell and announced that Dale will serve as the Director of Administrative Services beginning July 2013.

Mr. Harwell expressed his appreciation for the opportunity to serve in Euless.

City Manager McKamie provided an update related to mosquito spraying, and stated that the Texas Star Golf Course will be included in the sprayings. Additionally, he advised that resolutions are due by August 26, 2013, to the Texas Municipal League (TML) for consideration at the October 2013 TML Annual Conference.

- City Manager McKamie introduced Boyd London, Managing Director, First Southwest, and Chris Settle, Senior Associate, Fulbright & Jaworski.

Mr. London addressed the City Council regarding the issuance and sale of the "City of Euless, Texas, Waterworks and Sewer System Revenue Bonds, Series 2013", and stated that the issuance of the bonds is for the amount of \$1.585 million at a true interest cost of 4.509 percent, and that the debt will be paid by users of the reclaimed water system. Additionally, he stated that Standard & Poor's has assigned the City a bond rating of AA+ and Moody's assigned a rating of Aa2. (Regular Item No. 7)

City Council Member Tim Stinneford inquired about the current projected price per gallon for reclaimed water, and City Manager McKamie responded that he would follow up with the information.

- Assistant City Manager Chris Barker introduced Trinity River Authority (TRA) representatives Bill Smith, Manager of Development, Ron Tomada, Project Manager, and Patty Cleveland, Assistant Regional Manager.

Mr. Smith advised the City Council that WF-R2, R3, 15, and X1A2 are pipeline rehabilitation projects that serve the City in order to provide continued adequate service.

Mr. Tomada presented the (TRA) sanitary sewer rehabilitation project update, including an exhibit of the Central Regional Wastewater System, and an overall project map. Additionally, he advised the City Council of the work to be performed in the Westdale Hills area of the City.

Mr. Smith advised that all work will be performed from inside the pipe using mechanical measures. Additionally, he stated that TRA will construct a meter station that will be located off West Pipeline Road, next to Morrisdale Estates, on property owned by TRA. He added that TRA will continue to work with city staff for a seamless and least interruptive process.

- Police Senior Corporal Tony Burnett presented an update related to the Neighborhood Patrol Office social media programs, including Facebook, Twitter, and Nextdoor.com, and provided statistics for each of the social media programs.

City Manager McKamie expressed his appreciation to the Neighborhood Patrol Office and Marketing/Communications Manager Betsy Deck for their efforts to provide social media for the City.

- Director of Planning and Economic Development Mike Collins presented the development update, including potential residential and commercial development.
- Finance Director Janina Jewell provided the financial update for the period ending May 31, 2013, and advised that car rental tax was up by seven (7) percent and that sales tax collections were up by 10.6 percent when compared to the prior year.
- Director of Planning and Economic Development Collins presented an update related to a proposed cell tower on Dock McGinnis Drive, and advised that this is the third application to be considered for construction at the proposed location in at least 12 years. Additionally, he advised that the location of the cell tower would require approval from the Zoning Board of Adjustment (ZBA) for two variances, which will be presented on July 25, 2013, to the ZBA.

Discussion ensued regarding the appearance of the proposed cell tower.

- City Manager McKamie presented the water update, and advised that the Tarrant Regional Water District (TRWD) storage capacity is at 75 percent. He advised that if it does not rain in the near future then Stage 1 watering restrictions would be implemented.
- City Manager McKamie reviewed the regular agenda.

- City Manager McKamie, City Secretary Kim Sutter, Marketing/Communications Manager Deck, and Information Services Administrator Dan McLain provided an update related to city issued City Council email addresses.

CLOSED SESSION

The City Council convened into closed session at 6:25 p.m. for deliberation regarding the following:

Seek legal advice from the City Attorney as authorized by Section 551.071 of the Texas Government Code related to:

- Amortization
- Public Information Act and Open Meeting Act

The City Council recessed closed session at 6:53 p.m.

COUNCIL CONSIDERATION OF SCHEDULED ITEMS – COUNCIL CHAMBERS

The Euless City Council continued their meeting in the Council Chambers at 7:00 p.m. for consideration of scheduled items.

STAFF MEMBERS PRESENT

City Manager Gary McKamie
Deputy City Manager Loretta Getchell
Assistant City Manager Chris Barker
City Attorney Wayne Olson
City Secretary Kim Sutter
Assistant to the City Secretary Holly Houston
Director of Planning and Economic Development Mike Collins
Finance Director Janina Jewell
Fire Chief Wes Rhodes
Marketing/Communications Manager Betsy Deck
Assistant Police Chief Bob Freeman
Library Administrator Sherry Knight
Human Resources/Risk Administrator Carolyn Marshall
Fleet and Facility Administrator Kyle McAdams
Information Services Administrator Dan McLain
Assistant Director of Finance Jackie Theriot
Finance Accountant II Diana Ayala
Computer Support Specialist II Jake Dilliplane

VISITORS

Harpal Ahlu
Carter Berry
Chad Berry
Kirpal Singh Bhogal
Brenda Buchanan
Scott Buchanan
Lisa Bynum

Mark Compton
Darl Easton
Iris Elliott
Boyd London
Jason Reyes
Karen Rodriguez-Rivera
Faye Stinneford

Matt Terry
Jake Thomasson
Helen Voss
Warren Wilson

And others as noted in the visitor register.

INVOCATION

Council Member Perry Bynum gave the invocation.

PLEDGE OF ALLEGIANCE

Council Member Linda Eilenfeldt led the pledge of allegiance.

ITEM NO. 1. PRESENTATION OF EMPLOYEE OF THE MONTH FOR JULY

Municipal Court Clerk Rose Lopez was not present to accept the plaque and certificate commemorating her selection as employee of the month for July 2013.

ITEM NO. 2. PRESENTATION OF DISTINGUISHED BUDGET PRESENTATION AWARD

Mayor Saleh announced that the Government Finance Officers Association has awarded the City of Euless the Distinguished Budget Award. She presented Finance Director Jewell, Assistant Director of Finance Jackie Theriot, and Finance Accountant II Diana Ayala with a certificate awarded by the Government Finance Officers Association.

Finance Director Jewell recognized former Finance Director Vicki Rodriguez, Assistant Director Theriot, Accountant II Ayala, and Accountant II Alice Norwood for their assistance in the budget preparation process.

CONSENT AGENDA (items 3 through 5)

Deputy City Manager Loretta Getchell presented the consent agenda items.

Council Member Martin motioned to approve the consent agenda items number 3 through 5.

Council Member Stinneford seconded the motion.

Ayes: Mayor Saleh, Mayor Pro Tem Hogg, Council Members Stinneford, Martin, Eilenfeldt, Porterfield, and Bynum

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 3. APPROVED RESOLUTION NO. 13-1412

Approved Resolution No. 13-1412, supporting the seamless interconnectivity of high-speed rail into the operational terminal areas of the Dallas/Fort Worth (DFW) International Airport.

This resolution expresses support for having the connection of high-speed rail for the region at DFW International Airport. Connectivity at the DFW International Airport would mitigate congestion, create economic development initiatives, open up the State to new opportunities, and would provide a seamless connection to airlines and the regional rail system.

ITEM NO. 4. ACCEPTED THE CAPITAL IMPROVEMENT ADVISORY COMMITTEE SEMI-ANNUAL REPORT

Accepted the Capital Improvement Advisory Committee Semi-Annual Report of the Impact Fee Analysis from October 1, 2012, through March 31, 2013.

Resolution No. 13-02-CIAC recognizes that the Land Use Assumptions and Impact Fee Assessments has been updated and approved by the City Council on April 9, 2013, and that future reports will reflect the updated fee structure.

ITEM NO. 5. APPROVED CITY COUNCIL MINUTES

Approved City Council minutes of the regular meeting of June 11, 2013.

REGULAR AGENDA

ITEM NO. 6. APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 1998

Director of Planning and Economic Development Collins presented the item to the City Council, and advised that the City Council adopted Resolution No. 13-1411 on June 11, 2013, establishing a policy for the creation of a Relocation Assistance Program related to enforcement of the City's Minimum Housing Code and related to Amortization. As a result of the creation of the Relocation Assistance Program, staff is recommending several amendments to the City's code relative to the Minimum Housing Code. The proposed amendments will further clarify how the day-to-day operations of the multi-family inspection program will be administered.

Council Member Eilenfeldt motioned to approve Ordinance No. 1998, amending the Code of Ordinances of the City of Euless, Chapter 14, "Buildings and Building Regulations", Article X, "Minimum Housing Code", Division 1, "Generally", Section 14-183, Division 2, "License", Sections 14-192 and 14-194 governing the use, occupancy management, operation and maintenance of multi-family dwelling complexes within the City.

Council Member Bynum seconded the motion.

Ayes: Mayor Saleh, Mayor Pro Tem Hogg, Council Members Stinneford, Martin, Eilenfeldt, Porterfield, and Bynum

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 7. CONSIDERED ALL MATTERS INCIDENT AND RELATED TO THE ISSUANCE AND SALE OF "CITY OF EULESS, TEXAS, WATERWORKS AND SEWER SYSTEM REVENUE BONDS, SERIES 2013", INCLUDING THE ADOPTION OF ORDINANCE NO. 1999 AUTHORIZING THE ISSUANCE OF SUCH BONDS

Finance Director Jewell presented the item to the City Council, and advised that the bonds are being issued to fund the construction of Phase I of the Reclaimed Water Main extension. Phase I includes the pump station and mains necessary to service approximately two multi-family complexes, Riverwalk Eules, and other developed and undeveloped commercial properties. This project, which will ultimately extend along Bear Creek Parkway to Mid-Cities Boulevard, will serve multiple properties along the route.

Boyd London, Managing Director, First Southwest, was present to address any questions.

Mayor Pro Tem Hogg motioned to consider all matters incident and related to the issuance and sale of "City of Eules, Texas, Waterworks and Sewer System Revenue Bonds, Series 2013", including the adoption of Ordinance No. 1999, authorizing the issuance of such bonds in the amount of \$1,585,000.

Council Member Stinneford seconded the motion.

Ayes: Mayor Saleh, Mayor Pro Tem Hogg, Council Members Stinneford, Martin, Eilenfeldt, Porterfield, and Bynum

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 8. AWARDED BID NO. 006-13

Assistant City Manager Barker presented the item to the City Council, and advised that the Reclaimed Water Delivery System Extension is a continuation of the City's Reclaimed Water Utility System. The overall project will extend the City's Reclaimed Water Utility System from a point near the northeast corner of Bear Creek Parkway and Midway Drive, northward to a point near Mid-Cities Boulevard. Extension of this system will ultimately provide reclaimed water service to several multi-family properties from Harwood Road to Mid-Cities Boulevard as well as the Riverwalk development, multiple developed and undeveloped commercial tracts, and the City's Bear Creek Park. Additional system expansion would be possible in the future and construction of this project will provide a non-potable water source for irrigation, which will offset future potable water purchases by the City and will serve to responsibly conserve potable water resources for the City and the region. Phase I includes the construction of approximately 7,000 linear feet of pipeline and a pump station. Bids were

received from three (3) companies and were opened on June 12, 2013. The low bid, in the amount of \$3,217,000, was submitted by Crescent Constructors, Inc. Staff has worked with Crescent to value engineer and reduce the scope of the project. As a result, and based on the contract award recommendation letter from Alan Plummer and Associates, Inc., the City's consulting engineer, staff recommends that the City award a construction contract to the low bidder, Crescent Constructors, Inc., for \$3,217,000, less Change Order No. 1- Value Engineering and Reduction in Scope, a deduction of \$256,242, for a total net amount of \$2,960,758 and authorize a contingency in the amount of \$150,000.

Council Member Martin motioned to award Bid No. 006-13 for a construction contract to Crescent Constructors, Inc. for the Reclaimed Water Delivery System Extension, Phase I as recommended by staff, and authorize the City Manager to negotiate and execute a contract with Crescent Constructors, Inc., and authorize a contingency in the amount of \$150,000.

Council Member Eilenfeldt seconded the motion.

Council Member Bynum asked staff to outline the benefits of the system in place thus far as well as the impact of the system expansion to the City and to the region.

Assistant City Manager Barker stated that the existing reclaimed water system serves Texas Star Golf Course, Parks at Texas Star, and Softball World, and over the last fiscal year, has allowed the City to reduce potable water usage by six percent or approximately 142 million gallons. Additionally, he stated that the proposed multi-phase expansion will offset potable water use by 180 million gallons a year.

Council Member Stinneford stated that the debt associated with the construction of the Reclaimed Water Delivery System Extension will be paid back by the users of the system.

Ayes: Mayor Saleh, Mayor Pro Tem Hogg, Council Members Stinneford, Martin, Eilenfeldt, Porterfield, and Bynum

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 9. APPROVED REQUEST FOR A TEMPORARY USE PERMIT NO. 13-03-CC

Mayor Pro Tem Hogg motioned to approve Temporary Use Permit No. 13-03-CC for a portable concrete batch plant proposed to be located at the southwest corner of Midway Drive and Bear Creek Parkway for approximately four weeks.

Council Member Bynum seconded the motion.

Ayes: Mayor Saleh, Mayor Pro Tem Hogg, Council Members Stinneford, Martin, Eilenfeldt, Porterfield, and Bynum

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 10. APPROVED SITE PLAN NO. 13-04-SP

Director of Planning and Economic Development Collins presented the item to the City Council, and advised that the owners/applicants are seeking to relocate the vacuum facilities and add additional paving on the site to facilitate easier access to their business. With the opening of the Dairy Queen immediately to the north of the car wash, the property owners re-oriented the traffic flow through the business from the original street facing entrance to the back of the building, and removed the original vacuum equipment and installed new payboxes on the back of the building as well as re-oriented the internal carwash equipment inside the building. With this new configuration, the owners would like to re-install vacuum facilities on the rear of the building as well as install permanent fabric-covered shade structures over the vacuums and the pay-box areas. The site plan also adds additional pavement to the rear of the property which would allow for more accessible turning radii into the facility. Additionally, the Planning and Zoning Commission recommended approval of the Site Plan on June 18, 2013, by a vote of 6-0.

Brenda and Scott Buchanan, owners/applicants, of Laserwash, were present to address any questions.

Council Member Stinneford motioned to approve Site Plan No. 13-04-SP for car wash site modifications located on Racetrac Addition, Block A, Lot 3, 622 North Industrial Boulevard.

Council Member Martin seconded the motion and stated that the relocation of the dryer mechanisms have reduced the noise level.

Mrs. Buchanan stated that they have also installed new equipment.

Ayes: Mayor Saleh, Mayor Pro Tem Hogg, Council Members Stinneford, Martin, Eilenfeldt, Porterfield, and Bynum

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 11. HELD PUBLIC HEARING FOR SPECIFIC USE PERMIT NO. 13-06-SUP AND APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 1996

Mayor Saleh opened the public hearing at 7:22 p.m.

Director of Planning and Economic Development Collins presented the item to the City Council, and advised that the applicant, Ms. Karen Rodriguez-Rivera, representing Chic Tails Pet Boutique and Spa, is seeking a Specific Use Permit for a Pet Grooming Use in Community Business District (C-2) zoning to be located at 801 East Mid-Cities Boulevard, Suite 600. He stated that no animals may be kenneled overnight within the facility. Additionally, the Planning and Zoning Commission held a public hearing on June 4, 2013, and recommended approval of the Specific Use Permit by a 4-0 vote with the following conditions:

- 1) Tied to the business owner, Ms. Karen Rodriguez-Rivera;
- 2) Tied to the business name, Chic Tails Pet Boutique and Spa;
- 3) No animals may be kenneled overnight within the facility;
- 4) The term of this Specific Use Permit shall be granted for a period of one year in order to gauge the further appropriateness of the use at the specific location; and,
- 5) The Specific Use permit may be revoked if one or more of the conditions imposed by this permit has not been met or has been violated.

Karen Rodriguez-Rivera, business owner, was present to address any questions.

Mayor Saleh asked to hear from any proponents followed by opponents of the case. There being none, Mayor Saleh closed the public hearing at 7:24 p.m.

Council Member Porterfield motioned to approve Ordinance No. 1996 for a request for a Specific Use Permit in the Villages of Bear Creek Addition, Block 2, Lot 8 for a pet grooming shop in Community Business District (C-2) zoning at 801 East Mid-Cities Boulevard, Suite 600, with the conditions presented and recommended by the Planning and Zoning Commission.

Council Member Eilenfeldt seconded the motion.

Ayes: Mayor Saleh, Mayor Pro Tem Hogg, Council Members Stinneford, Martin, Eilenfeldt, Porterfield, and Bynum

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 12. HELD PUBLIC HEARING FOR SPECIFIC USE PERMIT NO. 13-07-SUP AND APPROVED FIRST AND FINAL READING OF ORDINANCE NO. 1997

Mayor Saleh opened the public hearing at 7:25 p.m.

Director of Planning and Economic Development Collins presented the item to the City Council, and advised that the applicant, Mr. Paul Bhogal, representing Gurudwara Sikh Sangat, is seeking a Specific Use Permit for a Place of Worship and to provide a Pastoral Residence Use in Texas Highway 10 Multi-Purpose Zoning District (TX-10) zoning to be located at 200 East Euless Boulevard. Additionally, the Planning and Zoning Commission held a public hearing on June 4, 2013, and recommended approval of the Specific Use Permit by a 4-0 vote with the following conditions:

- 1) Tied to the place of worship owner Gurudwara Sikh Sangat;
- 2) Tied to the business name, Gurudwara Sikh Sangat;
- 3) The living quarters shall be used for a single-family pastoral residence, established in a designated room, located on the second story of the structure, not to exceed 1,200 square feet, and reserved for this purpose; and,
- 4) The Specific Use permit may be revoked if one or more of the conditions imposed by this permit has not been met or has been violated.

Paul Bhogal, representing Gurudwara Sikh Sangat, was present to address any questions.

Mayor Saleh asked to hear from proponents followed by opponents of the request.

Mark Compton, 606 Creekside Drive, Euless, stated that he wished to withdraw his written opposition to the request.

There being no additional proponents or opponents, Mayor Saleh closed the public hearing at 7:27 p.m.

Mayor Pro Tem Hogg motioned to approve Ordinance No. 1997 for a request for a Specific Use Permit in the Alexander and Cullum Addition, Lots 20, 21 and a portion of Lot 22 for a place of worship and to provide pastoral residence in Texas Highway 10 Multi-Use District (TX-10) zoning at 200 East Euless Boulevard, with the conditions presented and recommended by the Planning and Zoning Commission.

Council Member Stinneford seconded the motion.

Ayes: Mayor Saleh, Mayor Pro Tem Hogg, Council Members Stinneford, Martin, Eilenfeldt, Porterfield, and Bynum

Nays: None

Mayor Saleh declared the motion carried.

A representative from the Gurudwara Sikh Sangat expressed her appreciation to the City Council, Director of Planning and Economic Development Collins, and Senior Planner Stephen Cook for their assistance in the process of obtaining the Specific Use Permit.

ITEM NO. 13. APPROVED BOARD AND COMMISSION APPOINTMENTS

Council Member Martin motioned to appoint Clarence Moore to the Zoning Board of Adjustment, Place 2, and Ronald Dunckel to the Zoning Board of Adjustment, Alternate #1.

Council Member Eilenfeldt seconded the motion.

Ayes: Mayor Saleh, Mayor Pro Tem Hogg, Council Members Stinneford, Martin, Eilenfeldt, Porterfield, and Bynum

Nays: None

Mayor Saleh declared the motion carried.

ITEM NO. 14. PUBLIC COMMENTS

Jake Thomasson, 1816 Tyler Avenue, inquired about the results of West Nile Virus testing in the area and the City's plan for spraying for mosquitos.

City Manager McKamie stated that the results of the most recent West Nile Virus testing showed no positive test results in Tarrant County and Euless to date but that a Fort Worth

resident was diagnosed with West Nile fever. He stated that the City sprayed for mosquitos the prior week in north Eules and has begun spaying south Eules, and will continue to monitor the mosquito population to determine if additional treatments are needed.

ITEM NO. 15. REPORTS

City Manager

No report given.

City Attorney

No report given.

City Council

Council Member Porterfield stated that he had the opportunity, while attending the Fort Worth Symphonic Band concert on June 22, 2013, to direct the band as they played the National Emblem March.

Mayor Saleh announced that she attended the Greater Fort Worth Builders Association 2013 Municipal Awards Night on June 13, 2013, and the City was presented with the Community Spotlight Award.

ITEM NO. 16. ADJOURN

Mayor Saleh adjourned the meeting at 7:37 p.m.

APPROVED:

ATTEST:

Mary Lib Saleh
Mayor

Kim Sutter, TRMC
City Secretary