

**MINUTES OF A REGULAR MEETING
OF THE
EULESS CITY COUNCIL
Tuesday, August 13, 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, August 13, 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 4:10 p.m.

During the Precouncil meeting:

- Mayor Pro Tem Leon Hogg and Council Member Linda Eilenfeldt announced that they represented the City at the Grapevine-Colleyville Independent School District's new teacher luncheon on August 13, 2013.
- Mayor Mary Lib Saleh expressed her appreciation to the City Council for their attendance at the recent Budget Worksession held on August 3, 2013.
- City Manager Gary McKamie introduced Director of Administrative Services Dale Harwell and Building Official Don Sheffield, and announced that interviews are being conducted for the Director of Public Works position. Additionally, he advised the City Council of an emergency repair of a sewer line located off West Mills Drive.

Assistant City Manager Chris Barker advised that the emergency repair is necessary to preserve the public health and protect the safety of the City's residents, and the anticipated cost is under \$50,000.

- City Manager McKamie introduced Fiona Allen, TRA Northern Regional Manager.

Trinity River Authority (TRA) Northern Regional Manager Fiona Allen addressed the City Council regarding the proposed TRA debt sale, and presented information regarding TRA's functions as well as the 2013 proposed capital program. She advised that consensus from the contracting parties is required before proceeding to move forward with the debt sale.

City Manager McKamie advised that a resolution will be presented to the City Council at the next meeting for consideration.

- Director of Administrative Services Dale Harwell provided an update related to the Atmos Energy Franchise Agreement, and advised that the current 25-year franchise agreement is up for renewal. He stated that approval of the franchise agreement requires two readings and an ordinance will be presented for consideration at the August 27, 2013, and the October 8, 2013, City Council meetings.

Additionally, Mr. Harwell reviewed the Rate Review Mechanism (RRM) process, and stated that a rate increase request will be presented at the September 24, 2013, City

Council meeting for consideration. He advised that the average increase per household will be \$1.00 per month.

Mary Jean Maloney, Manager of Public Affairs, Atmos Energy, was present to address any questions related to the agreement and RRM process.

- Fire Chief Wes Rhodes and Fire Marshal Paul Smith presented the Fire Department update, which included the following:
 - Overview of the activities of the Fire Marshal's office for the past five (5) years;
 - Community Emergency Response Team (CERT);
 - Citizen's Fire Academy;
 - Hydra-storz installations;
 - Gas well and building inspections;
 - Apartment smoke detector inspection program;
 - Social media page launch (Facebook);
 - Public education;
 - Response time analysis;
 - 2012 calls for services and activity comparison for years 2012 and 2013;
 - Addition of Squad 55;
 - Upcoming events; and
 - Fire Department Kid's Academy.

- Police Captain Gary Landers presented the code update related to residential and commercial code issues, including the status of apartment inspections.

City Manager McKamie advised that Shadow Creek Apartments, 311 South Industrial Boulevard, has been sold and that an update would be provided to the City Council at an upcoming meeting.

- Finance Director Janina Jewell provided the financial update for the period ending June 30, 2013, and advised that car rental tax was up by 2.1 percent and that sales tax collections were up by 2.67 percent when compared to the prior year, bringing the year-to-date total revenue collections up by five (5) percent.

- Finance Director Jewell provided an updated related to online water bill, and advised that the online billing system was implemented August 12, 2013. She recognized Information Services Administrator Dan McLain, Senior Computer Developer Tommy Christopherson, Web Designer Adam Eakins, and Utility Billing Manager Kathryn Tipton for their efforts in developing and implementing the program.

- Assistant City Manager Chris Barker presented the water update. He stated that the Tarrant Regional Water District (TRWD) storage capacity is at 69 percent, and Stage 1 watering restrictions are in effect for the City.

- City Manager McKamie reviewed the regular agenda.

CLOSED SESSION

The City Council convened into closed session at 6:15 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 the following litigation:

- Azadpour vs. City of Euless et al

Concerning personnel matters as authorized by Section 551.074 of the Texas Government Code related to:

- Crime Control and Prevention District Board

Concerning economic development incentives as authorized by Section 551.087 of the Texas Government Code related to:

- Glade Parks

The City Council recessed closed session at 6:45 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
Police Chief Mike Brown
Director of Planning and Economic Development Mike Collins
Director of Administrative Services Dale Harwell
Director of Parks and Community Services Ray McDonald
Finance Director Janina Jewell
Fire Chief Wes Rhodes
Division Chief / Operations Chanc Bennett
Assistant Fire Chief Jeff Morris
Division Chief/Fire Marshall Paul Smith
Marketing/Communications Manager Betsy Deck
Assistant Police Chief Bob Freeman
Library Administrator Sherry Knight
Human Resources/Risk Administrator Carolyn Marshall
Information Services Administrator Dan McLain
Firefighter II / Paramedic Irving Alvarado
Finance Accountant II Diana Ayala
Computer Support Specialist II Brett Bennett

Police Sergeant David Chaney
 Senior Planner Stephen Cook
 Police Corporal Michael Duff
 Firefighter II / Paramedic Jon Evans
 Police Captain Steve Eskew
 Finance Accountant I Ross Fairclo
 Senior Police Corporal Joe Hoerth
 Municipal Court Clerk Jerrie Keller
 Police Captain Steve Kockos
 Police Captain Gary Landers
 Human Resources Benefit Technician Anniece McKanna
 Office Technician Julie Mitchell
 Accountant II Alice Norwood
 Building Official Don Sheffield
 Police Lieutenant Eric Starnes
 Assistant Director of Finance Jackie Theriot
 Police Sergeant Ron Williamson
 Senior Police Corporal Brandon Zachary

VISITORS

Mark Compton	Lark Koontz	Gerri Sorg
Darl Easton	Lee Koontz	Faye Stinneford
Iris Elliott	Don Martin	Barney Snitz
Adrienne Fairclo	Dylan Ratliff	Peggy Vandiver
Connor Fairclo	Carroll "Scotty" Scott	

And others as noted in the visitor register.

INVOCATION

City Manager McKamie gave the invocation.

PLEDGE OF ALLEGIANCE

Council Member Linda Martin led the pledge of allegiance.

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

Finance Director Jewell introduced Finance Accountant I Ross Fairclo. Ross was accompanied by his wife, Adrienne, son, Connor, and members of the Finance Department.

Mayor Saleh presented Ross with a plaque and certificate commemorating his selection as employee of the month for August 2013.

ITEM NO. 2. PRESENTATION OF EMPLOYEE SERVICE PINS

Police Chief Mike Brown introduced Police Sergeant David S. Chaney. David was accompanied by members of the Police Department. Mayor Saleh presented David with a service pin commemorating his 20 years of service with the City.

Police Chief Brown introduced Police Corporal Michael Duff. Michael was accompanied by his wife, Andrea, and members of the Police Department. Mayor Saleh presented Michael with a service pin commemorating his 30 years of service with the City.

Fire Chief Rhodes introduced Firefighter II Jon Evans. Jon was accompanied by his wife, Terri, sons, Justin, Jimmy, and Brian, Jimmy's fiancé, Jenna, mother, Selma, stepfather, Rudy, friends, Lark and Lee Koontz, and members of the Fire Department. Mayor Saleh presented Jon with a service pin and clock commemorating his 25 years of service with the City.

CONSENT AGENDA (items 3 through 6)

Mayor Saleh read each item into the record.

Council Member Stinneford motioned to approve the consent agenda items number 3 through 6.

Council Member Martin 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.

Deputy City Manager Loretta Getchell reviewed the consent agenda items.

ITEM NO. 3. AUTHORIZED PURCHASE OF ASPHALT SLURRY SEAL

Authorized the purchase of asphalt slurry seal and microsurfacing through the annual contract with Viking Construction, Inc., 2592 Shell Road, Georgetown, Texas, 78628 for preventative street maintenance. The estimated expenditure is \$90,000.

Slurry seal is a blended asphalt product which costs considerably less than an asphalt overlay and prolongs street life an average of an additional five to seven years. Slurry seal can be used on streets in fair condition and greatly helps to restore a uniform surface texture and driving course. The City will only purchase material as needed and will be billed only for the actual material purchased.

ITEM NO. 4. AUTHORIZED CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE CITY OF PLANO

Authorized the City Manager to enter into an Interlocal Purchasing Agreement with the City of Plano for various goods and services.

The City of Euless establishes Interlocal Purchasing Agreements with cities to take advantage of combined quantities or by obtaining pricing offered to a larger entity. This agreement would allow the City of Euless and the City of Plano to purchase items off each city's contracts as needed. Initially, the City of Euless intends to use the City of Plano's pricing for an Uninterruptible Power Supply (UPS) system for use with the City's traffic signals.

ITEM NO. 5. RATIFIED CITY MANAGER ACTION TO PROCEED WITH EMERGENCY REPAIRS TO THE WELL LOCATED AT 1400 NORTH MAIN STREET

Ratified the City Manager action to proceed with emergency repairs to the city owned and operated water well located at 1400 North Main Street, by Millican Well Service, LLC, and finding that the procurement is necessary due to unforeseen damage to public equipment and finding that the repair is necessary to preserve the public health and protect the safety of the City's residents. The estimated expenditure is \$75,178.02.

Millican Well Service has extracted the existing pump and motor from the well site and determined that the failure of the well has been caused by an inoperable motor. Millican Well Service provided an estimate for the installation of a new motor, motor seal, and all other appurtenances and labor necessary to bring the well back into operation. The Trinity River Authority (TRA) is the primary source of potable water for the City and water produced by City wells supplement the TRA supply and is essential should the TRA supply be interrupted.

ITEM NO. 6. APPROVED CITY COUNCIL MINUTES

Approved City Council minutes of the regular meeting of June 25, 2013.

REGULAR AGENDA**ITEM NO. 7. AUTHORIZED CITY MANAGER TO EXECUTE AN ENGINEERING DESIGN CONTRACT**

Deputy City Manager Getchell presented the item to the City Council, and advised that pursuant to the approved Project and Financing plan for Tax Increment Reinvestment Zone Number Three and Development Agreements related to Glade Parks, staff is requesting that the City Council authorize the City Manager to negotiate and execute a contract with Mycoskie, McInnis & Associates (MMA) to complete the design for portions of the Glade Parks Infrastructure. MMA previously designed substantial portions of the Glade Parks project and assisted the City with the bid specifications for Phase I which has been completed. Staff recommends that MMA be retained to complete the design and bid specifications for certain irrigation, entry features, sidewalks and landscaping associated with Phase I and for the remainder of Phase III which will include Rio Grande Boulevard to

Cheek Sparger, the bridge over Little Bear Creek, a traffic signal at the intersection of Rio Grande and Cheek Sparger, acceleration/deceleration lanes along SH 121 including related utility services as well as sidewalks, entry features, irrigation, landscaping and lighting associated with Phase III. The project will also include the completion of certain sanitary sewer lines to serve the residential component of the project. Phase IV engineering may also be provided by MMA to include completion of Brazos Boulevard and remaining infrastructure. The estimated expenditure is \$114,800, plus reimbursable expenses and additional services.

City Manager McKamie advised that, although depicted on the slide, no town homes are permitted in the development. The development will include 127 single family detached homes.

Mayor Pro Tem Hogg motioned to authorize the City Manager to execute an Engineering Design Contract with Mycoskie, McInnis & Associates (MMA) for the design of portions of the Glade Parks Infrastructure.

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. 8. AUTHORIZED CITY MANAGER TO NEGOTIATE AND EXECUTE A PHASE III AND IV DEVELOPMENT AGREEMENT

Deputy City Manager Getchell presented the item to the City Council, and advised that the City Council has previously approved the establishment of a Tax Increment Reinvestment Zone Number to provide for infrastructure improvements at the Glade Parks development. She advised that the improvements would be funded by the increased revenues from the development. The developer has requested to proceed with the improvements in an expedited manner and more quickly than what the Tax Increment Reinvestment Zone (TIRZ) Agreement dictates. The development agreement establishes a mechanism for the developer to provide the funds to complete the improvements, and the funds will be placed in an escrow account and used to construct the necessary improvements. Additionally, the agreement set out the terms for for which the developer could be reimbursed.

City Manager McKamie explained the history of the progress of the development at the site. He stated that the property has recently been purchased and brought out of bankruptcy and believes the new developer is fully capable of moving forward with developing the property.

Council Member Martin motioned to authorize the City Manager to negotiate and execute a Phase III and IV Development Agreement with Ruby 12 - Gladeretail, LLC specifying the responsibilities of each party as it relates to public improvements approved in the TIRZ #3 Project and Financing Plan.

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. 9. APPROVED BOARD APPOINTMENTS

Council Member Eilenfeldt motioned to reappoint Mayor Mary Lib Saleh, Mayor Pro Tem Leon Hogg, Citizen Member Don Martin, and Citizen Member Iris Elliott to serve as members of the Crime Control and Prevention District Board with expiring terms of September 1, 2015.

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. HELD PUBLIC HEARING AND APPROVED CRIME CONTROL AND PREVENTION DISTRICT (CCPD) BUDGET FOR FY 2013-2014

Mayor Saleh opened the public hearing at 7:35 p.m.

Finance Director Jewell presented the proposed budget to the City Council. She advised that the budget was approved by the Crime Control and Prevention District Board on May 30, 2013, and the proposed budget continues existing programming by the district. The estimated beginning fund balance is \$580,338 with proposed revenues of \$1,969,802, and proposed expenditures of \$1,958,433 and includes funding for police personnel, operations and the the radio system maintenance. The total proposed capital expenses are \$261,606. If approved as recommended, the projected ending fund balance is \$329,461, which exceeds the reserves level.

Police Chief Brown presented the proposed capital expenditure items which includes funding for security upgrades for the police facility, part time Detention PSO Program, police equipment, jail appliances, part time dispatcher, jail tower control room furniture, and funding for the Regional Tactical SWAT Team training.

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

Darl Easton, 1005 Fayette Drive, Euless, inquired as to the number of police officer's the budget will fund, and also noted and inquired about the two percent increase factored in with the City's budget and asked why it is not factored in the CCPD budget.

Deputy City Manager Getchell responded that the budget provides funding for 17 Officers.

City Manager McKamie responded that the CCPD budget approval process is dictated by state law and the proposed budget is prepared and considered by the CCPD Board much earlier in the year. Because of the timing of the budget consideration by the CCPD Board, conservative revenue estimates are utilized.

There being no other proponents or opponents, Mayor Saleh closed the public hearing at 7:41 p.m.

Council Member Porterfield motioned to approve the proposed Crime Control and Prevention District (CCPD) Budget for FY 2013-2014.

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. 11. SET PUBLIC HEARING FOR AUGUST 27, 2013 FOR PROPOSED CITY OF EULESS BUDGET FOR FY 2013-2014

Mayor Pro Tem Hogg motioned to set a public hearing for August 27, 2013, 7:00 p.m. in the Euleless City Council Chambers regarding the proposed City of Euleless Budget for FY 2013-2014.

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. 12. PLACED A PROPOSAL TO ADOPT CITY OF EULESS AD VALOREM TAX RATE ON THE SEPTEMBER 10, 2013 AGENDA

Council Member Stinneford motioned to place a proposal to adopt the City of Euleless proposed Ad Valorem tax rate of \$0.470000 on the September 10, 2013, agenda.

Council Member Bynum seconded the motion.

City Manager McKamie added that the tax rate has remained unchanged since the 2007 tax year.

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. 13. SCHEDULED PUBLIC HEARINGS ON PROPOSED CITY OF EULESS AD VALOREM TAX RATE FOR AUGUST 27, 2013 AND SEPTEMBER 3, 2013

Council Member Martin motioned to schedule two public hearings on the proposed City of Euless Ad Valorem Tax Rate for 7:00 p.m. on August 27, 2013, and for 7:00 p.m. on September 3, 2013, in the Euless City Council Chambers.

Mayor Pro Tem Hogg 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.

City Manager McKamie reviewed the tax rate adoption process. Additionally, he encouraged the public to attend the public hearings set for August 27, 2013, and September 3, 2013.

ITEM NO. 14. PUBLIC COMMENTS

Mark Compton, 606 Creekside Drive, Euless, addressed the City Council regarding the South Euless swimming pool, and asked that consideration be given to keep the swimming pool open for another year.

City Manager McKamie expressed his appreciation to Mr. Compton for his comments and stated that a determination has not been made with regard to the operations of the pool. He advised that staff will continue to monitor the attendance at the pool and that there will be an opportunity for public input at a public meeting at a later date.

ITEM NO. 15. REPORTS

City Manager

No report given.

City Attorney

No report given.

City Council

No report given.

ITEM NO. 16. ADJOURN

Mayor Saleh adjourned the meeting at 7:51 p.m.

APPROVED:

ATTEST:

Mary Lib Saleh
Mayor

Kim Sutter, TRMC
City Secretary