



# City of Rowlett

## Meeting Agenda

### City Council

4000 Main Street  
Rowlett, TX 75088  
www.rowlett.com

*City of Rowlett City Council meetings are available to all persons regardless of disability. If you require special assistance, please contact the City Secretary at 972-412-6115 or write 4000 Main Street, Rowlett, Texas, 75088, at least 48 hours in advance of the meeting.*

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Tuesday, May 15, 2012

5:30 P.M.

Municipal Building – 4000 Main Street

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As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item herein.

The City of Rowlett reserves the right to reconvene, recess or realign the Regular Session or called Executive Session or order of business at any time prior to adjournment.

**1. CALL TO ORDER**

**CONVENE INTO EXECUTIVE SESSION**

**2. EXECUTIVE SESSION (5:30 P.M.)**

- 2A.** Consideration and deliberation in closed Executive Session under the Texas Government Code, §551.071 (Consultation with City Attorney) and §551.087 (Economic Development), to discuss commercial information and economic development negotiations for development opportunities on the PGBT corridor at Lakeview Parkway and Merritt/Liberty Grove Interconnector intersections. (20 minutes)
- 2B.** The City Council shall convene into Executive Session pursuant to the Texas Government Code, §551.071 (Consultation with City Attorney) to consult with the City Attorney regarding the Garland Public Shooting Range litigation. (10 minutes)
- 2C.** The City Council shall convene in Executive Session pursuant to the Texas Government Code, §551.071 (Consultation with City Attorney), to discuss and consider settlement of pending litigation, City of Rowlett v. Michael Merritt. (5 minutes)

**RECONVENE INTO OPEN SESSION**

**3. WORK SESSION ITEMS (6:05 P.M.)**

- 3A.** Discuss amending Chapter 50 ("Solid Waste") of the Code of Ordinances to establish the city as the sole provider of solid waste collection, hauling and disposal services and requiring a contract or permit to collect and haul solid waste. (10 minutes)

- 3B.** Discuss a Settlement Agreement and Release to HDR, Inc. for the costs associated with an error and omissions in the construction plans for the Rowlett Road Lift Station which resulted in additional work by Legacy Contracting, LP, for the adjustment of the pump hoist and monorail system and replacement of a sanitary sewer submersible pump in the amount of eighty-three thousand one hundred ninety-one dollars and eighty-seven cents (\$83,191.87) resulting in HDR, Inc. providing settlement costs for said services to the City of Rowlett for the change orders in the Rowlett Road Lift Station Project. (10 minutes)
- 3C.** Discuss contracts/purchase orders to replace approximately 825 linear feet of the deteriorated 30-inch Lake Ray Hubbard Outfall Sewer pipeline and associated manholes as required in a total amount not to exceed three hundred thousand dollars and no cents (\$300,000.00) to Wright Construction; and authorizing the Mayor to execute the Standard Public Works Construction Contract for said services; and authorizing the City Manager to issue purchase orders as necessary for said services to prevent complete failure of the pipeline. (20 minutes)
- 3D.** Staff from the Planning Division will provide an update regarding the Realize Rowlett 2020 Phase II process. (10 minutes)
- 3E.** Discuss Mid-Year Update of the FY 2012 Workplan. (60 minutes)

**4. DISCUSS CONSENT AGENDA ITEMS**

**CONVENE INTO THE COUNCIL CHAMBERS (7:30 P.M.)**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**TEXAS PLEDGE OF ALLEGIANCE**

*Honor the Texas Flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.*

**5. PRESENTATIONS AND PROCLAMATIONS**

- 5A.** Proclamation recognizing the week of May 19 – 25, 2012 as National Safe Boating Week.
- 5B.** Proclamation recognizing Rowlett CERT Explorer Post 1 for their first place finish in the Dallas Fire Games 2012 Explorer competition on May 5, 2012.
- 5C.** Proclamation recognizing the week of May 20 – 26, 2012 as National Public Works Week.
- 5D.** Hear presentation of the Monthly Financial Report for the period ending March 31, 2012.
- 5E.** Update from the City Council and Management: Financial Position, Major Projects, Operational Issues, Upcoming Dates of Interest and Items of Community Interests.

**6. CITIZENS' INPUT**

*At this time, three-minute comments will be taken from the audience on any topic. To address the Council, please submit a fully-completed request card to the City Secretary prior to the beginning of the Citizens' Input portion of the Council meeting. No action can be taken by the Council during Citizens' Input.*

## **7. CONSENT AGENDA**

*The following may be acted upon in one motion. A City Council member or a Citizen may request items be removed from the Consent Agenda for individual consideration.*

- 7A.** Consider approving minutes from the April 19, 2012 Joint Council Work Session Meeting and the May 1, 2012 City Council Regular Meeting.
- 7B.** Consider action to approve a resolution awarding the proposal to Waste Management Company for solid waste services for the City of Rowlett and authorizing the City Manager to enter into an agreement after City Attorney approval.
- 7C.** Consider action to approve a resolution entering into an Interlocal Agreement with the City of Frisco for cooperative purchasing of goods and materials.
- 7D.** Consider action to approve a resolution awarding the response for medical control and continuing education for Fire Rescue to The Medical Center of Plano and authorizing the City Manager to enter into an agreement for said services.
- 7E.** Consider action to approve a resolution awarding the bid for Kyle Road Box Culvert Reconstruction to Platinum Paving for a contract price of six hundred and fifty-eight thousand three hundred and forty-seven dollars and no cents (\$658,347.00) that included bid alternates of seven thousand nine hundred and sixty-five and no cents (\$7,965.00) for trench backfill of storm and sanitary sewer, and approve a total project amount of seven hundred twenty-four thousand one hundred and eighty-one dollars and seventy cents (\$724,181.70) which includes a 10% contingency.
- 7F.** Consider an ordinance authorizing contracts/purchase orders to replace approximately 825 linear feet of the deteriorated 30-inch Lake Ray Hubbard Outfall Sewer pipeline and associated manholes as required in a total amount not to exceed three hundred thousand dollars and no cents (\$300,000.00) to Wright Construction; and authorizing the Mayor to execute the Standard Public Works Construction contract for said services; and authorizing the City Manager to issue purchase orders as necessary for said services to prevent complete failure of the pipeline.
- 7G.** Consider action to approve a resolution authorizing the City Manager with approval from City Council to execute a Settlement Agreement and Release to HDR, Inc. for the costs associated with an error and omissions in the construction plans for the Rowlett Road Lift Station which resulted in additional work by Legacy Contracting, LP, for the adjustment of the pump hoist and monorail system and replacement of a sanitary sewer submersible pump in the amount of eighty-three thousand one hundred ninety-one dollars and eighty-seven cents (\$83,191.87) resulting in HDR, Inc. providing settlement costs for said services to the City of Rowlett for the change orders in the Rowlett Road Lift Station project.

- 7H. Consider action to approve a resolution authorizing the Mayor to sign a Special Warranty Deed Affidavit of Correction in order to correct an incorrect legal description originally approved on October 17, 2006 in conjunction with purchasing property for future fire station #2.

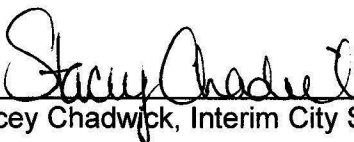
**8. ITEMS FOR INDIVIDUAL CONSIDERATION**

*If a Public Hearing is listed, the City Council will conduct such public hearing to receive comments concerning the specific items listed in the agenda. Any interested persons may appear and offer comments, either orally or in writing; however, questioning of those making presentations will be reserved exclusively to the presiding officer as may be necessary to ensure a complete record. While any person with pertinent comments will be granted an opportunity to present them during the course of the hearing, the presiding officer reserves the right to restrict testimony in terms of time and repetitive content. Organizations, associations, or groups are encouraged to present their commonly held views and identical or similar comments through a representative member when possible. Presentations must remain pertinent to the issues being discussed. A person may not assign a portion of his or her time to another speaker.*

- 8A. Receive public comment and consider action to adopt a resolution approving a Communications Facilities License Agreement with and the lease of property to New Cingular Wireless PCS, LLC for the installation, housing, and operation of a ninety-five foot monopole tower and associated antenna, cables and ground-based equipment cabinet at 9310 Merritt Road, and authorizing the City Manager to sign.
- 8B. Conduct a public hearing and consider approving an ordinance amending Sections of the Rowlett Development Code pertaining to signs, specifically Section 77-512 "Signs", Section 77-906 "Nonconforming signs", and Section 77-1105 "Other terms defined".
- 8C. Conduct a public hearing and consider action on a rezoning request to approve revised Planned Development zoning with an underlying Light Manufacturing (M-1) base zoning for property located at 3300 Enterprise Drive, to accommodate the expansion of an existing light manufacturing business at this location. (PD12-581)

**TAKE ANY NECESSARY OR APPROPRIATE ACTION ON CLOSED/EXECUTIVE SESSION MATTERS**

**9. ADJOURNMENT**



Stacey Chadwick, Interim City Secretary

I certify that the above notice of meeting was posted on the bulletin board inside the Municipal Center, as well as, outside the Municipal Center, 4000 Main Street, Rowlett, Texas on the 11<sup>th</sup> day of May 2012, by 5:00 p.m.