

AGENDA
CITY OF GRAPEVINE, TEXAS
REGULAR CITY COUNCIL MEETING
TUESDAY, JANUARY 5, 2016
GRAPEVINE CITY HALL, SECOND FLOOR
200 SOUTH MAIN STREET
GRAPEVINE, TEXAS

6:00 p.m.	Dinner
6:30 p.m.	Call to Order - City Council Chambers <ul style="list-style-type: none">• Swearing in Ceremony for City Council, Place 1
6:30 p.m.	Executive Session - City Council Conference Room
7:30 p.m.	Regular Meeting - City Council Chambers

CALL TO ORDER: 6:30 p.m. - City Council Chambers

OATH OF OFFICE

1. City Secretary to administer the Oath of Office to elected City Council Place 1, Paul Slechta.

EXECUTIVE SESSION:

2. City Council to recess to the City Council Conference Room to conduct a closed session relative to:
 - A. Real property relative to deliberation or the exchange, lease, sale or value of City owned properties (portion of 185 acres owned by City) pursuant to Section 551.072, Texas Government Code.
 - B. Conference with City Manager and Staff to discuss and deliberate commercial and financial information received from business prospects the City seeks to have locate, stay, or expand in the City; deliberate the offer of a financial or other incentive; with which businesses the City is conducting economic development negotiations pursuant to Section 551.087, Texas Government Code.

City Council to reconvene in open session in the City Council Chambers and take any necessary action relative to items discussed in Executive Session.

REGULAR MEETING: 7:30 p.m. - City Council Chambers

INVOCATION AND PLEDGE OF ALLEGIANCE: Council Member Sharron Spencer

CITIZEN COMMENTS

3. Any person who is not scheduled on the agenda may address the City Council under Citizen Comments by completing a Citizen Appearance Request form with the City Secretary. In accordance with the Texas Open Meetings Act, the City Council is restricted in discussing or taking action during Citizen Comments.

PRESENTATIONS

4. Mayor Tate to present a proclamation to John F. Boyle Jr., recipient of the James H. Epps, III Award from the International Municipal Lawyers Association.
5. Library Director to present Grapevine Public Library departmental update.

NEW BUSINESS

6. Elect a Mayor Pro Tem and take any necessary action.
7. Mayor Tate to make City Council liaison and committee appointments and take any necessary action.

CONSENT AGENDA

Consent items are deemed to need little Council deliberation and will be acted upon as one business item. Any member of the City Council or member of the audience may request that an item be withdrawn from the consent agenda and placed before the City Council for full discussion. Approval of the consent agenda authorizes the City Manager, or his designee, to implement each item in accordance with Staff recommendations.

8. Consider a **resolution** authorizing the sole source purchase of an upgrade to the secure vaults and locker system from Knox. Fire Chief and Police Chief recommend approval.
9. Consider an annual contract modification for disaster claims recovery services to Tidal Basin Government Consulting, LLC through an established Cooperative Agreement with the Cooperative Purchasing Network (TCPN). Fire Chief recommends approval.
10. Consider the award of Best Value RFB 436-2016 to RLM Earthco, Inc. for the Wall Farrar Nature Trail, and consider an **ordinance** appropriating funds from the Capital Project Quality of Life Fund to the Grant Fund. Parks and Recreation Director recommends approval.
11. Consider a **resolution** authorizing the purchase of Precor exercise equipment from Team Marathon Fitness through an Interlocal Participation Agreement with

- The Local Government Purchasing Cooperative (BuyBoard). Parks and Recreation Director recommends approval.
12. Consider an Interlocal Agreement with the Tarrant County Sheriff's Department for the formation of the Tarrant County Combined Narcotics Enforcement Team (CNET). Police Chief recommends approval.
 13. Consider a **resolution** authorizing City of Grapevine participation in the North Central Texas Council of Governments' FY 2016/FY 2017 Regional Solid Waste Program Local Implementation Project and authorizing staff to submit a funding application under this Call for Projects for a Ballfield Complex Recycle Program, and consider an **ordinance** appropriating funds from the Street Maintenance Capital Replacement Fund to the Grant Fund. Public Works Director recommends approval.
 14. Consider approving a complete and final payment to Northgate Constructors for the water and wastewater relocations for the FM 2499 construction project and adopting an **ordinance** amending the Fiscal Year 2016 Capital Projects Budget. Public Works Director recommends approval.
 15. Consider a **resolution** supporting the Regional Transportation Council's updated Clean Vehicle Fleet program. Public Works Director recommends approval.
 16. Consider a License Agreement with the Dallas/Fort Worth International Airport Board (DFW) to provide water, sanitary sewer service and storm drainage to DFW Airport in the vicinity of Metro Circle and eastbound State Highway 114 frontage road. Public Works Director recommends approval.
 17. Consider a **resolution** authorizing a sole source repair of a Flygt pump from Xylem Water Solutions USC, Inc. Public Works Director recommends approval.
 18. Consider an informal request for quote for Police and Fire vehicle equipment from Wildfire Truck and Equipment Sales, Ltd. Public Works Director recommends approval.
 19. Consider the minutes of the December 15, 2015 Regular City Council meeting and the December 16, 2015 Special City Council meeting. City Secretary recommends approval.

Pursuant to the Texas Open Meetings Act, Texas Government Code, Chapter 551.001 et seq, one or more of the above items may be considered in Executive Session closed to the public. Any decision held on such matter will be taken or conducted in open session following conclusion of the executive session.

ADJOURNMENT

If you plan to attend this public meeting and you have a disability that requires special arrangements at the meeting, please contact the City Secretary's Office at 817.410.3182 at least 24 hours in advance of the meeting. Reasonable accommodations will be made to assist your needs.

In accordance with the Open Meetings Law, Texas Government Code, Chapter 551, I hereby certify that the above agenda was posted on the official bulletin boards at Grapevine City Hall, 200 South Main Street and on the City's website on December 31, 2015 by 5:00 p.m.

Tara Brooks
Tara Brooks, City Secretary



MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL
FROM: BRUNO RUMBELOW, CITY MANAGER 
MEETING DATE: JANUARY 5, 2016
SUBJECT: APPROVAL OF A RESOLUTION FOR A SOLE SOURCE PURCHASE OF AN UPGRADE TO THE SECURE VAULTS AND LOCKER SYSTEM

RECOMMENDATION:

City Council to consider approval of a resolution for a sole source purchase of an upgrade to the secure vaults and locker system from Knox.

FUNDING SOURCE:

Funding for this purchase is currently available in account 100-42281-210-03 (Apparatus and Tools) for an amount not to exceed \$20,875.00.

BACKGROUND:

Upgrades to the Knox Security Boxes, Medical Vaults and the Knox program allows for an improved security program for the contents (keys, EMS drugs, key fobs and access keys) of the 33 boxes in use. Currently each Knox box has to be updated with a computer program when an employee is hired, resigns or retires. The new program will allow every box to be updated at the same time resulting in a saving of hours required to complete this task. The current system requires each box to be manually connected to a computer each time an employee is hired, resigns, or terminated. The system upgrade also increases audit capabilities of security and accountability for the system.

This procurement will be made as a sole source in accordance with Local Government Code Chapter 252, Subchapter B, § 252.022, General Exemptions (a)(7)(A) and (D).

Staff recommends approval.

JS/BS

SECURE VAULTS
AND
LOCKER SYSTEMS

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO PURCHASE AN UPGRADE TO THE SECURE VAULTS AND LOCKER SYSTEMS FROM A SOLE SOURCE VENDOR AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Grapevine, Texas is a local government in the State of Texas and as such is empowered by Texas Local Government Code, Chapter 252, Subchapter B, Section 252.022, General Exemptions (a)(7)(A) and (D) to consider items available from only one source as an exception to the bidding requirements of the State of Texas; and

WHEREAS, the City of Grapevine Fire and Police Departments have a need to upgrade their current secure vaults and locker systems; and

WHEREAS, Knox is the sole source provider for the upgrade of the secure vaults and locker systems; and

WHEREAS, all legal prerequisites for the adoption of this resolution have been met, including but not limited to the Local Government Code and the Open Meetings Act; and

WHEREAS, the City Council hereby declares that the approval of this resolution is in the best interests of the health, safety, and welfare of the public.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS:

Section 1. That all matters stated in the above preamble are true and correct and are incorporated herein as if copied in their entirety.

Section 2. That the City Manager or his designee is authorized to take all steps necessary for the sole source purchase of the upgrade of the secure vaults and locker systems from Knox for an amount not to exceed \$20,875.00.

Section 3. That the City Manager or his designee is authorized to take all steps necessary to consummate the sole source purchase of said upgrade of the secure vaults and locker systems.

Section 4. That this resolution shall take effect from and after the date of its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 5th day of January, 2016.

APPROVED:

ATTEST:

APPROVED AS TO FORM:

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL
FROM: BRUNO RUMBELOW, CITY MANAGER
MEETING DATE: JANUARY 5, 2016
SUBJECT: APPROVAL FOR AN ANNUAL CONTRACT MODIFICATION FOR
DISASTER CLAIMS RECOVERY SERVICES

BR

RECOMMENDATION:

City Council to consider authorizing an annual contract modification for disaster claims recovery services to Tidal Basin Government Consulting, LLC through an established Cooperative Agreement with the Cooperative Purchasing Network (TCPN).

FUNDING SOURCE:

Funding for this purchase is currently available in account 177-44540-105-016 of the General Facilities Capital Projects Fund in an amount not to exceed \$180,000.00

BACKGROUND:

The estimated damage to public property in Grapevine from the 2015 summer flooding event has been reduced from previous estimates to approximately \$4 million. Although the City has insurance on a variety of damaged structures it is not sufficient to ensure optimal recovery to pre-disaster condition.

On August 4, 2015 Council approved a \$50,000 contract with Tidal Basin to assist with assessing our needs related to event documentation, project development, and staffing support for the FEMA reimbursement process. The proposed amendment of \$130,000 to the Tidal Basin contract is based on the actual time that Tidal Basin has worked to support staff in this process which has included additional time in coordinating with the State of Texas and FEMA that was unanticipated based on the widespread nature of the event and the reduced state and federal staff representation. Approximately 75% of the contract costs are eligible for FEMA reimbursement.

As the work is being conducted, staff is evaluating cost/benefit in the work the contractor is conducting ensuring maximization on the return on investment.

Staff recommends approval.

ED/BS

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL
FROM: BRUNO RUMBELOW, CITY MANAGER 
MEETING DATE: JANUARY 5, 2015
SUBJECT: APPROVAL FOR THE AWARD OF BEST VALUE RFB 436-2016
FOR THE WALL FARRAR NATURE TRAIL

RECOMMENDATION:

City Council to consider approval for the award of Best Value RFB 436-2016 to RLM Earthco, Inc. for the Wall Farrar Nature Trail and the attached appropriation ordinance.

FUNDING SOURCE:

Upon completion of the project, the Texas Parks & Wildlife Commission will reimburse the City \$200,000. The City will supplement the remaining \$27,123.07 from the Quality of Life fund budget that was approved for FY16.

BACKGROUND:

The City Council approved the plan for Wall-Farrar Park on December 3, 2013 preceded by the Texas Parks & Wildlife Commission's approval on May 23, 2013 for \$200,000 in grant funds. On December 17, 2013 the Council approved a professional services contract with MHS Planning & Design for the preparation of plans and specifications for the Wall-Farrar Nature Trail.

Bids were taken in accordance with Local Government Code Chapter 252, Subchapter B, Section 252.021 (a) and Section 252.041 (a). The bid was advertised in the Fort Worth Star Telegram on November 12 and 19, 2015. There were 629 vendors electronically notified of the bid through the eBid system. Three vendors submitted bids. The bid was opened publicly on December 10, 2015 at 2 pm.

PARD staff and their consultant, MHS Planning & Design, LLC, evaluated the Best Value bids. RLM Earthco, Inc. scored the highest on the various evaluation criteria. The bid tabulation is attached.

Staff recommends approval.

KM/BS



Tabulation of Bids
City of Grapevine

Bid Number:	RFB 436-2016	Bid Opening Date	12/10/2015	1st Ad:	11/12/2015	Bidders Notified:	629
Name:	Wall Famar Nature Trail	Bid Opening Time	2:00 PM	2nd Ad:	11/19/2015	Bids Issued/Viewed	14
Requesting Dept:	PARD					Bids Received	3

			VENDOR	VENDOR	VENDOR	VENDOR
Name of Bidder.....			RLM Earthco	Quality Excavation	Cole Construction	
Item	Qty	Unit	Price	Price	Price	Price
1	1	Turn Key	\$ 227,123.07	\$ 503,450.00	\$ 312,970.00	

NOTES

"TABULATION STATEMENT"

ALL BIDS SUBMITTED ARE REFLECTED ON THIS BID TAB SHEET. HOWEVER, THE LISTING OF A BID ON THIS SHEET SHOULD NOT BE CONSTRUED AS A COMMENT ON THE RESPONSIVENESS OF SUCH BID OR AS ANY INDICATION THAT THE CITY ACCEPTS SUCH BID AS RESPONSIVE. THE CITY WILL MAKE A DETERMINATION AS TO THE RESPONSIVENESS OF BIDS SUBMITTED BASED UPON COMPLIANCE WITH ALL APPLICABLE LAWS, CITY OF GRAPEVINE PURCHASING GUIDELINES, AND PROJECT DOCUMENTS, INCLUDING BUT NOT LIMITED TO THE PROJECT SPECIFICATIONS AND CONTRACT DOCUMENTS. THE CITY WILL NOTIFY THE SUCCESSFUL BIDDER UPON AWARD OF THE CONTRACT AND, ACCORDING TO LAW, ALL BIDS RECEIVED WILL BE AVAILABLE FOR INSPECTION AT THAT TIME.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, AUTHORIZING THE TRANSFER OF FUNDS FROM THE CAPITAL PROJECT QUALITY OF LIFE FUND TO THE GRANT FUND; PROVIDING FOR THE APPROPRIATION OF THE FUNDS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Grapevine desires to improve the quality of life of its residents by constructing the Wall-Farrar Nature Trail; and

WHEREAS, the funding for the project is currently included in the Capital Project Quality of Life Fund appropriation; and

WHEREAS, the City Council approved the plan for Wall-Farrar Park on December 3, 2013 preceded by the Texas Parks & Wildlife Commission approval on May 23, 2013 for \$200,000 in grant funds; and

WHEREAS, the City match for the grant equals \$27,123.07; and

WHEREAS, the \$27,123.07 in City match will be transferred from the Capital Project Quality of Life Fund to the Grant Fund; and

WHEREAS, in December 17, 2013 the Council approved a professional service contract with MHS Planning & Design.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS:

Section 1. That all matters stated in the preamble of this ordinance are true and correct and are hereby incorporated into the body of this ordinance as if copied in their entirety.

Section 2. That the City Council hereby authorizes the transfer of funds from City Match portion from the Texas Park & Wildlife currently in the Capital Project Quality of Life Fund to the Grant Fund in an amount of \$27,123.07.

Section 3. That the Texas Parks & Wildlife Commission will reimburse the City \$200,000 upon completion of the project.

Section 4. That the City Council hereby, authorizes an amount of \$227,137.07 to be appropriated to the Grant Fund.

Section 5. That a copy of the revised FY 2015-2016 Capital Project Quality of Life Fund budget document shall be kept on file in the office of the City Secretary and on the City of Grapevine website.

Section 6. That the terms and provisions of this ordinance shall be deemed to be severable, and that if the validity of any section, subsection, word, sentence or phrase shall be held to be invalid, it shall not affect the remaining part of this ordinance.

Section 7. That the fact that the present ordinances and regulations of the City of Grapevine, Texas are inadequate to properly safeguard the health, safety, morals, peace and general welfare of the inhabitants of the City of Grapevine, Texas, creates an emergency for the immediate preservation of the public business, property, health, safety, and general welfare which requires that this ordinance shall take effect immediately from and after its passage and it is accordingly so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 5th day of January, 2016.

APPROVED:

ATTEST:

APPROVED AS TO FORM:

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL
FROM: BRUNO RUMBELOW, CITY MANAGER
MEETING DATE: JANUARY 5, 2016
SUBJECT: APPROVAL OF A RESOLUTION FOR THE PURCHASE OF
PRECOR EXERCISE EQUIPMENT

RECOMMENDATION:

City Council to consider approval of a resolution for the purchase of Precor exercise equipment from Team Marathon Fitness through an Interlocal Participation Agreement with the Local Government Purchasing Cooperative (BuyBoard).

FUNDING SOURCE:

Funding for this purchase is currently available in account 100-48860-312-8 (Machinery & Equipment) for an amount not to exceed \$41,931.30.

BACKGROUND:

This purchase is part of The REC annual cardiovascular equipment replacement plan. Every year, one-third of the cardiovascular equipment is replaced with new equipment per the department's policy.

This purchase will be made in accordance with an existing Interlocal Participation Agreement with The Local Government Purchasing Cooperative (BuyBoard) as allowed by Texas Local Government Code, Section 271.102, Cooperative Purchasing Program.

Bids were taken by the Cooperative and a contract was awarded to Team Marathon Fitness. The Parks & Recreation Department staff and Purchasing reviewed the contract for departmental specification compliance and pricing and determined that the contract would provide the best product and pricing for meeting the needs of the City.

Staff recommends approval.

TK/BS

RESOLUTION NO. _____

PRECOR EQUIPMENT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO PURCHASE PRECOR EXERCISE EQUIPMENT THROUGH AN ESTABLISHED INTERLOCAL PARTICIPATION AGREEMENT AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Grapevine, Texas is a local government in the State of Texas and as such is empowered by the Texas Local Government Code, Section 271.102 to enter into a cooperative purchasing program agreement with other qualified entities in the State of Texas; and

WHEREAS, The Local Government Purchasing Cooperative (BuyBoard) is a qualified purchasing cooperative program as authorized by Section 271.102 of the Texas Local Government Code; and

WHEREAS, the City of Grapevine, Texas has established an Interlocal Participation Agreement with The Local Government Purchasing Cooperative (BuyBoard) and wishes to utilize established contracts meeting all State of Texas bidding requirements; and

WHEREAS, The Local Government Purchasing Cooperative (BuyBoard) has an established contract No. 413-12, for Athletic, PE, Gym Supplies, Heavy Duty Exercise Equipment with Team Marathon Fitness; and

WHEREAS, the City of Grapevine, Texas has a need to replace Precor cardiovascular equipment that is used at The REC of Grapevine; and

WHEREAS, all legal prerequisites for the adoption of this resolution have been met, including but not limited to the Local Government Code and the Open Meetings Act; and

WHEREAS, the City Council hereby declares that the approval of this resolution is in the best interests of the health, safety, and welfare of the public.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS:

Section 1. That all matters stated in the above preamble are true and correct and are incorporated herein as if copied in their entirety.

Section 2. That the City Council of the City of Grapevine authorizes the purchase of Precor exercise equipment from Team Marathon Fitness through an Interlocal Participation Agreement with The Local Government Purchasing Cooperative (BuyBoard) for an amount not to exceed \$41,931.30.

Section 3. That the City Manager or his designee is authorized to take all steps necessary to consummate the purchase of said Precor exercise equipment.

Section 4. That this resolution shall take effect from and after the date of its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 5th day of January, 2016.

APPROVED:

ATTEST:

APPROVED AS TO FORM:

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL
FROM: BRUNO RUMBELOW, CITY MANAGER
MEETING DATE: JANUARY 5, 2016
SUBJECT: APPROVAL OF AN INTERLOCAL AGREEMENT FOR THE
FORMATION OF THE TARRANT COUNTY COMBINED
NARCOTICS ENFORCEMENT TEAM

RECOMMENDATION:

City Council to consider approval of an Interlocal Agreement with the Tarrant County Sheriff's Department for the formation of the Tarrant County Combined Narcotics Enforcement Team (CNET).

FUNDING SOURCE:

Funding for the assignment of personnel to the Tarrant County CNET currently exists in operational accounts of the Criminal Investigation Division in the Police Department.

BACKGROUND:

The Police Department has participated in a county wide narcotics task force for over 25 years. The task force has historically been coordinated and managed by staff in the Tarrant County District Attorney's Office. In an effort to consolidate law enforcement activities under law enforcement management, the task force is being removed from the District Attorney's Office and moved to the Tarrant County Sheriff's Department.

Grapevine currently has one officer assigned to the task force. Funding for any expenses associated with this assignment is included in various accounts of the Criminal Investigations Division. Such funding includes items such as training, equipment purchase and replacement, and overtime.

The existence of a team to respond to and investigate the sale and distribution of illegal narcotics is a necessary part of protecting our citizens. However, those that engage in such illegal activity do so without regard to governmental jurisdictions or boundaries. It is therefore necessary to join forces with other Tarrant County agencies to effectively combat this criminal activity. The formation of the Tarrant County CNET will allow the participating agencies to more effectively combat this illicit activity.

Staff recommends approval.

THE STATE OF TEXAS
COUNTY OF TARRANT

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THIS ORIGINAL
EXECUTED BY TARRANT COUNTY

**THE TARRANT COUNTY COMBINED NARCOTICS ENFORCEMENT TEAM
INTERLOCAL ASSISTANCE AGREEMENT**

WHEREAS the sale and distribution of illegal drugs, and the violence that often accompanies such illegal enterprises, is an important health and safety concern to Tarrant County and its citizens; and,

WHEREAS those that engage in such illegal enterprise do so without regard to governmental jurisdictions or boundaries; and,

WHEREAS the detection, apprehension, and prosecution of individuals who engage in such illegal activities is often hindered because the area in which the criminal offender operates is often greater than the jurisdiction of the individual peace officers called upon to investigate such crimes; and,

WHEREAS past experience has indicated that a cooperative effort between law enforcement agencies and Tarrant County has been effective in detecting and deterring the activities of targeted criminal groups to the mutual benefit of all neighboring municipalities and contiguous counties; and,

WHEREAS for these purposes, under the auspices of the Tarrant County Criminal District Attorneys' Office, certain municipal law enforcement agencies have engaged in such a cooperative arrangement for over twenty five years; and,

WHEREAS the current participants of this organized effort, including the Tarrant County Criminal District Attorney, desire that this endeavor continue under the auspices of the Tarrant County Sheriff's Office in a manner set forth herein; and,

WHEREAS pursuant to Chapter 362 Texas Local Government Code, Chapter 791 of the Texas Government Code, and other relevant laws of the State of Texas, the principal entities to-wit: Tarrant County, Texas, the Tarrant County Criminal District

Attorney, and the Tarrant County Sheriff, hereby agree to participate in, and be a part of cooperative multi-jurisdictional investigative and enforcement effort, which is herein known and designated as the Tarrant County Combined Narcotics Enforcement Team (CNET).

NOW, THEREFORE, BE IT KNOWN BY THESE PRESENTS:

That Tarrant County, Texas, acting by and through its duly authorized County Judge, the Criminal District Attorney of Tarrant County, the Sheriff of Tarrant County, and the agencies that have executed, are executing, or will execute substantially similar copies hereof at this time or in the future during the time that this agreement is in force, acting herein by and through their duly authorized chief administrative officer, do hereby covenant and agree as follows:

COMBINED NARCOTICS ENFORCEMENT TEAM

The Tarrant County Combined Narcotics Enforcement Team (hereinafter referred to as "Team") will be a part of the Tarrant County Sheriff's Office, for administrative purposes. The activities of the Combined Narcotics Enforcement Team shall be supervised by a Board of Governors, consistent with this agreement and the terms of all governing statutes and agreements. This Board will include as permanent voting members a member of the Tarrant County Commissioners Court or its designee, the Tarrant County Criminal District Attorney, and a Chairperson, who shall be the Tarrant County Sheriff. The Tarrant County Commissioners Court hereby designates the County Administrator as its representative to the Board of Governors. Additionally, the Board will consist of the Chief Law Enforcement Officer (CLEO) from every additional agency that participates in the Team by providing personnel. Ex officio members of the Board shall include an appropriate executive level designee from the local offices of the U.S. Drug Enforcement Administration and the Texas Department of Public Safety Criminal Investigations Division. Other ex officio members, if any, may be added by agreement of the voting members. Any and all ex officio members shall be non-voting.

The Board of Governors shall have the responsibility for policy, direction, and control of the Team. The Board of Governors will have direct responsibility for the selection of a Commander for the Team, who shall be an employee of Tarrant County.

The Board will monitor the activities and accomplishments of the Team to ensure orderly progress towards attainment of all stated objectives and shall meet at least annually.

There will be one unit, a Team, which may form sub-groups, or sectors, as appropriate. The activities and investigations of these sub-groups, or sectors, may be led by a Team member holding supervisory rank at the direction of the Commander of the Team. These sub-groups, teams, or sectors, will have the duties assigned to them by the Team supervisor at the approval of the Commander.

INVESTIGATIONS AND ENFORCEMENT ACTIVITIES

The investigation of offenses concerning illegal or controlled substances and dangerous drugs may be coordinated through the Team. All relevant or related intelligence received by a law enforcement agency that is a party to this agreement may be referred to the Team for investigation. The assigned officers will respond to complaints in a timely manner. The Team will conduct covert operations, training, investigations, arrests, and provide assistance to other agencies in an effort to combat these and related offenses.

ASSET SEIZURE

There is hereby created a certain fund to be known as the Tarrant County Combined Narcotics Enforcement Team Asset Forfeiture Fund (hereinafter called "Fund"), said Fund to be created in compliance with State law. The purpose of the fund shall be to augment Team operations, consistent with applicable state laws. The funds awarded and deposited therein shall be distributed in accordance with this agreement.

Asset seizures developed by the Team in Tarrant County, under Chapter 59, Code of Criminal Procedure, will be prosecuted by the Tarrant County Criminal District Attorney's Office. The decision to try, dismiss or settle asset seizure cases will be made by the Tarrant County Criminal District Attorney; the Team will abide by that decision.

FORFEITURE POLICY

Cash, cash equivalents or any similar instrument, seized for forfeiture shall be placed with the Tarrant County Criminal District Attorney's Office as indicated by

Chapter 59.08, Texas Code of Criminal Procedure until a final award is made.

Upon final disposition, the property awarded to the Tarrant County Criminal District Attorney, as the Attorney Representing the State, will be administered in accordance with chapter 59, Texas Code of Criminal Procedure. If awarded property is sold, it will be sold in any commercially reasonable manner. Any proceeds from the sale of the awarded property will be divided as set out in this agreement.

Upon final disposition of the forfeiture action, and after all costs and fees incurred have been paid from the forfeited monies made the subject of that forfeiture proceeding, including but not limited to outstanding liens on property, maintenance costs, and litigation costs, any and all remaining monies, cash, cash equivalents, interest accrued and all awarded property shall be distributed in accordance with chapter 59, Texas Code of Criminal Procedure and this agreement.

Upon entry of a judgment in a judicial proceeding awarding monies, cash, cash equivalents, other similar instruments or other proceeds to the Tarrant County Combined Narcotics Enforcement Team, all said monies, cash, cash equivalents, other similar instruments or proceeds will be, within a reasonable time, deposited in the Tarrant County Combined Narcotics Enforcement Team Forfeiture Fund. The monies and proceeds in this Fund must be used to further the purpose of the Team or distributed in accordance with Chapter 59, Texas Code of Criminal Procedure and the terms of this agreement.

All forfeiture funds and any other generated program income shall be subject to audit by the Tarrant County Auditor and the Texas Office of the Attorney General.

Any awarded property other than money seized by a Team officer that is the subject of a final forfeiture judgment shall be forfeited to the state and transferred to the Team to be used to further the purpose of the Team. Awarded personal property may be sold at auction, or any other commercially reasonable manner in accordance with law and Tarrant County policy, and the proceeds deposited in the Fund or distributed in accordance with Chapter 59, Texas Code of Criminal Procedure and the terms of this agreement.

DIVISION OF AWARDED PROPERTY

Property other than money, seized by officers assigned to the Team which is forfeited and awarded to the State will be transferred to the Team and thereafter, will be governed by this agreement and Chapter 59, Texas Code of Criminal Procedure.

Monies shall be divided in the following manner:

1. 40% to be deposited in a special fund in the county treasury for the benefit of the office of the Criminal District Attorney, Tarrant County;
2. 20% to be deposited in a special fund in the county treasury to be used for the official purposes of the Tarrant County Sheriff's Office;
3. 40% will be awarded to the remaining participating law enforcement agencies, and deposited in the Fund. Any further distribution and accounting will be the responsibility of the Team. Distributions from the Fund will be disbursed periodically to the participating agencies in a manner proportional with each agency's number of assigned officers.

In the event the Team is dissolved all remaining forfeited assets seized under Chapter 59, Code of Criminal Procedure shall be transferred to the Tarrant County Criminal District Attorney for disposal in accordance with law. All participating agencies agree that equipment purchased with funds made available for the specific use of the Team shall be under the care, custody, and control of the Team. If and when this agreement is terminated, equipment may be subject to equitable sharing of the participating agencies upon written request and subsequent approval of the Board of Governors in a manner proscribed by law; provided however, the requirements of a superseding agreement or contract concerning the disposal of equipment or monies shall be honored.

STATUS OF PEACE OFFICERS

Any peace officer assigned to the Team by a government entity which is a party to this agreement shall be empowered to enforce all laws and ordinances applicable in the jurisdiction of the Tarrant County and municipal entities signatory to this agreement,

including the power to make arrests, execute search warrants, and investigate relevant offenses outside of the geographical jurisdiction from which he or she is assigned, but within the area covered by the jurisdictions of the counties and municipal entities which are parties to this agreement.

A peace officer who is assigned, designated, or ordered by the sponsoring agency to perform law enforcement duties as a member of the Team, shall receive the same wage, salary, pension and all other compensation and all other rights for such service, including injury or death benefits and workers' compensation benefits, as though the service had been rendered within the limits of the entity from which he or she was assigned. Recognizing the benefits to a participating entity to this agreement, it is agreed that all wage and disability payments, including workers' compensation benefits, pension payments, damage to equipment and clothing, medical expense and expense of travel, food and lodging shall be paid by that peace officer's sponsoring agency. Individuals assigned to the Team that are not Tarrant County Sheriff's Office employees will not work overtime that is not reimbursable to the individual's home agency, without prior approval from their home agency supervisor. Instead, they will be permitted to flex their work hours as necessary to accomplish Team objectives and assignments.

Except in accordance with the terms of a superseding contract or agreement, each party to this agreement, when providing services of personnel, expressly waives the right to receive reimbursement for services performed or equipment utilized under this agreement even though a request for such reimbursement may be made pursuant to Chapter 362, Texas Government Code.

It is further agreed that, in the event any peace officer assigned to the Team is cited as a party defendant to any civil lawsuit, state or federal, arising out of his or her official acts while functioning as a peace officer assigned to the Team, said peace officer shall be entitled to the same benefits that such officer would be entitled to receive had such civil action arisen out of an official act within the scope of his or her duties as a member and in the jurisdiction of the law enforcement agency from which he or she was assigned. Further, no entity shall be responsible for the acts of a peace officer of another entity assigned to the Team.

GENERAL PROVISIONS

Each party to this agreement expressly waives all claims against every other party for compensation for any loss, damage, personal injury, or death occurring as a consequence of the performance of this agreement.

Third party claims against members shall be governed by the Texas Tort Claims Act or other appropriate statutes and laws of the State of Texas and the United States.

It is expressly understood and agreed that, in the execution of this agreement, no party waives, nor shall be deemed hereby to waive, any immunity or defense that would otherwise be available to it against claims arising in the exercise of governmental powers and functions.

The validity of this agreement and of any of its terms or provisions, as well as the rights and duties of the parties hereunder, shall be governed by the laws of the State of Texas.

Each party to this agreement agrees that if legal action is brought under this agreement, the venue shall lie in Tarrant County. In case any one or more of the provisions contained in this agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision thereof and this agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

This agreement shall become effective as to a party hereto on the day of the execution of the agreement by the party. This agreement may be amended or modified by the mutual agreement of the parties hereto in writing to be attached to and incorporated into this agreement. This instrument contains the complete agreement of the parties hereto and any oral modifications, or written amendments not incorporated to the agreement, shall be of no force or effect to alter any term or condition herein.

To minimize the administrative difficulty of signature between the many parties, each city or other law enforcement entity will sign a substantially similar agreement with Tarrant County; however, each party signing substantially similar copies is immediately bound one to another to all other entities participating during the time said agreement is

in force as to said entity, even though the parties' signatures appear on different copies of the substantially similar copies. Any entity being added after the agreement is in effect need only sign the documents which Tarrant County signs to be fully a party bound to all other parties, and such signature shall, as of the date of the signing, have the same force and effect as between the joining and already-bound members as if a single document was signed simultaneously by all then-participating entities. All parties currently participating in this original agreement, if any, are identified in Exhibit "A".

The Team established by this agreement is subject to the conditions herein contained, and on such conditions lawfully added by amendment or by law, and not for any purpose or period beyond that permitted by such amendment or law.

This instrument contains all commitments and agreements of the parties, and no oral or written commitments have any force or effect to alter any term or condition of this agreement, unless the same are done in proper form and in a manner constituting a bona fide amendment hereto.

The parties agree that their collective agreement may be evidenced by the execution of an identical counterpart of this instrument by the duly authorized official(s) of each participant and the failure of any anticipated member to enter into or renew this agreement shall not affect the agreement between and among the parties executing the agreement.

BUDGETARY MATTERS

Where permissible under this agreement, participating entities entitled to reimbursement must submit requests for reimbursement through the Tarrant County Auditor's Office, 100 E. Weatherford Street, Fort Worth, TX 76196.

CONFIDENTIAL FUNDS

The disbursement and reimbursement of confidential funds using money held in the relevant Tarrant County accounts, will be conducted in accordance with the current Tarrant County Sheriff's Office policy, and attached as Exhibit "B" and "C," concerning the management of confidential informants, to include the purchase of information, and the purchase of evidence.

TERMINATION

Any party to this agreement may terminate its participation or rights and obligations as a party by providing (30) days written notice to the Board of Governors of the Tarrant County Combined Narcotics Enforcement Team, 200 Taylor Street, 7th Floor, Plaza Building, Fort Worth, Texas 76196. Such termination shall have no effect upon the rights and obligations of the remaining parties under this agreement.

SIGNED ON THE DATES BELOW SHOWN.

WITNESSETH:

TARRANT COUNTY, TEXAS



B. GLEN WHITLEY, COUNTY JUDGE

December 8th 2015
DATE

TARRANT COUNTY SHERIFF



DEE ANDERSON, SHERIFF

11/30/15
DATE

TARRANT COUNTY CRIMINAL DISTRICT ATTORNEY

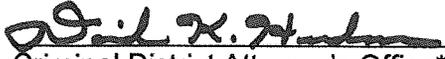


SHAREN WILSON, CRIMINAL DISTRICT ATTORNEY

11-30-15
DATE

APPROVED AS TO FORM:

11-30-15


Criminal District Attorney's Office*

*By law, the Criminal District Attorney's Office may only approve contracts for its clients. We reviewed this document as to form from our client's legal perspective. Other parties may not rely on this approval. Instead those parties should seek contract review from independent counsel.

TARRANT COUNTY COMBINED NARCOTICS ENFORCEMENT TEAM

Board of Governors – January 1, 2016

Founding Members

Dee Anderson - Chairman
Sheriff – Tarrant County Texas
200 Taylor St., 7th Floor, Plaza Bldg.
Fort Worth, Texas 76102
817-884-3099

B. Glen Whitley, Founding Member
County Judge – Tarrant County Texas
100 E. Weatherford, Ste. 501
Fort Worth, Texas 76196-0101
817-884-1441

Judge's designee: G.K. Maenius
Tarrant County Administrator
100 E. Weatherford, Ste, 404
Fort Worth, Texas 76196-0101
817-884-1267

Sharen Wilson, Founding Member
Criminal District Attorney – Tarrant County Texas
401 W. Belknap
Fort Worth, Texas 76196-1667
817-884-1400

Participant Agencies Members

None at this time.

Ex Officio Members

David Franklin - Captain
Texas Department of Public Safety
Criminal Investigations Division
624 NE Loop 820
Hurst, Texas 76053
817-299-1360

Mike Ferry - RAC
U.S. Drug Enforcement Agency
801 Cherry Street, Ste. 700
Fort Worth, Texas 76102
817-639-2000

FOR THE CITY OF GRAPEVINE, TEXAS:

WILLIAM D. TATE, MAYOR

DATE

TARA BROOKS, CITY SECRETARY

DATE

APPROVED AS TO FORM:

JOHN F. BOYLE JR., CITY ATTORNEY

DATE

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL
FROM: BRUNO RUMBELOW, CITY MANAGER 
MEETING DATE: JANUARY 5, 2016
SUBJECT: NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS
REGIONAL SOLID WASTE PROGRAM LOCAL
IMPLEMENTATION PROJECT CALL FOR PROJECTS

RECOMMENDATION

City Council consider adopting a resolution authorizing City of Grapevine participation in the North Central Texas Council of Governments' FY 2016/FY 2017 Regional Solid Waste Program Local Implementation Project, authorizing staff to submit a funding application under this Call for Projects in an amount of \$46,050 for a Ballfield Complex Recycle Program, consider adopting an appropriation ordinance, authorizing staff to execute application submittal documents, and take any necessary action.

FUNDING

Upon completion of the project, the North Central Texas Council of Governments will reimburse the City in an amount up to \$46,050.

BACKGROUND

The North Central Texas Council of Governments (NCTCOG) has opened its FY 2016 / FY 2017 Regional Solid Waste Program Local Implementation Call for Projects. The Program will provide grant funding to projects which further goals consistent with the Regional Solid Waste Management Plan.

The continuation of the ballfield recycling program will allow Grapevine to reduce waste, improve operational efficiency, ensure recyclables are recycled, reduce illegal dumping and encourage recycling to all who visit our sports complex ballfields; by providing a location for proper disposal of trash and recyclables; and by providing text messages when compactors are ready to empty to prevent the overflow of trash and wind-blown trash. The program will also offer education by displaying messages on the solar powered compactors that encourage recycling.

Regionally, there is a total of \$1.3 million available for Materials Management Projects with individual project funding from \$15,000 to \$200,000. The due date for applications is January 15, 2016. Interlocal Agreements for approved programs will be processed in March 2016.

If funding is awarded for implementation of the Ballfield Complex Recycle Program, city staff will install the solar powered compactors and ensure that information about the new recycling opportunities is shared with residents as the units are installed. Grapevine is committed to increasing recycling in our community.

CC ITEM #13

In the event the City does not receive the grant, staff will continue to phase funding of the project through the regular operating budget.

Staff recommends approval.

DS

CC ITEM #13
SOLID WASTE
CALL FOR
PROJECTS

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, AUTHORIZING THE FILING OF A PROJECT APPLICATION WITH THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS FOR A REGIONAL SOLID WASTE PROGRAM LOCAL IMPLEMENTATION PROJECT; AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO ACT ON BEHALF OF THE CITY OF GRAPEVINE IN ALL MATTERS RELATED TO THE APPLICATION; AND PLEDGING THAT IF FUNDING FOR THIS PROJECT IS RECEIVED, THE CITY OF GRAPEVINE WILL COMPLY WITH ALL PROJECT REQUIREMENTS OF THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY AND THE STATE OF TEXAS AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the North Central Texas Council of Governments (NCTCOG) is directed by the Texas Commission on Environmental Quality (TCEQ) to administer solid waste project funds for the implementation of NCTCOG's adopted Regional Solid Waste Management Plan; and

WHEREAS, the City of Grapevine, Texas is qualified to apply for project funds under the Request for Project Applications; and

WHEREAS, all legal prerequisites for the adoption of this resolution have been met, including but not limited to the Local Government Code and the Open Meetings Act; and

WHEREAS, the City Council hereby declares that the approval of this resolution is in the best interests of the health, safety, and welfare of the public.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS:

Section 1. That the City Manager or his designee, is authorized to request project grant funding in the amount of \$46,050.00 under NCTCOG's Request for Project Applications of the Regional Solid Waste Local Project Funding Program and act on behalf of the City of Grapevine in all matters related to the grant project application and any subsequent project contract that may result.

Section 2. That if the grant project is funded, the City of Grapevine will comply with the requirements of NCTCOG, TCEQ and the State of Texas.

Section 3. That the City of Grapevine will allocate and expend the necessary monies to support this grant project and then seek reimbursement from the NCTCOG on a timely basis.

Section 4. That the grant project funds and any project-funded equipment or facilities will be used only for the purposes for which they are intended under the project.

Section 5. That the grant activities for this project will comply with and support the adopted regional (and local) solid waste management plans adopted for the geographical area in which the activities are performed.

Section 6. That this resolution shall take effect from and after the date of its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 5th day of January, 2016.

APPROVED:

ATTEST:

APPROVED AS TO FORM:

ORDINANCE NO. _____

SOLID WASTE
CALL FOR
PROJECTS
FUND
APPROPRIATION

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, AUTHORIZING THE TRANSFER OF FUNDS FROM THE STREET MAINTENANCE CAPITAL REPLACEMENT FUND TO THE GRANT FUND; PROVIDING FOR THE APPROPRIATION OF THE FUNDS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Grapevine desires to improve recycling in the community; and

WHEREAS, the North Central Texas Council of Governments has issued a Call for Projects for the FY 2016/FY 2017 Regional Solid Waste Program Local Implementation Project; and

WHEREAS, the City of Grapevine, Texas is qualified to apply for project funds under the Request for Project Applications; and

WHEREAS, the City wishes to submit a funding request under this program for a Ballfield Complex Recycle Program; and

WHEREAS, funding for the project is currently included in the Street Maintenance Capital Replacement Fund.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS:

Section 1. That all matters stated in the preamble of this ordinance are true and correct and are hereby incorporated into the body of this ordinance as if copied in their entirety.

Section 2. That the City Council hereby authorizes the transfer of funds currently in the Street Maintenance Capital Replacement Fund to the Grant Fund in an amount of \$46,050.00.

Section 3. That the North Central Texas Council of Governments will reimburse the City \$46,050.00 upon completion of the project.

Section 4. That the City Council hereby authorizes an amount of \$46,050.00 to be appropriated to the Grant Fund.

Section 5. That a copy of the revised FY 2015-2016 Capital Project Quality of Life Fund budget document shall be kept on file in the office of the City Secretary and on the City of Grapevine website.

Section 6. That the terms and provisions of this ordinance shall be deemed to be severable, and that if the validity of any section, subsection, word, sentence or phrase shall be held to be invalid, it shall not affect the remaining part of this ordinance.

Section 7. That the fact that the present ordinances and regulations of the City of Grapevine, Texas are inadequate to properly safeguard the health, safety, morals, peace and general welfare of the inhabitants of the City of Grapevine, Texas, creates an emergency for the immediate preservation of the public business, property, health, safety, and general welfare which requires that this ordinance shall take effect immediately from and after its passage and it is accordingly so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 5th day of January, 2016.

APPROVED:

ATTEST:

APPROVED AS TO FORM:

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: BRUNO RUMBELOW, CITY MANAGER 

MEETING DATE: JANUARY 5, 2016

SUBJECT: DFW CONNECTOR – FM 2499 UTILITY RELOCATION FINAL PAYMENT

RECOMMENDATION:

City Council consider approving a complete and final payment to Northgate Constructors in an amount of \$210,217.84 for the Water and Wastewater Relocations required of the City for the FM 2499 construction project, adopting an ordinance amending the FY 16 Capital Projects Budget, and take any necessary action.

FUNDING SOURCE:

Funds are programmed and available for this project in utility account 200-48930-534-8-000005 WA and 200-48940-534-8-000005 SW.

BACKGROUND INFORMATION:

The construction of the DFW Connector project necessitated the relocation and adjustment of City water and wastewater facilities throughout the corridor. These relocations and adjustments were performed under a Master Utility Agreement with Northgate Constructors approved by City Council on March 16, 2010.

Northgate Constructors agreed with TxDOT to construct the FM 2499 project in far northeast Grapevine as a change order to the DFW Connector project. As was the case with the Connector project, it was desirable to contract with Northgate Constructors to design and relocate our water and wastewater facilities as their design/build process evolved on FM 2499.

By following the same process we utilized with Northgate on the Connector Project, we were again able to streamline the process. Most importantly, we were able to take advantage of their large engineering staff on site and their subcontractors under contract to undertake adjustments with very little lead time and with the ability to quickly adapt to an evolving schedule.

The relocations included the provision of a Water and Wastewater stubout from the new lines to the City's 135 acre tract bordering FM 2499.

Staff recommends approval.

WATER AND
WASTEWATER
LINES

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, REVISING THE ADOPTED CAPITAL IMPROVEMENTS BUDGET FOR THE FISCAL YEAR ENDING IN 2016, PROVIDING FOR THE TRANSFER OF THE FUNDS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Grapevine desires to maintain its Water and Waste Water Infrastructure with regular maintenance, repairs and updates as necessary; and

WHEREAS, funding for the relocation of the water and wastewater lines necessitated by the construction of roadway improvements to FM 2499 within the City of Grapevine is not currently included in the Fiscal Year 2015 -2016 Capital Improvements Plan Budget; and

WHEREAS, maintenance, repairs and updates to the Wastewater Treatment Plant are necessary to insure continued optimum operation of the City's Water Distribution and Waste Water Collection Systems.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS:

Section 1. That all matters stated in the preamble of this ordinance are true and correct and are hereby incorporated into the body of this ordinance as if copied in their entirety.

Section 2. That the City Council hereby authorizes an amount of \$210,217.84 be appropriated from the City's Utility Enterprise Capital Improvements Funds to the Fiscal Year 2015-2016 Capital Improvements Plan Budget for design and construction of water and wastewater line relocations.

Section 3. That a copy of the revised Fiscal Year 2015-2016 Capital Improvements Plan budget document shall be kept on file in the City Secretary's Office and on the City of Grapevine website.

Section 4. That the terms and provisions of this ordinance shall be deemed to be severable, and that if the validity of any section, subsection, word, sentence or phrase shall be held to be invalid, it shall not affect the remaining part of this ordinance.

Section 5. That the fact that the present ordinances and regulations of the City of Grapevine, Texas are inadequate to properly safeguard the health, safety, morals, peace and general welfare of the inhabitants of the City of Grapevine, Texas, creates an

emergency for the immediate preservation of the public business, property, health, safety, and general welfare which requires that this ordinance shall take effect immediately from and after its passage and it is accordingly so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 5th day of January, 2016.

APPROVED:

ATTEST:

APPROVED AS TO FORM:

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL
FROM: BRUNO RUMBELOW, CITY MANAGER 
MEETING DATE: JANUARY 5, 2016
SUBJECT: RESOLUTION SUPPORTING CLEAN VEHICLE FLEETS

RECOMMENDATION:

City Council consider adopting a resolution supporting the Regional Transportation Council's Updated Clean Vehicle Fleet program and take any necessary action.

BACKGROUND:

The Regional Transportation Council (RTC), as the policy body for the North Central Texas Council of Governments -Transportation Department, originally adopted a Clean Vehicle Policy in 2000 and has amended this policy as necessary.

The most recent policy on Clean Vehicles was adopted by the City by Resolution 2008-07 on February 19, 2008. The RTC has recently adopted an updated policy for the area and a revised resolution for adoption by governmental entities in the nine-county non-attainment region. This comprehensive policy addresses the areas in which fleet managers can positively impact air quality through vehicle acquisition, maintenance, operations and compliance verification. The guidelines include:

- Reduce vehicle emissions
- Reduce overall fuel consumption
- Partnering with RTC to further Air Quality Improvements
- Engage in training of staff to focus on Air Quality and Fuel Reduction Goals

Continued participation in the RTC's Clean Fleet Vehicle Policy entitles the City of Grapevine to compete for clean vehicle funding made available by the RTC.

Staff recommends approval.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS ADOPTING AND IMPLEMENTING A CLEAN FLEET VEHICLE POLICY TO IMPROVE AIR QUALITY THROUGH ACQUISITION, OPERATION AND MAINTENANCE OF FLEET VEHICLES AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Regional Transportation Council, comprised primarily of local elected officials, is the regional transportation policy body associated with the North Central Texas Council of Governments (NCTCOG) and has been and continues to be a forum for cooperative decisions on transportation; and,

WHEREAS, the Regional Transportation Council supports the adoption and implementation of a Clean Fleet Vehicle Policy by the City of Grapevine Texas which was resolved on October 13, 2005; and,

WHEREAS, the Dallas-Fort Worth Metropolitan area is a federally designated non-attainment area for the pollutant ozone; and,

WHEREAS, air quality impacts the public health of the entire region; and,

WHEREAS, the Regional Transportation Council is responsible for air quality conformity; and the Clean Air Act Amendments of 1990 require that in air quality non-attainment areas transportation plans and improvement programs conform to the applicable air quality implementation plan; and,

WHEREAS, approximately fifty percent of the nitrogen oxide (NOx) emissions in the Dallas-Fort Worth non-attainment area come from on-road vehicles; and

WHEREAS, the City of Grapevine Texas wants to set achievable goals and provide workable, cost effective solutions to improve the Dallas-Fort Worth Metropolitan Area air, and implement those measures as soon as practicable to improve air quality; and

WHEREAS, all legal prerequisites for the adoption of this resolution have been met, including but not limited to the Local Government Code and the Open Meetings Act; and

WHEREAS, the City Council hereby declares that the approval of this resolution is in the best interests of the health, safety, and welfare of the public.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS:

Section 1. Acquisition

- 1.1** Vehicle acquisitions for fleet expansion or replacement of model Year 2004 or Newer, shall be newest model year or engine standard only.

Vehicle acquisitions to replace model year 2003 or older vehicles must show at least a 25% reduction in Nitrogen Oxides (NOx) emissions rate compared to the vehicle being replaced. (Waivers are possible when new technologies or achievements of the required emission reduction are not possible.)

- 1.2** Aftermarket technologies and conversions are acceptable for fleet expansion and fleet replacements.

1.2.1 Aftermarket technologies and conversions must be Environment Protection Agency (EPA) and/or CARB verified or certified or technology equivalent or better, as determined by the North Central Texas Council of Governments (NCTCOG) staff.

1.2.2 Conversions must comply with the provisions of EPA Memorandum 1A and Addendum Revision (June 25, 1974 and June 1, 1998).

Section 2. Operations

- 2.1** Vehicle idling is allowed only for safety, emergency response, vehicle maintenance, equipment activity, warm-up/operations in cold temperature, and manufacturer recommended minimum idle/warm-up times.
- 2.2** Vehicles with the lowest NOx emissions that are capable of performing the required operational demands shall drive the most miles.
- 2.3** Fleet manager shall abide by latest refueling time/season guidance published by NCTCOG Air Quality Planning.
- 2.4** Non-emergency vehicles shall drive no more than the posted speed limit and avoid rapid acceleration.

2.5 All drivers shall be trained on air quality appropriate operational requirements.

Section 3. Maintenance

3.1 The City shall perform annual emission and safety inspections for all vehicles, even for vehicles with no state mandated inspection requirement.

3.2 The City commits to perform emission inspections for all vehicles with over 100,000 miles every 25,000 miles thereafter.

3.3 The City shall perform manufacturer's recommended maintenance.

3.4 The City commits to Mandatory participation in any diesel or other Texas Commission on Environmental Quality or NCTCOG inspection/maintenance program, including applicable test or pilot programs.

Section 4. Compliance Verification

4.1 The City shall provide NCTCOG with an annual electronic update of fleet size and activity in a format established by NCTCOG.

4.2 The City of Grapevine Texas acknowledges that entities not adopting and complying with the Clean Fleet Vehicle Policy and/or reporting requirements will not be eligible for future clean vehicle funding and RTC may assess the City of Grapevine Texas compliance when considering other RTC funding actions.

Section 5. That this resolution shall take effect from and after the date of its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 5th day of January, 2016.

APPROVED:

ATTEST:

APPROVED AS TO FORM:

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL
FROM: BRUNO RUMBELOW, CITY MANAGER 
MEETING DATE: JANUARY 5, 2016
SUBJECT: LICENSE AGREEMENT FOR WATER, SANITARY SEWER AND
STORM DRAIN SERVICE – DALLAS/FORT WORTH
INTERNATIONAL AIRPORT BOARD

RECOMMENDATION:

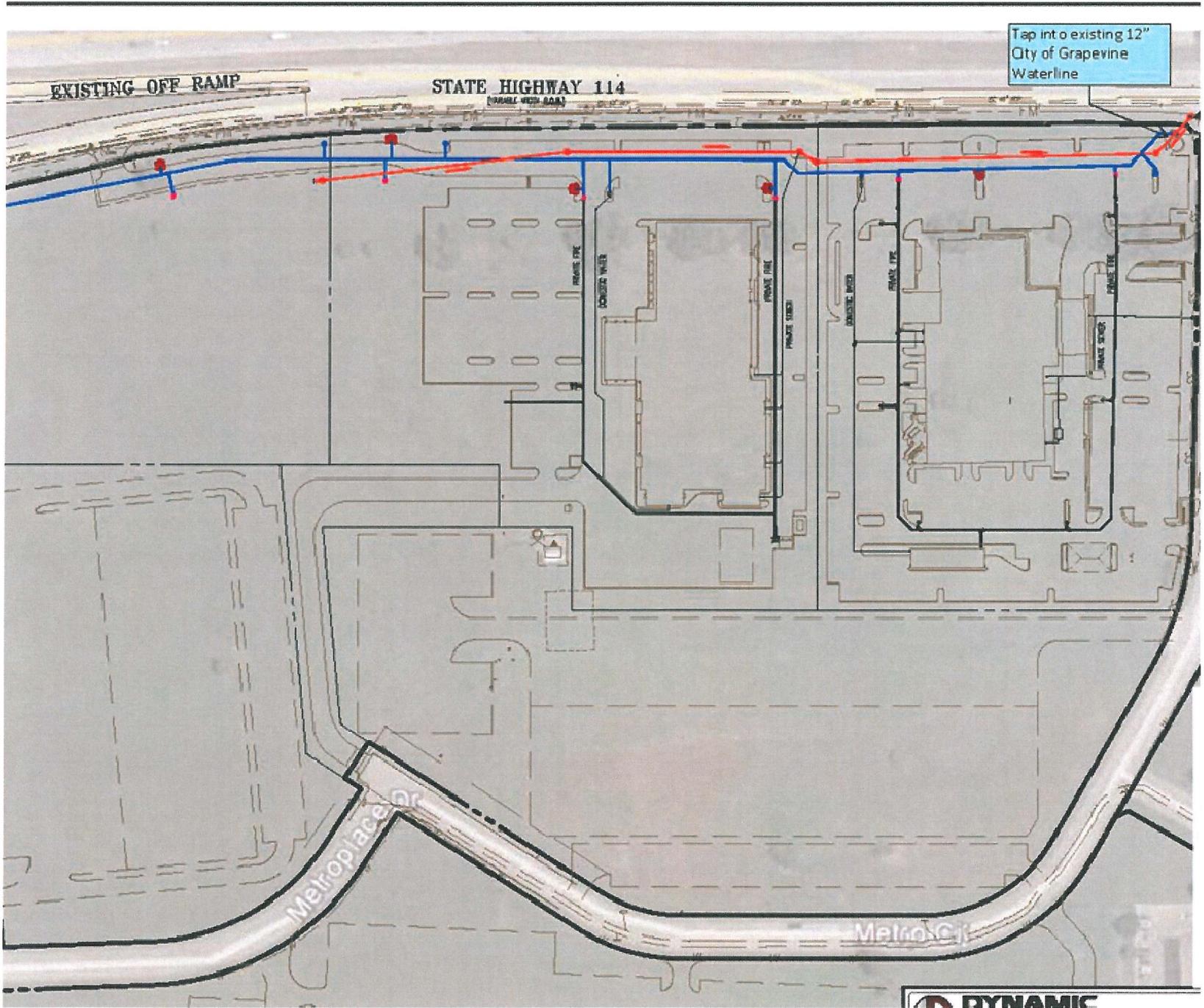
City Council consider approving a License Agreement with the Dallas/Fort Worth International Airport Board (DFW) to provide water, sanitary sewer service and storm drainage to DFW Airport in the vicinity of Metro Circle and eastbound State Highway 114 frontage road, and take any necessary action.

BACKGROUND:

Two automobile dealerships (Audi and Land Rover/Jaguar) are prepared to be developed on DFW property in the City of Grapevine on the south side of eastbound State Highway 114 frontage road west of Metro Circle. DFW has no facilities in the immediate area.

DFW proposes to construct a 12" water line along the frontage of SH 114 connecting the existing 12" stub by the NTB site and extending to the east to the existing lines and stub at Metro Circle and extend an 8" sanitary sewer line from Metro Circle along the frontage of SH 114 to serve the DFW properties. The City of Grapevine Water Master Plan requires a 12" water main across the frontage of the site.

Staff recommends approval.



MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL
FROM: BRUNO RUMBELOW, CITY MANAGER *BR*
MEETING DATE: JANUARY 5, 2016
SUBJECT: APPROVAL OF A RESOLUTION FOR A SOLE SOURCE
REPAIR OF A FLYGT PUMP

RECOMMENDATION:

City Council to consider approval of a resolution for a sole source repair of a Flygt pump from Xylem Water Solutions USC, Inc.

FUNDING SOURCE:

Funding for this purchase is currently available in account 200-43370-534-0 (W/W Treatment Infrastructure Maintenance Fund) in the amount of \$19,312.10.

BACKGROUND:

Xylem Water Solutions USC, Inc. is the authorized sole source representative for this region offering captive replacement parts and components for Flygt pump equipment and repairs. This pump has met the manufacturer's recommended hours for a rebuild.

This procurement will be made as a sole source in accordance with Local Government Code Chapter 252, Subchapter B, § 252.022. General Exemptions (a)(7)(d).

Staff recommends approval.

BB/LW

RESOLUTION NO. _____

FLYGT PUMP
REPAIR

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO APPROVE THE SOLE SOURCE PURCHASE FOR REPAIRS OF A FLYGT PUMP AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Grapevine, Texas is a local government in the State of Texas and as such is empowered by Texas Local Government Code, Chapter 252, Subchapter B, Section 252.022 General Exemptions (a)(7)(D) to repair said equipment on a sole source basis; and

WHEREAS, the sole source purchase is due to Xylem being the only company able to provide parts and components necessary to repair a Flygt pump for the Public Works Utilities Department; and

WHEREAS, all legal prerequisites for the adoption of this resolution have been met, including but not limited to the Local Government Code and the Open Meetings Act; and

WHEREAS, the City Council hereby declares that the approval of this resolution is in the best interests of the health, safety, and welfare of the public.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS:

Section 1. That all matters stated in the above preamble are true and correct and are incorporated herein as if copied in their entirety.

Section 2. That the City Council of the City of Grapevine authorizes the sole source purchase to repair a Flygt pump for the Public Works Utilities Department for an amount not to exceed \$19,312.10.

Section 3. That the City Manager or his designee is authorized to take all steps necessary to consummate the repairs of said Flygt pump.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 5th day of January, 2016.

APPROVED:

ATTEST:

APPROVED AS TO FORM:

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL
FROM: BRUNO RUMBELOW, CITY MANAGER 
MEETING DATE: JANUARY 5, 2016
SUBJECT: APPROVAL FOR THE AWARD OF AN INFORMAL REQUEST
FOR QUOTE FOR POLICE AND FIRE VEHICLE EQUIPMENT

RECOMMENDATION:

City Council to consider approval of an informal request for quote for Police and Fire vehicle equipment from Wildfire Truck and Equipment Sales, Ltd.

FUNDING SOURCE:

Funding for this purchase is currently available in account 325-48910-209-02-16 (Motor Vehicles) and 325-48910-210-03-16 (Motor Vehicles) in the amount of \$31,349.52.

BACKGROUND:

Purchase of police and fire equipment to up-fit three new police Tahoes and one fire Tahoe purchased in the FY2016 Replacement Schedule. The equipment consists of prisoner seats, partitions, panels, consoles, emergency lighting, etc. This equipment meets the specifications and requirements of both departments.

Informal quotes were taken in accordance with City Purchasing Policy. Formal bids and advertisements are not required for purchases under \$50,000. Three vendors submitted quotations as noted below. Wildfire Truck and Equipment Sales, Ltd. submitted the lowest responsive and responsible quote.

Quotes Received:

Wildfire Truck and Equipment Sales, Ltd.	\$31,349.52
Professional Safety Systems	\$31,767.61
Main Street Installers	\$32,916.99

Staff recommends approval.

PH/BS

STATE OF TEXAS
COUNTY OF TARRANT
CITY OF GRAPEVINE

The City Council and the Planning and Zoning Commission of the City of Grapevine, Texas met in Regular Joint Session on this the 15th day of December, 2015 in the City Council Chambers, Second Floor, 200 South Main Street, with the following members of the City Council present:

William D. Tate	Mayor
Sharron Spencer	Council Member
Darlene Freed	Council Member
Mike Lease	Council Member
Chris Coy	Council Member
Duff O'Dell	Council Member

constituting a quorum, with the following members of the Planning and Zoning Commission:

Larry Oliver	Chairman
BJ Wilson	Vice Chairman
Monica Hotelling	Member
Jim Fechter	Member
Gary Martin	Member
Beth Tiggelaar	Member
Dennis Luers	Member
Theresa Mason	Alternate

constituting a quorum, with Alternate Member Bob Tipton absent, with the following members of the City Staff:

Bruno Rumbelow	City Manager
Jennifer Hibbs	Assistant City Manager
John F. Boyle, Jr.	City Attorney
Tara Brooks	City Secretary

CALL TO ORDER

Mayor Tate called the meeting to order at 7:01 p.m.

Item 1. Executive Session

Mayor Tate announced the City Council would recess to the City Council Conference Room to conduct a closed session regarding:

- A. Real property relative to deliberation or the exchange, lease, sale or value of City owned properties (portion of 185 acres owned by City) pursuant to Section 551.072, Texas Government Code.
- B. Conference with City Manager and Staff to discuss and deliberate commercial and financial information received from business prospects the City seeks to have locate, stay, or expand in the City; deliberate the offer of a financial or other incentive; with which businesses the City is conducting economic development negotiations pursuant to Section 551.087, Texas Government Code.

The City Council recessed to the City Council Conference Room and began the closed session at 7:03 p.m. The closed session ended at 7:25 p.m.

Upon reconvening in open session in the Council Chambers, Mayor Tate asked if there was any action necessary relative to the closed session. City Manager Bruno Rumbelow stated there was no action necessary under Section 551.072 and 551.087.

NOTE: City Council continued with the Regular Meeting in open session in the City Council Chambers.

CALL TO ORDER

Mayor Tate called the meeting to order at 7:30 p.m. in the City Council Chambers.

INVOCATION

Commissioner Dennis Luers delivered the Invocation and led the Pledge of Allegiance.

RECESS AND RECONVENE

Mayor Tate announced the Planning and Zoning Commission would recess to the Planning and Zoning Conference Room to consider published business.

The City Council remained in session in the Council Chambers to consider published business.

CITY COUNCIL PUBLIC HEARING

Item 2. Conduct a public hearing and consider an ordinance expanding the boundaries and extending the term of Tax Increment Reinvestment Zone Number One and take any necessary action.

Mayor Tate announced the public hearing was open.

Chief Financial Officer Greg Jordan introduced David Pettit with David Pettit Economic Development who outlined the changes to the Tax Increment Reinvestment Zone Number One to include expanding the boundary an additional 419 acres and extending the term to December 31, 2038.

No one spoke during the public hearing and there was no correspondence to report.

Motion was made to close the public hearing.

Motion: Lease
Second: Coy
Ayes: Tate, Spencer, Freed, Lease, Coy and O'Dell
Nays: None
Approved: 6-0

Motion was made to approve an ordinance to amendment Tax Increment Reinvestment Zone Number One.

Motion: Freed
Second: Lease
Ayes: Tate, Spencer, Freed, Lease, Coy and O'Dell
Nays: None
Approved: 6-0

ORDINANCE NO. 2015-074

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, CONCERNING TAX INCREMENT REINVESTMENT ZONE NUMBER ONE, CITY OF GRAPEVINE, TEXAS, ESTABLISHED PURSUANT TO CHAPTER 311 OF THE TEXAS TAX CODE, BY EXPANDING THE BOUNDARIES OF TAX INCREMENT FINANCING REINVESTMENT ZONE NUMBER ONE, CITY OF GRAPEVINE, TEXAS; AND EXTENDING THE TERM OF TAX INCREMENT REINVESTMENT ZONE NUMBER ONE, CITY OF GRAPEVINE, TEXAS; REPEALING CONFLICTING ORDINANCES; PROVIDING A PENALTY; PROVIDING A SEVERABILITY CLAUSE; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

CITIZEN COMMENTS

No one spoke during the Citizen Comments.

PRESENTATIONS

Item 4. Shonda Schaefer, GRACE Executive Director, to present annual update of GRACE.

Shonda Schaefer thanked the City for their partnership and support of GRACE. Ms. Schaefer highlighted the 2015 activities of GRACE and updated Council on the Capital Expansion Plan.

NEW BUSINESS

Item 5. Consider an Interlocal Agreement with the Town of Flower Mound for the development of a fifty acre tract, of which approximately ten acres lies within the Town of Flower Mound and forty acres lies within the City of Grapevine, and take any necessary action.

Mayor Tate recused himself from this item and filed an Affidavit of Conflict of Interest with the City Secretary.

Public Works Director Stan Laster presented this item to Council. City Council originally approved the Interlocal Agreement on October 20, 2015. The Town of Flower Mound approved an agreement that was different from the original agreement. The changes were primarily associated with floodplain management on the acreage in Flower Mound.

Motion was made to approve the Interlocal Agreement with the Town of Flower Mound.

Motion: Coy
Second: Freed
Ayes: Spencer, Freed, Lease, Coy and O'Dell
Nays: None
Abstain: Tate
Approved: 5-0-1

Item 6. Consider the award of RFB 435-2015 to MDI Inc. General Contractors for the Library Expansion in the construction cost not to exceed \$490,000 and a remainder of \$24,500.00 to serve as a contingency of 5% for a total of \$514,500, adopting an ordinance appropriating funds from the Special Revenue Fund to the Capital Project Quality of Life Fund, and take any necessary action.

Parks and Recreation Director Kevin Mitchell presented this item to Council. The library expansion will include expanding the Genealogy Room, relocating the periodical room and the expanding the teen area.

Motion was made to approve the award of bid for \$490,000 and stipulating any changes above that amount be submitted to City Council for approval.

Motion: Spencer
Second: Coy

Ayes: Tate, Spencer, Freed, Lease, Coy and O'Dell
Nays: None
Approved: 6-0

ORDINANCE NO. 2015-075

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, TO APPROPRIATE \$67,500.00 IN SPECIAL REVENUE FUND LIBRARY NON-RESIDENT REVENUES, AUTHORIZE THE TRANSFER OF FUNDS, AND APPROPRIATE \$67,500 IN CAPITAL PROJECT QUALITY OF LIFE FUND; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

CONSENT AGENDA

Consent items are deemed to need little Council deliberation and will be acted upon as one business item. Any member of the City Council or member of the audience may request that an item be withdrawn from the consent agenda and placed before the City Council for full discussion. Item 8 was removed from the consent agenda and was considered after the other consent agenda items.

Approval of the consent agenda authorizes the City Manager, or his designee, to implement each item in accordance with Staff recommendations.

Item 7. Consider a one-year extension (to expire March 18, 2016) of Conditional Use Permit CU14-07 approved March 18, 2014 that granted a conditional use permit to amend the site plan approved by Ordinance No. 2013-58, as amended, for a planned commercial center with an indoor shooting range and office space. The subject property is located at 1901 South Main Street and is zoned "CC" Community Commercial District.

Development Services Director Scott Williams recommended approval of the extension of Conditional Use Permit CU14-07 for Low-T Centers to March 18, 2016.

Motion was made to approve the consent agenda as presented.

Motion: Coy
Second: Freed
Ayes: Tate, Spencer, Freed, Lease, Coy and O'Dell
Nays: None
Approved: 6-0

Item 9. Consider renewal of an annual contract for utility bill printing, mailing and offset printing services with DataPros through an Interlocal Cooperative Agreement with the City of Plano, Texas.

Chief Financial Officer Jordan recommended approval of the annual contract with DataPros in an annual estimated budgeted amount of \$90,000.

Motion was made to approve the consent agenda as presented.

Motion: Coy
Second: Freed
Ayes: Tate, Spencer, Freed, Lease, Coy and O'Dell
Nays: None
Approved: 6-0

Item 10. Consider an informal request for quote for an annual contract with optional renewals for emergency medical continuing education with BEST EMS.

Fire Chief Darrell Brown recommended approval of a contract with BEST EMS for an amount of \$21,600. The Grapevine Fire Department utilizes a certified educational service to provide the required training on a monthly schedule. This annual contract will provide a minimum of 36 continuing education hours per firefighter, per year.

Motion was made to approve the consent agenda as presented.

Motion: Coy
Second: Freed
Ayes: Tate, Spencer, Freed, Lease, Coy and O'Dell
Nays: None
Approved: 6-0

Item 11. Consider a **resolution** authorizing the purchase of Getac tablet computers from PCS Mobile through a contract established by the State of Texas Department of Information Resources (DIR) Cooperative Contracts Program.

Fire Chief Brown recommended approval of the resolution for the purchase of seven rugged Getac tablets and associated hardware/software to PCS Mobile in an amount not to exceed \$27,541.98. The tablets will be used in the field by the Fire Department and will replace existing mobile workstations that are older technology and are at the end of their useful life expectancy.

Motion was made to approve the consent agenda as presented.

Motion: Coy
Second: Freed
Ayes: Tate, Spencer, Freed, Lease, Coy and O'Dell
Nays: None
Approved: 6-0

RESOLUTION NO. 2015-081

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO PURCHASE

TABLET COMPUTERS THROUGH A STATE OF TEXAS
DEPARTMENT OF INFORMATION RESOURCES (DIR)
CONTRACT PROGRAM AND PROVIDING AN EFFECTIVE
DATE

Item 12. Consider renewal of an annual sole source contract with Taser International for digital evidence management services for the Police Department.

Police Chief Eddie Salame recommended approval of the contract with Taser International for an annual amount not to exceed \$68,828.22. This purchase is for the storage of digital video evidence obtained through the use of body worn cameras used by peace officers.

Motion was made to approve the consent agenda as presented.

Motion: Coy
Second: Freed
Ayes: Tate, Spencer, Freed, Lease, Coy and O'Dell
Nays: None
Approved: 6-0

Item 13. Consider a **resolution** authorizing the purchase of portable radios from Motorola Solutions through an Interlocal Agreement for Cooperative Purchasing with the Houston-Galveston Area Council (H-GAC).

Fire Chief Brown and Police Chief Salame recommended approval of the purchase of eight portable radios for the Fire Department for an amount not to exceed \$34,566.80. This purchase will replace approximately 25% of the Fire Department's portable radios that are nearing the end of their life cycle.

Motion was made to approve the consent agenda as presented.

Motion: Coy
Second: Freed
Ayes: Tate, Spencer, Freed, Lease, Coy and O'Dell
Nays: None
Approved: 6-0

RESOLUTION NO. 2015-082

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
GRAPEVINE, TEXAS, AUTHORIZING THE CITY MANAGER
OR THE CITY MANAGER'S DESIGNEE TO PURCHASE
PORTABLE RADIOS THROUGH AN ESTABLISHED
INTERLOCAL AGREEMENT FOR COOPERATIVE
PURCHASING AND PROVIDING AN EFFECTIVE DATE

Item 14. Consider a **resolution** authorizing the purchase of ballfield sand groomer from Professional Turf Products through an Interlocal Participation Agreement with The Local Government Purchasing Cooperative (BuyBoard).

Public Works Director Laster recommended approval of the purchase for one 2016 Toro Sand Pro 5040 for the Parks Maintenance Division in an amount not to exceed \$23,712.55.

Motion was made to approve the consent agenda as presented.

Motion: Coy
Second: Freed
Ayes: Tate, Spencer, Freed, Lease, Coy and O'Dell
Nays: None
Approved: 6-0

RESOLUTION NO. 2015-083

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO PURCHASE A BALLFIELD SAND GROOMER THROUGH AN ESTABLISHED INTERLOCAL PARTICIPATION AGREEMENT AND PROVIDING AN EFFECTIVE DATE

Item 15. Consider a **resolution** authorizing the purchase of a truck with sewer jetter from Rush Truck Center through an Interlocal Participation Agreement with The Local Government Purchasing Cooperative (BuyBoard).

Public Works Director Laster recommended approval of the purchase of a truck with sewer jetter in an amount not to exceed \$111,083.

Motion was made to approve the consent agenda as presented.

Motion: Coy
Second: Freed
Ayes: Tate, Spencer, Freed, Lease, Coy and O'Dell
Nays: None
Approved: 6-0

RESOLUTION NO. 2015-084

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO PURCHASE A TRUCK WITH SEWER JETTER THROUGH AN ESTABLISHED INTERLOCAL PARTICIPATION AGREEMENT AND PROVIDING AN EFFECTIVE DATE

Item 16. Consider renewal of annual contracts for hot mix asphalt with The Lane Construction Corporation, Austin Asphalt, JLB Contracting, LLC and Reynolds Asphalt.

Public Works Director Laster recommended approval of the contracts for hot mix asphalt in an estimated budgeted amount of \$500,000. The Public Works Street Department will use this material for street repairs and road construction projects.

Motion was made to approve the consent agenda as presented.

Motion: Coy
Second: Freed
Ayes: Tate, Spencer, Freed, Lease, Coy and O'Dell
Nays: None
Approved: 6-0

Item 17. Consider an Interlocal Agreement with the City of Colleyville for traffic signal maintenance along State Highway 26 at John McCain Road and Longwood Drive.

Public Works Director Laster recommended approval of an agreement to assume maintenance of the two traffic signals on the recently completed State Highway 26 construction project.

Motion was made to approve the consent agenda as presented.

Motion: Coy
Second: Freed
Ayes: Tate, Spencer, Freed, Lease, Coy and O'Dell
Nays: None
Approved: 6-0

Item 18. Consider an Engineering Services Contract with Freese and Nichols for engineering support in the permit renewal process with the Texas Commission on Environmental Quality (TCEQ).

Public Works Director Laster recommended approval of an agreement with Freese and Nichols in an amount not to exceed \$19,600. Grapevine's Texas Pollutant Discharge Elimination System (TPDES) Permit for the Wastewater Treatment Plant requires renewal every five years. Freese and Nichols will assist the City with the permitting process.

Motion was made to approve the consent agenda as presented.

Motion: Coy
Second: Freed
Ayes: Tate, Spencer, Freed, Lease, Coy and O'Dell
Nays: None
Approved: 6-0

Item 19. Consider an Engineering Design Services Contract with Gupta & Associates, Inc. for the design of electrical improvements and repairs of the Wastewater Treatment Plant and adopting an ordinance appropriating funds for the contract award that includes 10% contingency to the FY 2015 – 2016 Capital Improvements Plan.

Public Works Director Laster recommended approval of a contract with Gupta & Associates for the design of electrical improvements and repairs of the Wastewater Treatment Plant, and an ordinance to appropriate the funds.

Motion was made to approve the consent agenda as presented.

Motion: Coy
Second: Freed
Ayes: Tate, Spencer, Freed, Lease, Coy and O'Dell
Nays: None
Approved: 6-0

ORDINANCE NO. 2015-076

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, REVISING THE ADOPTED UTILITY ENTERPRISE CAPITAL PROJECTS FUND BUDGET FOR THE FISCAL YEAR ENDING IN 2016, PROVIDING FOR THE TRANSFER OF THE FUNDS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

Item 20. Consider the minutes of the December 1, 2015 Regular City Council meeting.

City Secretary Tara Brooks recommended approval of the minutes as presented.

Motion was made to approve the consent agenda as presented.

Motion: Coy
Second: Freed
Ayes: Tate, Spencer, Freed, Lease, Coy and O'Dell
Nays: None
Approved: 6-0

Item 8. Consider award of annual contract with Hallmark Specialty Insurance Company and Lloyds of London for flood insurance coverage.

Council Member Spencer requested this item be removed from consent. Chief Financial Officer Jordan answered Council's questions and recommended approval for flood insurance for locations that could not be written with the primary carrier. These locations include Meadowmere Park, Trawick Pavilion, Oak Grove Softball and Baseball Parks, The Vineyards Campground, Katie's Woods, and Grapevine Golf Course.

Motion was made to approve the annual contract with Hallmark Specialty Insurance Company and Lloyds of London.

Motion: Spencer
Second: Freed
Ayes: Tate, Spencer, Freed, Lease, Coy and O'Dell
Nays: None
Approved: 6-0

PLANNING AND ZONING COMMISSION RECOMMENDATIONS

Item 21. Conditional Use Permit CU15-42 (Andy's Frozen Custard) – Consider the recommendation of the Planning and Zoning Commission relative to an application submitted by Dunaway Associates, and subsequent ordinance, if applicable. The applicant is requesting a conditional use permit to amend the previously approved site plan of CU12-10 (Ordinance No. 2012-17) for a planned commercial center, specifically to allow for a drive-through and outside seating in conjunction with a restaurant. The property is located at 1135 William D. Tate Avenue and is zoned "CC" Community Commercial District.

The Public Hearing was held and closed at the October 20, 2015 Joint City Council and Planning and Zoning Commission meeting. The Planning and Zoning Commission tabled this item at their October 20, 2015 meeting.

Development Services Director Williams reported the Planning and Zoning Commission approved CU15-42 by a vote of 7-0. Mr. Williams described the changes the applicant made from the last submittal that included removing the access onto Ball Street, placing two driveways onto William D. Tate Avenue and modifying the drive-through lanes.

Motion was made to approve Conditional Use Permit CU15-42 (Andy's Frozen Custard).

Motion: Spencer
Second: Lease
Ayes: Tate, Spencer, Freed, Lease, Coy and O'Dell
Nays: None
Approved: 6-0

ORDINANCE NO. 2015-077

AN ORDINANCE ISSUING A CONDITIONAL USE PERMIT IN ACCORDANCE WITH SECTION 48 OF ORDINANCE NO. 82-73, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF GRAPEVINE, TEXAS, SAME BEING ALSO KNOWN AS APPENDIX "D" OF THE CITY CODE, BY GRANTING CONDITIONAL USE PERMIT CU15-42 TO AMEND THE SITE PLAN APPROVED BY ORDINANCE NO. 2012-17 FOR A PLANNED COMMERCIAL CENTER, SPECIFICALLY TO ALLOW A

DRIVE THROUGH AND OUTSIDE SEATING IN CONJUNCTION WITH A RESTAURANT IN A DISTRICT ZONED "CC" COMMUNITY COMMERCIAL DISTRICT REGULATIONS ALL IN ACCORDANCE WITH A SITE PLAN APPROVED PURSUANT TO SECTION 47 OF ORDINANCE NO. 82-73 AND ALL OTHER CONDITIONS, RESTRICTIONS AND SAFEGUARDS IMPOSED HEREIN; CORRECTING THE OFFICIAL ZONING MAP; PRESERVING ALL OTHER PORTIONS OF THE ZONING ORDINANCE; PROVIDING A CLAUSE RELATING TO SEVERABILITY; DETERMINING THAT THE PUBLIC INTERESTS, MORALS AND GENERAL WELFARE DEMAND THE ISSUANCE OF THIS CONDITIONAL USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

ADJOURNMENT

Motion was made to adjourn the meeting at 8:19 p.m.

Motion: O'Dell

Second: Coy

Ayes: Tate, Spencer, Freed, Lease, Coy and O'Dell

Nays: None

Approved: 6-0

Passed and Approved by the City Council of the City of Grapevine, Texas on this the 5th day of January, 2016.

APPROVED:

William D. Tate
Mayor

ATTEST:

Tara Brooks
City Secretary

STATE OF TEXAS
COUNTY OF TARRANT
CITY OF GRAPEVINE

The City Council of the City of Grapevine, Texas met in Special Session on this the 16th day of December, 2015 in the City Council Chambers, Second Floor, 200 South Main Street, with the following members present to-wit:

William D. Tate	Mayor
Sharron Spencer	Council Member
Mike Lease	Council Member
Duff O'Dell	Council Member

constituting a quorum for the purpose of canvassing, with Council Members Darlene Freed and Chris Coy absent, with the following members of the City Staff:

Bruno Rumbelow	City Manager
Jennifer Hibbs	Assistant City Manager
John F. Boyle, Jr.	City Attorney
Tara Brooks	City Secretary

Call to Order

Mayor Tate called the meeting to order at 1:18 p.m.

Item 1. Canvass the results of the December 8, 2015 Runoff Election to fill the unexpired term for City Council Place 1, certify the results and take any necessary action.

Mayor Tate presided over the canvass of the Runoff Election held on December 8, 2015. City Secretary Tara Brooks reported 1,471 voters cast ballots during Early Voting and Election Day, which was 4.95% of the 29,709 registered voters in Grapevine. Christian Ross received 474 votes (32.29%) and Paul Slechta received 994 votes (67.71%).

Motion was made to certify the results and declare Paul Slechta duly elected to fill the unexpired term for City Council, Place 1.

Motion: Lease
Second: O'Dell
Ayes: Tate, Spencer, Lease, and O'Dell
Nays: None
Approved: 4-0

ELECTION CERTIFICATION

A CERTIFICATION OF THE TABULATION OF THE ELECTION RESULTS OF THE DECEMBER 8, 2015, RUNOFF ELECTION FOR THE PURPOSE OF ELECTING A COUNCILPERSON TO FILL THE UNEXPIRED TERM FOR

GRAPEVINE CITY COUNCIL PLACE 1 AND PROVIDING AN
EFFECTIVE DATE

ADJOURNMENT

Motion was made to adjourn the meeting at 1:20 p.m.

Motion: Spencer

Second: O'Dell

Ayes: Tate, Spencer, Lease, and O'Dell

Nays: None

Approved: 4-0

Passed and approved by the City Council of the City of Grapevine, Texas on this the 5th day of January, 2016.

APPROVED:

William D. Tate
Mayor

ATTEST:

Tara Brooks
City Secretary