
ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, April 05, 2021 - 5:00 PM

City Hall Council Chambers - 385 Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the meeting to order at 5:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Kevin Fowler and Council Members Anna Campbell, Dana Macalik, John Hohenshelt, Bennie Daniels and Trace Johannesen. Mayor Pruitt then read the below listed discussion items into the record before recessing the public meeting to go into Executive Session.

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTER AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding Rockwall Municipal Court pursuant to Section 551.071 (Consultation with Attorney) and pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding possible acquisition of real property in the vicinity of FM-549 and SH-205 pursuant to Section §551.072 (Real Property).
3. Discussion regarding legal issues related to personnel matters pursuant to Section 551.071 (Consultation with Attorney).
4. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees - specifically the N. TX Municipal Water District (NTMWD) Board - pursuant to Section 551.074 (Personnel Matters)

III. ADJOURN EXECUTIVE SESSION

IV. RECONVENE PUBLIC MEETING (6:00 P.M.)

Mayor Pruitt reconvened the public meeting at 6:07 p.m. with all seven council members being present.

V. INVOCATION AND PLEDGE OF ALLEGIANCE - COUNCILMEMBER CAMPBELL

Councilmember Campbell delivered the invocation and led the Pledge of Allegiance.

VI. PROCLAMATIONS

1. Child Abuse Awareness & Prevention Month

Mayor Pruitt called forth several representatives from various organizations within Rockwall County (i.e. the Child Advocacy Center, Rainbow Room, Court Appointed Special Advocates, the Rockwall County District Attorney, etc.). He read the proclamation, and representatives from each organization present said a few words.

2. Robotics Week

Mayor Pruitt called forth students (elementary thru high school aged) who serve on local robotics teams. He then read and presented them with a proclamation declaring "Robo Week" in the City. One of their representatives then briefly said a few words.

3. Texas Coalition for Affordable Power (TCAP) - Recognition of Rockwall's 20 Year Membership

Margaret Somereve from TCAP came forth and presented Mayor Pruitt with a certificate of appreciation, recognizing Rockwall for being a TCAP member for the last 20 years.

VII. OPEN FORUM

Mayor Pruitt explained how Open Forum is conducted and asked if anyone would like to come forth and speak at this time.

Clark Staggs
1601 Seascap
Rockwall, TX 75087

Mr. Staggs came forth and thanked various staff members from both the Water and Streets Departments for recently assisting him with needs related to shutting his water off and with removing a tree that was blocking the alleyway behind his home.

Bob Wacker
Featherstone
Rockwall, TX

Mr. Wacker briefly came forth and questioned why generators went down during the winter storm events.

There being no one else wishing to come forth and speak at this time, Mayor Pruitt then closed Open Forum.

VIII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Fowler moved to reappoint Chip Imrie to the North TX Municipal Water District (NTMWD) Board of Directors. Hohenshelt seconded the motion, which passed by a vote of 7 ayes to 0 nays.

IX. CONSENT AGENDA

1. Consider approval of the minutes from the March 15, 2021 regular City Council meeting, and take any action necessary.
2. Consider authorizing the Interim City Manager to enter into a Boundary Agreement with the City of Heath to make minor corrections to the City's corporate limits, including approval of an ordinance concerning this matter, and take any action necessary. (2nd reading)
3. **Z2021-004** - Consider a request by Juan Maldonado for the approval of an ordinance for a *Specific Use Permit (SUP)* for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.1150-acre parcel of land identified as Lot 890, Block E, Rockwall Lake Estates #1 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 418 Perch Road, and take any action necessary (2nd Reading).

4. **Z2021-005** - Consider a request by Kevin Harrell of the Skorburg Company on behalf of Alex Freeman and Mark G. & Jessica K. Taylor for the approval of an **ordinance** for a Zoning Change from an Agricultural (AG) District to a Planned Development District for Single-Family 16 (SF-16) District land uses on a 37.844-acre tract of land identified as Tracts 17 & 17-01 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located at the southeast corner of the intersection of FM-1141 and Clem Road, and take any action necessary (**2nd Reading**).
5. Consider authorizing the Interim City Manager to execute an interlocal agreement with the North Central TX Emergency Communications District ("NCT9-1-1") for regional 9-1-1 services, and take any action necessary.
6. Consider authorizing the Interim City Manager to execute a professional engineering services contract with Cardinal Strategies Engineering Services, LLC to perform phase 2 of the Squabble Creek Watershed Hydrologic & Hydraulic Update in an amount not to exceed \$82,000.00, to be funded out of the Engineering Consulting Budget, and take any action necessary.
7. Consider authorizing the Interim City Manager to execute contract amendment to the professional engineering services contract with Volkert, Inc., to perform the engineering design and construction plans for the IH-30 Utility Relocation Project in an amount not to exceed \$210,419.00, to be funded out of the Water and Sewer Fund, and take any action necessary.
8. Consider authorizing the Interim City Manager to execute a contract amendment to the professional engineering services contract with Dannenbaum Engineering Company – Dallas, LLC, to perform the construction bidding and administration services for the Ridge Road West Reconstruction Project in an amount not to exceed \$33,262.62, to be funded out of the 2018 Street Bond Fund, and take any action necessary.
9. Consider approval of a professional engineering services contract with Birkhoff, Hendricks, & Carter, L.L.P. to perform the engineering design services for the IH-30 Water Line Crossing Project in an amount not to exceed \$94,465.00, to be funded out of the Water and Sewer Fund, and take any action necessary.
10. Consider authorizing the Interim City Manager to execute an Interlocal Purchasing Agreement between the City and North Central Texas Council of Governments, and take any action necessary.

Councilmember Johannesen moved to approve the entire Consent Agenda (#s 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10). Councilmember Macalik seconded the motion. The ordinance captions were read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 21-15**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS CONFIRMING AND APPROVING A JOINT ORDINANCE AND BOUNDARY AGREEMENT SETTING FORTH UPDATED CORPORATE BOUNDARIES FOR THE CITY OF ROCKWALL AND THE CITY OF HEATH; PROVIDING FOR CERTAIN AGREEMENTS AND ADJUSTMENTS TO THE CORPORATE BOUNDARIES OF THESE CITIES; PROVIDING FOR A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL
ORDINANCE NO. 21-16
SPECIFIC USE PERMIT NO. S-245

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL AND PLANNED DEVELOPMENT DISTRICT 75 (PD-75) [*ORDINANCE NO. 16-01*], ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.115-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 890, BLOCK E, ROCKWALL LAKE ESTATES #1 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL
ORDINANCE NO. 21-17

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT 91 (PD-91) FOR SINGLE-FAMILY 16 (SF-16) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 38.012-ACRE TRACT OF LAND IDENTIFIED AS TRACT 17 & 17-01 OF THE W. M. DALTON SURVEY, ABSTRACT NO. 72, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* AND DEPICTED HEREIN BY *EXHIBIT 'B'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 7 ayes to 0 nays.

X. APPOINTMENT ITEMS

1. Appointment with representatives of Oncor Electric Delivery to provide a presentation on the February 2021 winter storm, and take any action necessary.

Cindy Tayem with ONCOR came forth and addressed the Council concerning this appointment item. She generally explained that during this “short supply” winter storm event, there was not enough power generation in order to support demand on the electric grid. She shared that electric providers were asked by ERCOT (Electric Reliability Council of Texas) to assist them in order to avoid ‘blackouts,’ which would have taken weeks and possible a month or more to recover from. She went on to explain the various ‘players’

involved in electric generation and delivery and their individual roles. She went on to recap steps that Oncor took in advance of the impending winter weather event(s) back in February and then went into detail regarding “load shed” (outages) that took place throughout the severe weather event. She acknowledged that Mayor Pruitt (and others) have expressed a desire to have more frequent and better communication with Oncor representatives during severe events that impact power. She shared that Oncor was absolutely inundated and overwhelmed with calls and app-generated messages to the company regarding outages, and it was difficult to decipher which outages were caused by rolling outages and which were caused by actual damages to equipment. She indicated that Oncor is working to improve all of these things and to perform data analytics in order to better understand how to decipher things better in the future. She stressed that any and all actions that Oncor took were at the request of ERCOT in order to avoid a true ‘blackout’ situation.

Mayor Pruitt generally expressed displeasure with misinformation that the City had received from Oncor that it then passed along to city residents (re: how long power would be out, when it might come back on, etc.). Also, he is still curious how Oncor decided which portions of our city would be without power for three days at a time and which areas would never experience outages at all. He is particularly concerned about neighborhoods that are “all electric” (no gas) that were without power for 2 and 3 days consistently (no power at all whatsoever) (i.e. Lakeside Village). Ms. Tayem shared that Oncor did not know or realize that they would be unable to shed sufficient power with rotating / rolling outages. She went on to provide various pieces of information, generally detailing the challenges and events that took place the week of the severe winter weather storm event.

Following various questions and expressions of concern from Council Members, Ms. Tayem thanked the Council for its time. No action was taken as a result of this item.

XI. ACTION ITEMS

1. Discuss and consider non-emergency ambulance service transfer rates and possible exclusivity associated with transfers made within the City of Rockwall, and take any action necessary.

Mayor Pruitt provided extensive background information pertaining to this topic, including a brief history of past ‘emergency’ and ‘non-emergency’ EMS / ambulance transport services within the City of Rockwall. He went on to explain that he recently sent a letter to ambulance service providers who provide non-emergency transfer/transport services within the City, inviting them to attend this evening and provide information on their transfer rates and associated services.

Ricky Jones
Medic One Medical Response
Farmers Branch, TX

Mr. Jones expressed that he understands the City of Rockwall wanting have some sort of regulations in place in order to control, to some degree, the company(ies) providing services within its city. However, he suggested that perhaps the City might consider having a “back-up” company in place that could be vetted and approved by the County of Rockwall Emergency Services Corporation. Mr. Jones went on to share some details regarding rates that his company charges for both “Basic Life Support” (BLS) and “Advanced Life Support” (ALS) services. He explained that Medicare allowable rates are generally charged; however,

for those patients who do not have insurance (who are “private pay”), he provided details on those rates too. He went on to explain that his company provides “mutual aid” type non-emergency transport services in both Hunt and Ellis Counties (both of which have non-emergency exclusivity provisions in place).

Mr. James Swartz
Careflite
3110 S. Great SW Parkway
Grand Prairie, TX 75052

Mr. Swartz came forth and provided a PowerPoint presentation to the Council. He generally explained that exclusivity creates a monopoly and decreases response times, ultimately negatively impacting patient care. He believes that competition makes services improve – monopolies do not. He went on to share that instituting “exclusivity” of non-emergency transports would inhibit Careflite’s ability to provide air ambulance transport services to patients who need those types of transports. He generally spoke strongly in opposition of the City of Rockwall instituting “exclusivity” related to non-emergency transport services.

Mayor Pruitt called for a brief break, recessing the meeting at 7:46 p.m. He reconvened the meeting at 7:58 p.m.

Michael Gilbert
Allegiance Mobile Health
1681 S. Broadway St.
Carrollton, TX 75006

Mr. Gilbert came forth and shared that his company only provides non-emergency transport services. He shared that he provided each council member with a handout that outlines information about his company. Following brief questions and answers between Mr. Gilbert and the Council, Mitch Ownby from Medic Rescue came forth.

Mitch Ownby
Chief, Rockwall County EMS / Medic Rescue
(no address provided)

Mr. Ownby came forth and addressed the Council concerning this topic. He explained that his company is currently the ‘exclusive’ provider within Rockwall County for 9-1-1 emergency ambulance services. He spoke briefly about his company having two paramedics on each ambulance and the level of service / capability that his trucks provide to patients on board. Thirty-seven or thirty-eight percent of his company’s current business is non-emergency transport services. The remainder is 9-1-1 emergency service business. He went on to explain that ‘exclusivity’ demand would be met by his company (to provide non-emergency transports, along with 9-1-1 transports) by the addition of more ambulances, which would enable the company to keep up with its obligations / “performance based” standards. General discussion took place pertaining to his company’s current performance standards associated with the 9-1-1 contract it has in place with the County’s Emergency Services Corporation.

Curtis Smith
Acadian Ambulance

(no address provided)

Mr. Smith came forth and provided brief compliments to the city and county, indicating that it is a desirable county in which to do business. He acknowledged that his company did bid on the 9-11 ambulance services contract several years ago in response to the RFP ("request for proposals") at the time. He went on to speak about his company's non-emergency transfer rates and how billing works. He shared that, to his knowledge, only the cities of Arlington and Ft. Worth have exclusivity (non-emergency) in place. He stated that he would love to be Rockwall's "exclusive" provider for non-emergency transport services. He also shared that his company can provide most all of the same services that Careflite provides (minus "air transport" services).

Following the various discussions that took place, the Council took no action pertaining to this agenda item at this time.

2. Discuss and consider directing staff to make changes to the Municipal Code of Ordinances addressing regulatory actions for improvements and storage on unleased land within the takeline, and take any action necessary.

Mayor Pruitt began discussion of this item, explaining that this topic focuses on those residents who live along the Lake Ray Hubbard Takeline and do and do not lease the area between their back yards and the lakefront. This ordinance would clarify that if you do not currently pay to lease the takeline area, then you're not allowed to store things in that area (i.e. lawn chairs). Indication was given that this ordinance will come before Council for action at the next, regular council meeting (1st reading of the ordinance). At this time, no action was taken.

3. Discuss and consider (3) pickleball courts to be located at The Park at Hickory Ridge, including the preliminary budget, and take any action necessary.

Parks Director, Travis Sales, came forth and briefed the Council on this agenda item. Following various questions and answers between council members and Mr. Sales, Mayor Pruitt made a motion to move forward and amend the budget to accommodate the shortfall associated with installing a parking lot. Councilmember Hohenshelt seconded the motion, which passed unanimously of those present (7 ayes to 0 nays).

4. Discuss and consider filling vacancies on the city's Comprehensive Plan Advisory Committee (CPAC), and take any action necessary.

Mayor Pruitt moved to appoint Jim Turner to serve. Councilmember Daniels seconded the motion, which passed by a vote of 7 ayes to 0 nays.

XII. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Building Inspections Monthly Report - February 2021
2. Fire Department Monthly Report - February 2021
3. Parks & Recreation Department Monthly Report - February 2021
4. Police Department Monthly Report - February 2021

5. Sales Tax Historical Comparison
6. Water Consumption Historical Statistics

Interim City Manager, Mary Smith, indicated that monthly reports have been included in the informational meeting packet for review, and staff is happy to answer any questions Council may have. No action was taken pertaining to this agenda item.

Council did reconvene in Executive Session following the close of the public meeting agenda. So Pruitt recessed the public meeting at 8:39 p.m. to do so.

XIII. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTER AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

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XIV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

Council came out of Executive Session and Mayor Pruitt reconvened the public meeting at 9:10 p.m. No action was taken.

XV. ADJOURNMENT

Mayor Pruitt adjourned the meeting at 9:10 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 19th DAY OF APRIL, 2021.



JIM PRUITT, MAYOR

ATTEST:



KRISTY COLE, CITY SECRETARY

