



CITY OF GRAPEVINE, TEXAS
REGULAR CITY COUNCIL MEETING AGENDA
TUESDAY, SEPTEMBER 3, 2024

GRAPEVINE CITY HALL, COUNCIL CHAMBERS
200 SOUTH MAIN STREET
GRAPEVINE, TEXAS

7:00 p.m.	Dinner - City Council Conference Room
7:30 p.m.	Regular Meeting - City Council Chambers

CALL TO ORDER: 7:30 p.m. - City Council Chambers

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

1. Invocation: Dr. Doug Page, Pastor at First Baptist Grapevine
2. Posting of the Colors and Pledges of Allegiance: Troop 7

CITIZEN COMMENTS

3. Any person who is not scheduled on the agenda may address the City Council under Citizen Comments or on any other agenda item by completing a Citizen Appearance Request form with the City Secretary. A member of the public may address the City Council regarding an item on the agenda either before or during the Council's consideration of the item, upon being recognized by the Mayor or upon the consent of the City Council. Citizens will have three (3) minutes to address Council. 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 the Captain Molly Corbin Chapter National Society Daughters of the American Revolution declaring the week of September 17 through 23 "Constitution Week".
5. GrapeFest Co-Chairs, Steve Felton and Linda McNair-Felton, to present information regarding the 38th Annual GrapeFest – A Texas Wine Experience presented by the Bank of the West that will take place September 12, 13, 14, and 15, 2024.

NEW BUSINESS

6. Consider enhancements for the Concourse/Pro Shop with Fransen Pittman and **Ordinance No. 2024-076** appropriating the funds, and take any necessary actions.

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 Any member of the City Council or member of the audience may request that an item be withdrawn from the consent agenda and placed before the City Council for full discussion.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.

7. Consider **Ordinance 2024-074** amending Ordinance No. 98-127 adopted on October 20, 1998, which provided for current investment committee and designated officials. Chief Financial Officer recommends approval.
8. Consider **Resolution 2024-014** authorizing the City Investment Policy pursuant to the provisions of the Public Funds Investment Act, Chapter 2256, Texas Government Code. Chief Financial Officer recommends approval.
9. Consider the renewal of an annual contract for outside audit services with Forvis Mazars, LLP. Chief Financial Officer recommends approval.
10. Consider the purchase for the mailing of the GO magazine from Community Impact Newspaper (JG Media). Parks and Recreation Director recommends approval.
11. Consider **Ordinance 2024-075** amending Chapter 25, Utilities and Services, Article III. Solid Waste Disposal. Public Works Director recommends approval.
12. Consider changing the start time of the October 1, 2024, City Council meeting to 5:30 p.m. to allow the City Council to attend neighborhood National Night Out events. City Secretary recommends approval.
13. Consider the minutes of the August 20, 2024, Regular 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

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 August 30, 2024 by 5:00 p.m.



Suzanne Le
Assistant to the City Secretary



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.

This meeting can be adjourned and reconvened, if necessary, the following regular business day.

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: BRUNO RUMBELOW, CITY MANAGER ^{BK}

MEETING DATE: SEPTEMBER 3, 2024

SUBJECT: GRAPEVINE CONCOURSE/PRO SHOP ENHANCEMENTS

RECOMMENDATION: City Council to consider approval for the Concourse/Pro Shop Enhancements with Fransen Pittman.

FUNDING SOURCE: Upon approval of the attached appropriation ordinance, funds will be available in the CVB Capital Projects Fund in an amount not to exceed \$4,728,427.

BACKGROUND: On July 16, 2024, City Council approved Fransen Pittman as Construction Manager at Risk (CMAR) to provide general contracting services, project management support, and coordinate with staff and architects to finalize the GMP (Guaranteed Maximum Price).

Fransen Pittman solicited proposals from approximately 200 sub-contractors including many Grapevine based contractors.

Increased construction material and labor costs, and supply chain pressures required multiple bidding rounds with sub-contractors along with value engineering to get the GMP to the present pricing.

As you recall, this is a full renovation of the Concourse and the conversion of the old pro shop building into an open air pavilion. This project will further enhance the golf course, be a revenue stream for the CVB and will serve the community for many decades to come.

The project will be completed by May of 2025 in order to be ready for the next Texas Women's Open golf tournament.

Staff recommends approval.

ORDINANCE NO. 2024-076

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS; INCREASING RECEIPTS OF \$4,728,427 IN THE CONVENTION AND VISITORS BUREAU FUND FROM FUND BALANCE, APPROPRIATING \$4,728,427 IN THE CONVENTION & VISITORS BUREAU FUND; TRANSFERRING \$4,728,427 TO THE CAPITAL PROJECTS – CVB FUND AND APPROPRIATING \$4,728,427 IN THE CAPITAL PROJECTS – CVB FUND; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City has identified the need for a Grapevine Concourse and Golf Pro Shop Enhancements; and

WHEREAS, the City has decided to use CVB Fund Balance to cash fund the project; and

WHEREAS, approval of this ordinance will make the total project funds available for the Grapevine Concourse and Golf Pro Shop Enhancements in the amount of \$4,728,427; and

WHEREAS, all constitutional and statutory prerequisites for the approval of this ordinance have been met, including but not limited to the Open Meetings Act; and

WHEREAS, the City Council deems the adoption of this ordinance is in the best interests of the health, safety, and welfare of the public.

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

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

Section 2. That the City Council hereby approves an increase of receipts from Fund Balance in the amount of \$4,728,427 in the Convention & Visitors Bureau Fund.

Section 3. That the City Council hereby approves appropriation of \$4,728,427 in the Convention and Visitors Bureau Fund.

Section 4. That the City Council hereby approves the transfer of \$4,728,427 from the Convention and Visitors Bureau Fund to the Capital Projects CVB Fund.

Section 5. That the City Council approves appropriation of \$4,728,427 in the Capital Projects Fund CVB.

Section 6. 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 public creates an emergency which requires that this ordinance become effective from and after the date of its passage, and it is accordingly so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 3rd day of September, 2024.

APPROVED:

William D. Tate
Mayor

ATTEST:

Tara Brooks
City Secretary

APPROVED AS TO FORM:

Matthew C.G. Boyle
City Attorney

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: BRUNO RUMBELOW, CITY MANAGER *BR*

MEETING DATE: SEPTEMBER 3, 2024

SUBJECT: ORDINANCE AMENDING THE GRAPEVINE CODE OF ORDINANCES, CHAPTER 10 FINANCE, ARTICLE II INVESTMENT OF CITY FUNDS TO COMPLY WITH THE PUBLIC FUNDS INVESTMENT ACT

RECOMMENDATION: City Council to consider approving changes to the original Ordinance No. 98-127 adopted on October 20, 1998 which provided for current investment committee and designated officials.

FUNDING SOURCE: Ordinance has no impact to city funds.

BACKGROUND: The original ordinance included titles for investment officers for the City which are no longer applicable as of Fiscal Year 2024. The changes update the current titles for those investment officers responsible for the City's portfolio to include the Treasurer, Chief Financial Officer, and City Manager, or designee.

Staff recommends approval.

ORDINANCE NO. 2024-074

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS AMENDING THE GRAPEVINE CODE OF ORDINANCES, CHAPTER 10 FINANCE, ARTICLE II INVESTMENT OF CITY FUNDS TO COMPLY WITH THE PUBLIC FUNDS INVESTMENT ACT

WHEREAS, the Grapevine Code of Ordinances, Chapter 10, Finance, Article II Investment of City Funds, Section 10-31(e) provides that the City Council may adopt investment policies and guidelines;

WHEREAS, the City Council approved Ordinance No. 98-127 on October 20, 1998 which adopted the current Investment Committee and Designated Officials; and

WHEREAS, the City Council approved Resolution No. 2023-016 on September 5, 2023 which adopted the current Investment Policy and Investment Strategy; and

WHEREAS, the City Council deems it in the best interest of the City of Grapevine to amend the Grapevine Municipal Code to authorize certain changes in the City's Investment Policy.

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

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

Section 2. That the Grapevine Municipal Code, Article II, Section 10-33 Designated Officials is amended to read as follows:

"There is hereby established an Investment Committee consisting of the City Manager, Chief Financial Officer, Treasurer, or delegee certified under the Public Funds Investment Act, of the City of Grapevine. The committee shall perform the following duties:

1. Establish and modify from time to time a list of approved brokers for the purchase of allowed securities. The list of approved brokers to be utilized for the purchase of allowed securities is to be selected by the Investment Committee, with such list of selected brokers to be provided to the City Council on an annual basis or when the list is modified. All such brokers so selected will meet the criteria set forth in the City's Investment Policy.
2. Review the City's investment portfolio on a regular basis and determine appropriate portfolio adjustments, oversee the City's investment advisor,

monitor compliance with the City's Investment Policy and Strategy statements and perform other duties as necessary to maintain the City's investment program."

Section 4. If any section, article, paragraph, sentence, clause, phrase or word in this ordinance, or application thereto any person or circumstances is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance; and the City Council hereby declares it would have passed such remaining portions of the ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 5. The fact that the present ordinance 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 of the public which requires that this ordinance shall become effective from and after the date of its passage, and it is accordingly so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 3rd day of September, 2024.

APPROVED:

William D. Tate
Mayor

ATTEST:

Tara Brooks
City Secretary

APPROVED AS TO FORM:

Matthew C.G. Boyle
City Attorney

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: BRUNO RUMBELOW, CITY MANAGER *BR*

MEETING DATE: SEPTEMBER 3, 2024

SUBJECT: RESOLUTION APPROVING THE CITY'S INVESTMENT POLICY

RECOMMENDATION: City Council to consider a resolution authorizing the City Investment Policy pursuant to the provisions of the Public Funds Investment Act, Chapter 2256, Texas Government Code.

FUNDING SOURCE: Resolution has no impact to city funds.

BACKGROUND: Chapter 2256 of the Texas Government Code, the Public Funds Investment Act (PFIA), requires an annual City Council review of the City's investment policy. The Council initially adopted the policy in 1997 and last presented the policy on September 5, 2023. This year's iteration includes general grammatical and formatting refinement to the overall document, minor adjustments in compliance with PFIA, and current lists of broker/dealers and training sources.

Staff recommends approval.



INVESTMENT POLICY

Adopted:

May 6, 1997

Most Recent Revision/Review:

September 3, 2024

TABLE OF CONTENTS

INVESTMENT POLICY	
PREFACE	1
I. PURPOSE	2
A. Formal Adoption.....	2
B. Scope.....	2
C. Review and Amendment.....	2
D. Investment Strategy.....	3
II. INVESTMENT OBJECTIVES	3
A. Safety of Principal.....	3
B. Maintenance of Adequate Liquidity.....	4
C. Preservation of Public Trust.....	4
D. Diversification.....	4
E. Yield.....	4
III. INVESTMENT POLICIES	4
A. Authorized Investments.....	4
B. Unauthorized Investments.....	7
C. Protection of Principal.....	7
D. Investment Advisors and Investment Providers.....	11
E. Responsibility and Controls.....	12
IV. BROKER/DEALER LIST	15
V. PFIA LIST OF TRAINING SOURCES	15
INVESTMENT STRATEGY STATEMENT	
PREFACE	17
I. INVESTMENT STRATEGY	18
A. Operating Funds.....	18
B. Construction and Capital Improvement Funds.....	19
C. Debt Service Funds.....	20

PREFACE

It is the policy of City of Grapevine that, giving due regard to the safety and risk of investment, all available funds shall be invested in conformance with State and Federal Regulations, applicable Bond Resolution requirements, adopted Investment Policy and adopted Investment Strategy.

Effective cash management is recognized as essential to good fiscal management. Fiscally conservative and effective cash management and investment strategy development will be pursued to take advantage of interest earnings as viable and material revenue to all City funds. The portfolio of the City shall be designed and managed in a manner responsive to the public trust and consistent with this Policy.

Investments shall be made with the primary objectives of:

- 1) Preservation and safety of city funds,
- 2) Maintenance of sufficient liquidity,
- 3) Preservation of public trust through prudent investment activities,
- 4) Maximization of return within acceptable risk constraints, and
- 5) Diversification of investments.

I. PURPOSE

A. Formal Adoption

This Investment Policy is authorized by the City of Grapevine in accordance with Chapter 2256, Texas Government Code, the Public Funds Investment Act, and the Public Funds Collateral Act Chapter 2257, Texas Government Code.

B. Scope

This Investment Policy applies to all of the investment activities of the City. These funds are accounted for in the City's Annual Comprehensive Financial Report (ACFR) and include:

1. General Fund
2. Special Revenue Funds
3. Capital Projects Funds
4. Enterprise Funds
5. Trust and Agency Funds, to the extent not required by law or existing contract to be kept segregated and managed separately.
6. Debt Service Funds, including reserves and sinking funds, to the extent not required by law or existing contract to be kept segregated and managed separately.
7. 4B Economic Development Corp. Sales Tax Fund
8. Crime Control District Sales Tax Fund
9. Community Quality of Life Fund
10. Any new fund created by the City, unless specifically exempted from this Policy by the City Council or by law.

This Policy establishes guidelines for: who can invest City funds, how City funds will be invested, and when and how a periodic review of investments will be made. In addition to this Policy, bond funds (as defined by the Internal Revenue Service) shall be managed in accordance with their issuing documentation and all-applicable State and Federal Law.

This Investment Policy shall apply to all transactions involving the financial assets and related activity for all the foregoing and future funds. However, this policy does not apply to the assets administered for the benefit of the City by outside agencies under deferred compensation programs.

All investments made with City funds prior to the adoption of this Investment Policy shall be held or liquidated as determined by the Investment Officer to be in the best interest of the financial well-being of the City.

C. Review and Amendment

This Policy shall be reviewed and adopted by Resolution annually by the City Council.

D. Investment Strategy

In conjunction with the annual Policy review, the City Council shall review the separate written investment strategy for each of the City funds and adopt by Resolution. The investment strategy must describe the investment objectives for each particular fund according to the following priorities:

1. Investment suitability,
2. Preservation and safety of principal,
3. Liquidity,
4. Marketability prior to maturity of each investment,
5. Diversification, and
6. Yield.

II. INVESTMENT OBJECTIVES**A. Safety of Principal**

The City shall manage and invest its cash with five primary objectives, listed in order of priority: safety, liquidity, public trust, diversification and yield, expressed as optimization of interest earnings. The safety of the principal invested always remains the primary objective. All investments shall be designed and managed in a manner responsive to the public trust and consistent with state and local law.

Safety of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective will be to mitigate credit and interest rate risk.

1. Credit Risk – The City will minimize credit risk, the risk of loss due to the failure of the issuer or backer of the investment, by:
 - a) Limiting investments to the highest credit quality investments.
 - b) Pre-qualifying the financial institutions with which the City will do business.
 - c) Diversifying the investment portfolio so that potential losses on individual issuers will be minimized.
2. Interest Rate Risk – The City will minimize the risk that the interest earnings and the market value of investments in the portfolio will fall due to changes in general interest rates, by:
 - a) Structuring the investment portfolio so that investments mature to meet cash requirements for ongoing operations, thereby avoiding the need to liquidate investments prior to maturity.
 - b) Investing operating funds primarily in certificates of deposit, shorter-term securities, money market mutual funds, or local government investment pools functioning as money market mutual funds.
 - c) Diversifying maturities and staggering purchase dates to minimize the impact of market movements over time.

B. Maintenance of Adequate Liquidity

The City's investment portfolio will remain sufficiently liquid to meet the cash flow requirements that might be reasonably anticipated. Liquidity shall be achieved by matching investment maturities with forecasted cash flow requirements; investing in securities with active secondary markets; and maintaining appropriate portfolio diversification.

A portion of the portfolio will be invested in shares of money market mutual funds or local government investment pools that offer same-day liquidity. In addition, a portion of the portfolio will consist of securities with active secondary or resale markets.

C. Preservation of Public Trust

All participants in the City's investment process shall seek to act responsibly as custodians of the public trust. Investment officers shall avoid any transaction that might impair public confidence in the City's ability to govern effectively.

D. Diversification

Diversification of the portfolio will include diversification by maturity and market sector and the use of a number of institutions and brokers. The City will diversify its investments to avoid unreasonable and avoidable risks.

E. Yield

The investment portfolio shall be designed with the objective of maintaining a reasonable market yield throughout budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs. Return on investment is of secondary importance compared to the safety and liquidity objectives described above.

III. INVESTMENT POLICIES**A. Authorized Investments**

Only investments described below authorized by the Public Funds Investment Act are eligible securities for the City. The City shall require at least three competitive offers or bids for all individual security purchases and sales (excluding transactions with money market mutual funds, local government investment pools and when issued securities, which are deemed to be made at prevailing market rates). All prudent measures will be taken to liquidate an investment that is downgraded to less than the required minimum rating. The City's funds governed by this Policy may be invested in:

1. Obligations of Governmental Entities

The following are authorized investments for obligations of governmental agencies:

- a) Obligations of the United States or its agencies and instrumentalities;
- b) Direct obligations of the State of Texas or its agencies and instrumentalities;
- c) Other obligations, the principal and interest on which are unconditionally guaranteed, insured by, or backed by the full faith and credit of the State of Texas or the United States or their respective agencies and instrumentalities;
- d) Obligations of states, agencies, counties, cities, and other political subdivisions of any State having been rated as to investment quality by a

nationally recognized investment rating firm and having received a rating of not less than “A” or its equivalent; and

- e) Collateralized mortgage obligations directly issued by a federal agency or instrumentality of the United States, the underlying security for which is guaranteed by an agency or instrumentality of the United States.
- f) Guaranteed investment contracts will be authorized for bond proceeds if the guaranteed investment contract:
 - (1) has a defined termination date;
 - (2) is secured by obligations described by Section 2256.009(a)(1), excluding those obligations described by Section 2256.009(b), in an amount at least equal to the amount of bond proceeds invested under the contract; and
 - (3) is pledged to the City and deposited with the City or with a third party approved by the City.
- g) The stated maturities may not exceed five years.

2. Certificates of Deposit

Certificates of deposit issued by state and national banks that has its main office or branch office in Texas with stated maturities of no greater than five years that are:

- a) Organized under Texas law, the laws of another state, or federal law, that has its main office or a branch office in Texas, or by a savings bank organized under Texas law, the laws of another state, or federal law, that has its main office or a branch office in Texas;
- b) The depository institution selected by the City and arranges for the deposit of the funds in certificates of deposits in one or more federally insured depository institutions, wherever located for the account of the City as amended by H.B. 2226;
- c) Guaranteed or insured by:
 - (1) The Federal Deposit Insurance Corporation or its successors; or
 - (2) Guaranteed or insured by the Federal Deposit Insurance Corporation or its successors; or
 - (3) Secured by obligations that are described by A.1. above, which are intended to include all direct Federal agency or instrumentality issued mortgage backed securities, but excluding those mortgage backed securities of the nature described in 1.f. above, that have a market value of not less than the principal amount of the certificates; or
 - (4) Secured in any other manner and amount provided by law for deposits of the City of Grapevine; or
 - (5) Governed by a Depository Agreement, as described in B.4. of this section, that complies with Federal and State regulation to properly secure a pledged security interest.

3. Repurchase Agreements

Fully collateralized repurchase agreements and reverse repurchase agreements as defined by the Public Funds Investment Act, with a defined termination date that are placed with a primary government securities dealer or financial institution doing business in the State of Texas, and which are secured by obligations of the United States or its agencies and instrumentalities and which are pledged in the City’s name and deposited with a third-party custodian bank approved by the City. A

Master Repurchase Agreement must be signed by the bank/dealer prior to investment in a repurchase agreement. All repurchase agreement transactions will be on a delivery vs. payment basis. Securities received for repurchase agreements must have a market value greater than or equal to 102 percent at the time funds are disbursed. Repurchase agreements should not exceed 120 days and reverse repurchase agreements should not exceed 90 days, provided an executed PSA Master Repurchase Agreement is on file with the City and the counter party bank or dealer.

4. Money Market Mutual Funds

Money market mutual funds regulated by the Securities & Exchange Commission, with a maximum dollar weighted average portfolio maturity of 60 days or less whose investment objectives include seeking to maintain a stable net asset value of \$1 per share. Money Market Mutual funds that are 1) registered and regulated by the Securities and Exchange Commission, 2) have a dollar weighted average stated maturity of 60 days or less, 3) rated AAA by at least one nationally recognized rating service, and 4) seek to maintain a net asset value of \$1.00 per share. The City may not invest funds under its control in an amount that exceeds 10% of the total assets of any individual money market mutual fund or exceeds 15% of its monthly average fund balance, excluding bond proceeds and reserves and other funds held for debt service in money market mutual funds.

5. Interest Bearing Bank Accounts

Interest bearing bank deposits issued by state and national banks or savings bank or a state or federal credit union (having their main or branch office in Texas) that are guaranteed or insured by the Federal Deposit Insurance Corporation or the National Credit Union Share Insurance Fund (or their successor organizations). Also included are collateralized interest-bearing savings deposits that have secured the uninsured portion of deposits with obligations of the U.S. Treasury and/or Federal agencies and instrumentalities.

6. Investment Pools

Eligible investment pools organized and operating in compliance with the Public Funds Investment Act that have been authorized by Resolution by the City Council; and local government investment pools, which 1) meet the requirements of Chapter 2256.016 of the Public Funds Investment Act and 2) are rated no lower than AAA or an equivalent rating by at least one nationally recognized rating service, and 3) are authorized by resolution or ordinance by the Board, and whose investment philosophy and strategy are consistent with this Policy and the City's ongoing investment strategy. In addition, a local government investment pool created to function as a money market mutual fund must mark its portfolio to the market daily and, to the extent reasonably possible, stabilize at \$1.00 net asset value.

7. Commercial Paper

Commercial Paper is an authorized investment under the Public Funds Investment Act under Sec. 2256.013 of the Public Funds Investment Act which provides it must:

- a) have a stated maturity of 270 days or fewer from the date of its issuance; and
- b) is rated not less than A-1 or P-1 or an equivalent rating by at least:
 - (1) two nationally recognized credit rating agencies; or
 - (2) one nationally recognized credit rating agency and is fully secured

by an irrevocable letter of credit issued by a bank organized and existing under the laws of the United States or any state.

B. Unauthorized Investments

1. The following are NOT authorized investments for the City:

- a) Obligations whose payments represent the coupon payments on the outstanding principal balance of the underlying mortgage-backed security collateral and pays no principal (Interest Only CMO);
- b) Obligations whose payments represent the principal stream of cash flow from the underlying mortgage-backed security collateral and bears no interest (Principal Only CMO);
- c) Collateralized mortgage obligations that have a stated final maturity date of greater than 2 1/2 years; and
- d) Collateralized mortgage obligations, the interest rate of which is determined by an index that adjusts opposite to the changes in the market index (Inverse Floater CMO).

C. Protection of Principal

The City shall seek to control the risk of loss due to the failure of a security issuer or grantor. Such risk shall be controlled by investing only in the safest types of securities as defined in the Policy; by collateralization as required by law; and through portfolio diversification by maturity and type.

The purchase of individual securities shall be executed “delivery versus payment” (DVP) through the City’s Safekeeping Agent. By so doing, City’s funds are not released until the City has received, through the Safekeeping Agent, the securities purchased.

1. Diversification by Investment Type

Diversification by investment type shall be maintained by ensuring an active and efficient secondary market in portfolio investments and by controlling the market and opportunity risks associated with specific investment types.

Diversification by investment type shall be guided by the following maximum percentages of investment type as compared to the total investment portfolio at the time of each investment transaction:

- | | |
|---|------|
| a) U.S. Treasury Bills/Notes/Bonds | 100% |
| b) U. S. Agencies & Instrumentalities | 100% |
| c) States, Counties, Cities, & Other | 75% |
| d) Certificates of Deposit | 75% |
| e) Money Market Mutual Funds | 20% |
| f) Eligible Investment Pools | 100% |
| g) Commercial Paper, excluding Investment Pools | 20% |

2. Bond Proceeds

Bond proceeds may be invested in a single security or investment if the City Manager determines that such an investment is necessary to comply with Federal arbitrage restrictions or to facilitate arbitrage record keeping and calculation.

3. Diversification by Investment Maturity

In order to minimize risk of loss due to interest rate fluctuations, investment maturities will not exceed the anticipated cash flow requirements of the funds.

Maturity guidelines by fund are as follows (investment transactions made prior to the adoption of this Policy are not subject to these guidelines):

- a) Limiting investments to avoid overconcentration in investments from a specific issuer or business sector (excluding obligations of governmental agencies under III(A) and certificates of deposit that are fully insured and collateralized in accordance with state and federal law;
- b) Limiting investments that have higher credit risks (example: commercial paper);
- c) Diversify through investments with varying maturities; and
- d) Continuously investing a portion of the portfolio in readily available funds such as local government investment pools (LGIPs), money market funds or overnight repurchase agreements to ensure that appropriate liquidity is maintained in order to meet ongoing obligations.

Operating Funds

The weighted average days to maturity for the operating fund portfolio shall be less than 360 days and the maximum allowable maturity shall be 5 years.

Construction and Capital Improvement Funds

The investment maturity shall generally be limited to the anticipated cash flow requirement or the “temporary period,” as defined by Federal tax law. During the temporary period bond proceeds may be invested at an unrestricted yield. After the expiration of the temporary period, bond proceeds subject to yield restriction shall be invested considering the anticipated cash flow requirements of the funds and market conditions to achieve compliance with the applicable regulations. The maximum maturity for construction or capital improvement funds’ investments shall generally be no longer than the construction time required for a particular project, with no single security instrument exceeding the life of authorized investments as described above.

Debt Service Funds

Shall be invested to ensure adequate funding for each consecutive debt service payment. The Investment Officers shall invest in such a manner as not to exceed an “unfunded” debt service date with the maturity of any investment. An unfunded debt service date is defined as a coupon or principal payment date that does not have cash or investment securities available to satisfy said payment. Funds that are considered “bond proceeds” for arbitrage purposes may be invested using a more conservative approach than the standard investment strategy when arbitrage rebate rules require rebating excess earnings. All earnings in excess of the allowable arbitrage earnings (“rebate liability”) will be segregated and made available for any necessary payments to the U.S. Treasury.

4. Ensuring Liquidity

Liquidity shall be achieved by anticipating cash flow requirements, by investing in securities with active secondary markets and by investing in eligible money market mutual funds and local government investment pools.

A security may be liquidated to meet unanticipated cash requirements, to re-deploy

cash into other investments expected to outperform current holdings, or otherwise to adjust the portfolio.

5. **Depository Agreements**

Consistent with the requirements of State law, the City requires all bank and savings and loan association deposits to be federally insured or collateralized with eligible securities or approved letter of credit issued by Federal Home Loan Bank. Financial institutions serving as the City's Depositories will be required to sign a Depository Agreement with the City and the City's safekeeping agent. The safekeeping portion of the Agreement shall define the City's rights to the collateral in case of default, bankruptcy, or closing and shall establish a perfected security interest in compliance with Federal and State regulations, including:

- a) The Agreement must be in writing;
- b) The Agreement must be approved by the Board of Directors or the loan committee of the Depository and a copy of the meeting minutes must be delivered to the City of Grapevine;
- c) The Agreement must be part of the Depository's "official record" continuously since its execution.

d) **Allowable Collateral and Policy**

Consistent with the requirements of the Public Funds Collateral Act, it is the policy of the City to require full collateralization of all City funds on deposit with a depository bank, other than investments. In order to anticipate market changes and provide a level of security for all funds, the collateralization level will be 102% of market value of principal and accrued interest on the deposits. At its discretion, the City may require a higher level of collateralization for certain investment securities. Securities pledged as collateral shall be held by an independent third party. The Chief Financial Officer is responsible for entering into collateralization agreements with third party custodians in compliance with this Policy. The agreements are to specify the acceptable investment securities for collateral, including provisions relating to possession of the collateral, the substitution or release of investment securities, ownership of securities, and the method of valuation of securities. A clearly marked evidence of ownership (safekeeping receipt) must be supplied to the City and retained. Collateral shall be reviewed at least monthly to assure that the market value of the pledged securities is adequate.

e) **Collateral Define**

The City shall accept only the following types of collateral:

- (1) Obligations of the United States or its agencies and instrumentalities,
- (2) Direct obligations of the state of Texas or its agencies and instrumentalities,
- (3) Collateralized mortgage obligations directly issued by a federal agency or instrumentality of the United States, the underlying security for which is guaranteed by an agency or instrumentality of the United States,
- (4) Obligations of states, agencies, counties, cities, and other political subdivisions of any state rated as to investment quality by a nationally recognized rating firm not less than A or its equivalent

with a remaining maturity of five (5) years or less,

(5) A surety bond issued by an insurance company rated as to investment quality by a nationally recognized rating firm not less than A,

(6) A letter of credit issued to the City by the Federal Home Loan Bank.

f) **Collateral Levels**

The market value of the principal and interest portion of collateral pledged for certificates of deposit and bank balances on deposit must at all times be equal to or greater than the par value of the certificate of deposit plus accrued interest.

g) **Monitoring Collateral Adequacy**

The City shall require monthly reports with market values of pledged securities from all financial institutions with which the City has collateralized deposits. The Investment Officers will monitor adequacy of collateralization levels to verify market values and total collateral positions.

h) **Additional Collateral**

If the collateral pledged for a deposit falls below the par value of the deposit, plus accrued interest and less FDIC insurance, the institution holding the deposit will notify the City and must pledge additional securities no later than the end of the next succeeding business day.

i) **Security Substitution**

Collateralized deposits often require substitution of securities. Any financial institution requesting substitution must contact the Investment Officers for approval and settlement. The substituted security's value will be calculated and substitution approved if the substitution maintains a pledged value equal to or greater than the required security level. An Investment Officer must provide written notification of the decision to the bank or the safekeeping agent holding the security prior to any security release. Substitution is allowable for all transactions, but should be limited, if possible, to minimize potential administrative problems and transfer expense. The Investment Officers may limit substitution and assess appropriate fees if substitution becomes excessive or abusive.

6. Safekeeping

a) **Safekeeping Agreement**

The City shall contract with a bank or banks for the safekeeping of securities either owned by the City as part of its investment portfolio or held as custody to secure demand or time deposits. Securities owned by the City shall be evidenced by safekeeping receipts of the institution holding the securities.

b) **Safekeeping of Deposit Collateral**

All collateral securing deposits must be held by a third party banking institution acceptable to and under contract with the City of Grapevine, or by the Federal Reserve Bank.

c) **Subject to Audit**

All collateral shall be subject to inspection and audit by the Chief Financial Officer or the City's independent auditors.

D. Investment Advisors and Investment Providers

Investment Advisors shall adhere to the spirit, philosophy and specific term of this Policy and shall invest within the same “Standard of Care.” Investment Providers shall adhere to the spirit and philosophy of this Policy and shall avoid recommending or suggesting transactions outside that “Standard of Care.”

Selection of Investment Advisors and Investment Providers will be performed by the Investment Committee. The Investment Committee will establish criteria to evaluate Investment Advisors and Investment Providers, including:

1. Adherence to the City’s policies and strategies;
2. Investment performance and transaction pricing within accepted risk constraints,
3. Responsiveness to the City’s request for services, information and open communication;
4. Understanding of the inherent fiduciary responsibility of investing public funds; and
5. Similarity in philosophy and strategy with the City of Grapevine’s objectives.

Selected Investment Advisors and Investment Providers shall provide timely transaction confirmations and monthly activity reports.

Business organizations eligible to transact investment business with the City shall be presented a written copy of this Investment Policy. Additionally, the qualified representative of the business organization seeking to transact investment business shall execute a written instrument substantially to the effect that the registered principal has:

1. Received and thoroughly reviewed this Investment Policy, and
2. Acknowledged that the business organization has implemented reasonable procedures and controls in an effort to preclude investment transactions conducted between the City and the organization that are not authorized by the City’s investment policy, except to the extent that this authorization is dependent on an analysis of the makeup of the City’s entire portfolio or requires an interpretation of subjective investment standards.
3. Such instrument must be accepted by a qualified representative of the business. Qualified representative(s) must meet the following criteria:

a) “Qualified representative” means a person who holds a position with a business organization, who is authorized to act on behalf of the business organization, and who is one of the following:

- (1) for a business organization doing business that is regulated by or registered with a securities commission, a person who is registered under the rules of the National Association of Securities Dealers;
- (2) for a state or federal bank, a savings bank, or a state or federal credit union, a member of the loan committee for the bank or branch of the bank or a person authorized by corporate resolution to act on behalf of and bind the banking institution; or
- (3) for an investment pool, the person authorized by the elected official or board with authority to administer the activities of the investment pool to sign the written instrument on behalf of the investment pool.

The City shall not enter into an investment transaction with a business organization prior to receiving the written instrument described above.

The list of approved brokers to be utilized for the purchase of allowed securities is to be selected by the investment committee with such list of selected brokers to be provided to the City Council on an annual basis or at any time the list is modified. All such brokers so selected will meet the criteria set forth in the other provisions of this Investment Policy.

E. Responsibility and Controls

1. Delegation of Authority to Invest

The City Council hereby designates the “Investment Officers” by Ordinance to be the City Manager, with overall responsibilities to see that investment objectives are accomplished and that the Chief Financial Officer, Treasurer, or their designees who are designated as Public Fund Investment Officers are vested and authorized with specific day-to-day performance of managing and investment of the funds of the City of Grapevine.

Per Ordinance 2024-xyz the City Council has established an Investment Committee consisting of the City Manager, Chief Financial Officer and Treasurer of the City of Grapevine. The committee shall perform the following duties:

- a) Establish and modify from time to time a list of approved brokers and dealers for the purchase of allowed securities. The list of approved brokers to be utilized for the purchase of allowed securities is to be selected by the Investment Officers, with such list of selected brokers to be provided to the City Council on an annual basis or at any time the list is modified.
- b) Review the City’s investment portfolio on a regular basis and determine appropriate portfolio adjustments, oversee the City’s investment advisor, monitor compliance with the City’s Investment Policy and Strategy statements and perform other duties as necessary to maintain the City’s investment program.

2. Training

- a) All Certified Public Funds Investment Officers of the City of Grapevine shall have a minimum of 10 classroom hours of Investment Training during the first consecutive 24 month period and eight hours for each consecutive 24 month period thereafter following the effective date of this Ordinance.
- b) Training as required in 2.(a) above is authorized to be provided from one or more of the sources listed under PFIA List of Training Sources (page 18).

3. Prudent Investment Management

The designated Investment Officers shall perform their duties in accordance with the adopted Investment Policy and internal procedures. In determining whether an Investment Officer has exercised prudence with respect to an investment decision, the investment of all funds over which the Investment Officer had responsibility; rather than the prudence of a single investment shall be considered. Investment Officers acting in good faith and in accordance with these policies and procedures shall be relieved of personal liability.

4. Standard of Care

The standard of care used by the City shall be the “prudent investor rule” and shall be applied in the context of managing the overall portfolio within the applicable

legal constraints. The Public Funds Investment Act states:

“Investments shall be made with judgment and care, under circumstances then prevailing, that a person of prudence, discretion and intelligence would exercise in the management of the person's own affairs, not for speculation, but for investment, considering the probable safety of capital and the probable income to be derived.”

5. Standards of Ethics

The designated Investment Officers shall act as custodians of the public trust avoiding any transaction which might involve a conflict of interest, the appearance of a conflict of interest, or any activity which might otherwise discourage public confidence. Investment Officers shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Additionally, all Investment Officers shall file with the Texas Ethics Commission and the City a statement disclosing any personal business relationship with an entity seeking to sell investments to the City.

Each City Investment Officer shall disclose if he has a personal business relationship with any investment firm doing business with the City, if the extent of business relationship meets any of the following conditions:

- a) The Investment Officer owns 10% or more of the voting stock or shares of the business organization or owns \$5,000 or more of the fair market value of the business organization;
- b) Funds received by the Investment Officers from the business organization exceed 10% of the Investment Officer's gross income for the previous year; or
- c) The Investment Officer has acquired from the business organization during the previous year investments with a book value of \$2,500 or more for the personal account of the Investment Officer.
- d) If the Investment Officer is related within the second degree by affinity or consanguinity, as determined under the Government Code, to an individual seeking to sell an investment to the City.

6. Establishment of Internal Controls

The City of Grapevine's Investment Officer will maintain a system of internal controls over the investment activities of the City.

7. Reporting

Investment performance will be monitored and evaluated by the Investment Officer. The Investment Officers will provide a quarterly comprehensive report signed by all Investment Officers to the City Council. This investment report shall:

- a) Describe in detail the investment position of the City;
- b) State the reporting period beginning book and market value, additions or changes to the book and market value during the period and ending book and market value for the period of each pooled fund group;
- c) State the reporting period beginning book and market value and reporting period ending book and market value for each investment security by asset type and fund type;
- d) State the maturity date of each investment security;
- e) Accrued interest and total earnings for reporting period;

- f) State the percentage of total portfolio that each type of investment represents; and
- g) State the compliance of the investment portfolio with the City's Investment Policy and strategy and the Public Funds Investment Act.

The City of Grapevine, in conjunction with its Annual Financial Audit, shall perform a compliance audit of management controls on investments and adherence to the City's Investment Policy and Investment Strategy Statement. The City's independent auditor is required to review the Quarterly Investment Reports during the annual audit of the City's Financial System.

8. Performance Standards

The City's investment portfolio will be managed in accordance with the parameters specified within this policy. The portfolio shall be designed with the objective of obtaining a rate of return through budgetary and economic cycles, commensurate with the investment risk constraints and the cash flow requirements of the City.

**CITY OF GRAPEVINE, TEXAS
BROKER/DEALER LIST**

The following is a list of approved and authorized broker/dealers used for the City of Grapevine, Texas. Each of the firms used from this list will provide compliance materials and a complete file of those materials will be maintained by the City.

In accordance with Section 2256.025 of the Public Funds Investment Act, the list below is approved by the Investment Committee and shall be maintained by the Chief Financial Officer and corresponding staff.

Broker/Dealers:

Ameriprise Financial Services, LLC
Cantor Fitzgerald, LP
FHN Financial Securities Corp.
Hilltop Securities
J.P. Morgan Securities
Mischler Financial Group
Multi-Bank Securities
SouthState/Duncan Williams Securities Corp.
Wells Fargo Securities

Government Pools Authorized by City Council:

Local Government Investment Cooperative (LOGIC)
Texas Local Government Investment Pool (TexPool)

**CITY OF GRAPEVINE, TEXAS
PFIA LIST OF TRAINING SOURCES**

The following is a list of approved and authorized training sources for the City of Grapevine, Texas. Certified training should be obtained every two fiscal years from an independent source for all investment officers and delegees.

In accordance with § 2256.08 of the Public Funds Investment Act, the list below is approved by the Investment Committee and shall be maintained by the Chief Financial Officer and corresponding staff.

Training Sources:

Government Finance Officers Association of Texas (GFOAT)
Government Treasurers' Organization of Texas (GTOT)
North Central Texas Council of Governments (NCTCOG)
Texas Municipal League (TML)
University of North Texas (UNT) – Center for Public Management



INVESTMENT STRATEGY STATEMENT

Adopted:

May 6, 1997

Most Recent Revision/Review:

September 3, 2024

PREFACE

It is the policy of the City of Grapevine that, giving due regard to the safety and risk of investment, all available funds shall be invested in conformance with State and Federal Regulations, applicable Bond Resolution requirements, the city's adopted Investment Policy and adopted Investment Strategy.

In accordance with the Public Funds Investment Act, the City of Grapevine's investment strategies shall address the following priorities (in order of importance):

1. Understanding the suitability of the investment to the financial requirements of the City,
2. Preservation and safety of principal,
3. Liquidity,
4. Marketability of the investment prior to maturity,
5. Diversification of the investment portfolio, and
6. Yield.

Effective investment strategy development coordinates the primary objectives of the City of Grapevine's Investment Policy and cash management procedures to enhance interest earnings and reduce investment risk. Aggressive cash management will increase the available "investment period" and subsequently interest earnings. Maturity selections shall be based on cash flow and market conditions to take advantage of various interest rate cycles. The City's investment portfolio shall be designed and managed in a manner responsive to the public trust and consistent with the Investment Policy.

Each major fund type has varying cash flow requirements and liquidity needs. Therefore, specific strategies shall be implemented considering the fund's unique requirements. The City's funds shall be analyzed and invested according to the following major fund types:

1. Operating Funds
2. Construction and Capital Improvement Funds
3. Debt Service Funds

I. INVESTMENT STRATEGY

In order to minimize risk of loss due to interest rate fluctuations, investment maturities will not exceed the anticipated cash flow requirements of the funds. Investment guidelines by fund-type are as follows:

A. Operating Funds

The City of Grapevine's Operating Funds are as follows:

General Fund	Heritage Foundation Fund
Water and Sewer Fund	Occupancy Tax Fund
TIF 1 & 2 Operating Fund	Grant Fund
Lake Enterprise Fund	Trust and Agency Fund
4B Economic Development Corp. Sales Tax Fund	Special Revenue Fund
Crime Control District Sales Tax Fund	Capital Project Fund
Community Quality of Life Fund	
All Non-Major Governmental Funds	

1. Suitability

Any investment eligible in the Investment Policy is suitable for the Operating Funds.

2. Safety of Principal

All investments shall be of highest credit quality securities with no perceived default risk. Market price fluctuations will occur. By managing the weighted average days to maturity for the Operating Fund portfolio to less than 360 days and restricting the maximum allowable maturity to 5 years, the price volatility of the overall portfolio will be minimized.

3. Marketability

Securities with active and efficient secondary markets are necessary in the event of an unanticipated cash requirement. Historical market "spreads" between the bid and offer prices of a particular security-type of less than a quarter of a percentage point shall define an efficient secondary market.

4. Liquidity

The Operating Funds require the greatest short-term liquidity of any of the fund types. Short-term investment pools and money market mutual funds shall provide daily liquidity and may be utilized as a competitive yield alternative to fixed maturity investments.

5. Diversification

Investment maturities shall be staggered throughout the budget cycle to provide cash flow based on the anticipated operating needs of the City. Market cycle risk will be reduced by diversifying the appropriate maturity structure.

6. Yield

Attaining a competitive market yield for comparable security-types and portfolio restrictions is the desired objective. The yield of rolling one-year Treasury bill portfolio shall be the minimum yield objective.

B. Construction and Capital Improvement Funds

The City of Grapevine's Construction and Capital Improvement funds are as follows:

- Capital Projects - Streets
- Capital Projects - General Facilities and Equipment
- Capital Projects - Recreation
- Capital Projects - Street Maintenance and Capital Replacement
- Capital Projects - Tax Increment Financing Districts #1 and #2
- Capital Projects - Community Quality of Life Fund

1. Suitability

Any investment listed as eligible in the Investment Policy is suitable for Construction and Capital Improvement Funds

2. Safety of Principal

All investments shall be of highest credit quality securities with no perceived default risk. Market price fluctuations will, however, occur. By managing the Construction and Capital Improvement Fund's portfolio to the anticipated expenditure schedule market risk shall be reduced.

3. Marketability

Securities with active and efficient secondary markets are necessary in the event of an unanticipated cash requirement. Historical market "spreads" between the bid and offer prices of a particular security-type of less than a quarter of a percentage point shall define an efficient secondary market.

4. Liquidity

5. The City's funds used for construction and capital improvement programs have reasonably predictable draw down schedules. Therefore, investment maturities shall generally follow the anticipated cash flow requirements. Investment pools and money market mutual funds shall provide readily available funds generally equal to one month's anticipated cash flow needs. A flexible repurchase agreement may be utilized if disbursements are allowed in the amount necessary to satisfy any expenditure request.

6. Diversification

Market conditions and arbitrage regulations influence the attractiveness of staggering the maturity of fixed rate investments for bond proceeds and other construction and capital improvement funds. With bond proceeds, if investment rates exceed the applicable arbitrage yield, the City is best served by locking in most investments. If the arbitrage yield cannot be exceeded, then concurrent market conditions will determine the attractiveness of diversifying maturities or investing in shorter and larger amounts. At no time shall the anticipated expenditure schedule be exceeded in an attempt to bolster yield with any City funds.

7. Yield

Achieving a positive spread to the applicable arbitrage yield is the desired objective for bond proceeds. Non-bond proceed construction and capital project funds will target a rolling portfolio of six-month Treasury bills.

C. Debt Service Funds

The City's Debt Service Fund includes:

Debt Service Fund - General Obligations

Debt Service Fund - Tax Increment Financing Districts #1 and #2

1. Suitability

Any investment listed as eligible in the Investment Policy is suitable for the Debt Service Fund.

2. Safety of Principal

All investments shall be of high quality securities with no perceived default risk. Market price fluctuations will however occur. By managing the Debt Service Fund's portfolio to not exceed the debt service payment schedule the market risk of the overall portfolio will be minimized.

3. Marketability

Securities with active and efficient secondary markets are less necessary, as the event of an unanticipated cash requirement is not probable.

4. Liquidity

Debt service funds have predictable payment schedules. Therefore, investment maturities shall not exceed the anticipated cash flow requirements. Investment pools and money market mutual funds may provide a competitive yield alternative for short term fixed maturity investments. A flexible repurchase agreement may be utilized if disbursements are allowed in the amount necessary to satisfy any debt service payment.

5. Diversification

Market conditions influence the attractiveness of fully extending maturity to the next "unfunded" payment date. Generally, if investment rates are trending down, the City is best served by locking in most investments. If interest rates are flat or trending up, then concurrent market conditions will determine the attractiveness of extending maturity or investing in shorter-term alternatives. At no time shall the debt service schedule be exceeded in an attempt to bolster yield.

6. Yield

Attaining a competitive market yield for comparable security-types and portfolio restrictions is the desired objective. The yield of an equally weighted, rolling three-month Treasury bill portfolio shall be the minimum yield objective.

RESOLUTION NO. 2024-014

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, APPROVING THE CITY'S INVESTMENT POLICY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City's Investment Policy requires adoption annually by resolution; and

WHEREAS, all constitutional and statutory prerequisites for the approval of this resolution have been met, including but not limited to 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 hereinabove are found to be true and correct and are incorporated herein by reference as if copied in their entirety.

Section 2. The Investment Policy attached is hereby adopted.

Section 3. 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 3rd day of September, 2024.

APPROVED:

William D. Tate
Mayor

ATTEST:

Tara Brooks
City Secretary

APPROVED AS TO FORM:

Matthew C.G. Boyle
City Attorney

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: BRUNO RUMBELOW, CITY MANAGER *BR*

MEETING DATE: SEPTEMBER 3, 2024

SUBJECT: APPROVAL TO RENEW THE ANNUAL CONTRACT FOR OUTSIDE
AUDIT SERVICES WITH FORVIS MAZARS, LLP

RECOMMENDATION: City Council to consider approval to renew an annual contract for outside audit services with Forvis Mazars, LLP.

FUNDING SOURCE: Funds are available in various accounts for an estimated amount of \$130,000.

BACKGROUND: Forvis Mazars, LLP was awarded the RFP to perform outside audit services on July 19, 2022 for an initial three-year period with two, one-year renewal options.

This approval will be for the third year of the audit services agreement with Forvis Mazars, LLP.

Staff recommends approval.

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: BRUNO RUMBELOW, CITY MANAGER *BR*

MEETING DATE: SEPTEMBER 3, 2024

SUBJECT: PURCHASE FOR THE MAILING OF THE GO GRAPEVINE PUBLICATION

RECOMMENDATION: City Council to consider approval for the purchase for the mailing of the GO Grapevine publication from Community Impact Newspaper (JG Media) for the Parks and Recreation Department.

FUNDING SOURCE: Funds are available in the Lake Parks Fund for a total amount not to exceed \$28,771.

BACKGROUND: The Parks & Recreation Department would like to partner with the Community Impact Newspaper to distribute the programs and activities guide, Go Grapevine, for the months of January, May and September. They would be mailed out as an insert in the Community Impact Newspaper to all Grapevine residents.

This purchase will be made in accordance with Local Government Code Chapter 252, General Exemptions, Subchapter B, Section 252.022(a) (16).

Staff recommends approval.

AR/TM

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: BRUNO RUMBELOW, CITY MANAGER **BR**

MEETING DATE: SEPTEMBER 3, 2024

SUBJECT: SOLID WASTE AND RECYCLING RATE ADJUSTMENT AND DISPOSAL CONTAINER AMENDMENTS

RECOMMENDATION: City Council consider adopting an ordinance amending Chapter 25, Utilities and Services, Article III. Solid Waste Disposal, as follows:

1. Amend Section 25-97, Service Rates – Schedules to reflect adjustments to the commercial and residential solid waste and recycling collection rates.
2. Amend the following sections to better reflect adjustments to the definitions and clarify company-provided containers for purposes of residential trash collection:
 - (a) Section 25-90, Definitions
 - (b) Section 25-91, Containers - Required
 - (c) Section 25-92, Same - Specifications
 - (d) Section 25-94, Same - Placement for Emptying

FUNDING SOURCE: Funds are generated by user fees for this service.

BACKGROUND: City Council granted Republic Services (dba Allied Waste Services of Fort Worth, LLC.) and its predecessor companies a franchise agreement (Ord. No. 95-35) to provide solid waste and recycling services for both residential and commercial customers in Grapevine on May 2, 1995. The agreement with Republic was amended in 2022 to provide cart trash service and extend the term of the franchise 10 years through November 1, 2032.

The agreement with Republic also set the rate adjustment schedule to increase 4% on October 1, 2024 resulting in a \$0.71 monthly increase to residents for residential service from \$17.58 to \$18.29. Further rate increases will be based on the formula of Consumer Price Index for Garbage and Trash.

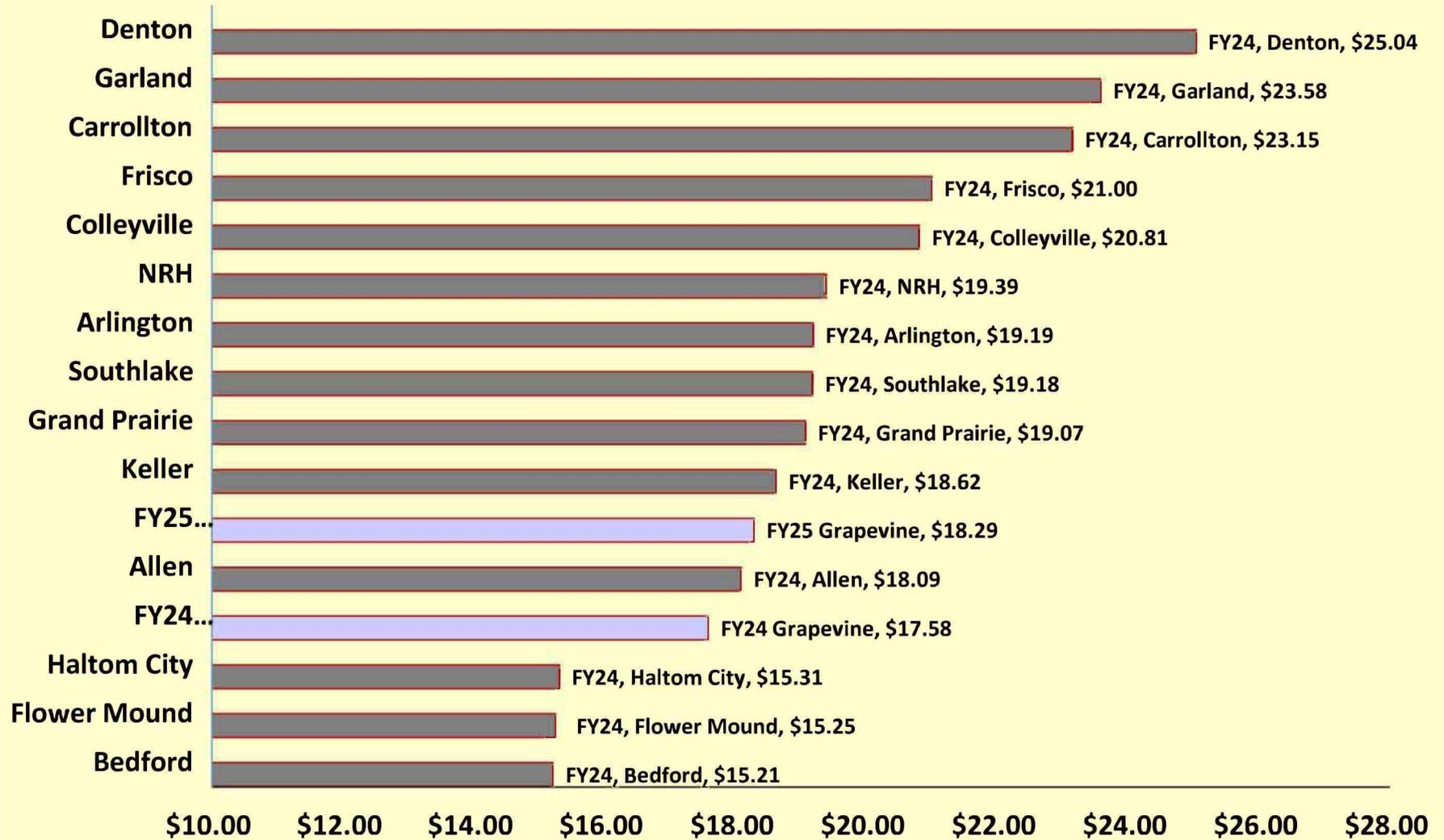
Section 12 - Item 1 of the Franchise Agreement provides for the establishment of residential and commercial rates on an annual basis prior to October 1.

Attached is a residential rate comparison for FY 2024-25.

Staff recommends approval.

BB/ds

FY 2024-25 Residential Comparison



ORDINANCE NO. 2024-075

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS AMENDING THE GRAPEVINE CODE OF ORDINANCES, CHAPTER 25 UTILITIES AND SERVICES, ARTICLE III SOLID WASTE DISPOSAL; PROVIDING A SEVERABILITY CLAUSE; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

WHEREAS, on June 1, 1995, by passage of Ordinance No. 95-35 the City of Grapevine, Texas granted Laidlaw Waste Systems, Inc. a franchise agreement to provide for solid waste services for both residential and commercial customers for a ten (10) year period; and

WHEREAS, on September 18, 2001, by passage of Ordinance No. 2001-67 the City of Grapevine, Texas granted Laidlaw Waste Systems, Inc. an extension of the franchise agreement to provide for solid waste services for both residential and commercial customers for one (1) additional five (5) year period, commencing on June 1, 2005; and

WHEREAS, Laidlaw Waste Systems, Inc. was renamed Trinity Waste Services, Inc.; and

WHEREAS, Trinity Waste Services, Inc. was renamed, Allied Waste Services, Inc.; and

WHEREAS, Allied Waste Services, Inc. was renamed, Allied Waste Services of Fort Worth, LLC; and

WHEREAS, Allied Waste Services of Fort Worth, LLC. is a subsidiary of Republic Services; and

WHEREAS, on September 18, 2001, by passage of Ordinance No. 2001-67 the City of Grapevine, Texas granted Laidlaw Waste Systems, Inc. an extension of the franchise agreement to provide for solid waste services for both residential and commercial customers for one (1) additional five (5) year period, commencing on June 1, 2005; and

WHEREAS, on July 20, 2010, by passage of Ordinance No. 2010-30 the City of Grapevine, Texas granted Republic Services an extension of the franchise agreement to provide for solid waste services for both residential and commercial customers for one (1) additional five (5) year period, commencing on August 1, 2010; and

WHEREAS, on September 18, 2012, by passage of Ordinance No. 2012-44 the City of Grapevine, Texas extended the term of the franchise five (5) years commencing

on November 1, 2012; and granted Republic Services an automatic renewal of the franchise agreement for one (1) additional five (5) year period, commencing on November 1, 2017; and

WHEREAS, on September 6, 2022, by passage of Ordinance No. 2022-057 the City of Grapevine, Texas extended the term of the franchise ten (10) years commencing on November 1, 2022; and

WHEREAS, Section 12, Item 1 of the franchise agreement provides for the establishment of residential and commercial rates on an annual basis prior to October 1 of each year; and

WHEREAS, Republic Services has requested a rate adjustment to be effective on October 1, 2024; and

WHEREAS, the City Council finds it necessary to increase the rates for collecting and removing garbage, recycling, refuse and trash and other solid waste, and to clarify definitions and requirements related to company-provided containers for residential trash collection, by amending Chapter 25 Utilities and Services, Article III, Solid Waste Disposal, Sections 25-90, 25-91, 25-92, 25-94, and 25-97 of the Code of Ordinances of the City of Grapevine, Texas; and

WHEREAS, all constitutional and statutory prerequisites for the approval of this ordinance have been met, including but not limited to the Open Meetings Act; and

WHEREAS, the City Council deems the adoption of this ordinance to be in the best interests of the health, safety, and welfare of the public.

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

Section 1. That the above premises are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.

Section 2. That Chapter 25 Utilities and Services, Article III, Solid Waste Disposal, is hereby amended by amending Section 25-90 in its entirety to read as follows:

“Sec. 25-90. Definitions.

As used in this article, the following terms shall have the respective meanings ascribed to them:

- (a) *Annual fee*: Compensation for the use, occupancy, oversight, supervision and regulation of the rights-of-way.
- (b) *Brush*: Limbs, branches and other trimmings which cannot be placed in disposable containers and/or exceeds four feet in length and six inches

in diameter.

- (c) *Bulky wastes*: Large discarded items from residences within the city such as furniture, appliances, bedding, household goods, and other similar objects that are more than four feet square or four feet in diameter and weigh more than 75 pounds. Refrigerators, freezers, air conditioners and any other appliances or equipment utilizing freon which have not been properly discharged or that company is otherwise precluded from collecting by law, will not be collected without additional charge.
- (d) *City*: The City of Grapevine, Texas.
- (e) *Commercial containers*: Metal containers of two-yard capacity or greater supplied by company to service commercial customers.
- (f) *Commercial customer*: Any customer using a metal container of two yards or greater or as may be defined from time to time by the city manager or his designee in consultation with company.
- (g) *Commercial solid waste cart customer*: Any commercial customer using a disposal container(s).
- (h) *Company*: Allied Waste Services of Fort Worth, LLC. (dba Republic Services).
- (i) *Consumer Price Index*: "CPI" shall mean the (CPI-U), U.S. City Average, Garbage and Trash collection in U.S. city average, all urban consumers, not seasonally adjusted, published by the United States Department of Labor, Bureau of Labor Statistics 1983 = 100. In the event the U.S. Department of Labor Statistics ceases to publish the CPI, the parties hereto agree to substitute another equally authoritative measure of change in the purchasing power of the U.S.
- (j) *Curbside service*: Garbage, trash, yard waste, brush, bulky wastes and recyclable materials to be picked up by the company which will be located at the curbside of the street bearing the customer's address.
- (k) *Customer*: All persons, households, tenants or businesses receiving solid waste services.
- (l) *Construction materials*: Dirt, concrete, rocks, bricks, lumber, shingles, plaster, sand or gravel and other waste building materials.
- (m) *Direction of the city*: All ordinances, laws, rules, regulations and Charter provisions of the city now in force or that may hereafter be passed and adopted which are not inconsistent with this article.

- (n) *Disposable containers*: Any plastic bag or cardboard box with a capacity of volume of 30 gallons or less and which is capable of containing garbage, trash or solid waste without leaking or emitting odors, and which weighs, when loaded, less than 50 pounds.
- (o) *Disposal container*: A sixty-five (65) gallon or ninety-five (95) gallon container specifically provided by COMPANY for use by residential customers for curbside garbage, trash, or solid waste materials collection. Only containers supplied by COMPANY meet this definition.
- (p) *Disposal cost*: Disposal cost shall mean the index established using the Consumer Price Index (CPI). Note— Appendix B is no longer applicable.
- (q) *Facilities*: Any buildings, structures, or containers used for the collection, separation or disposal of solid waste.
- (r) *Garbage*: All animal or vegetable waste (as from a kitchen or food processing facility), tin cans, bottles, sacks, clothes, extinguished ashes, paper (not including heavy accumulations of newspapers and magazines) and any other household waste which is damp or capable of emitting noxious odors.
- (s) *Hazardous wastes*: All fecal material, oil, sludge (other than that material generated by the city's wastewater treatment plant unless such material is subsequently designated by the U.S. Environmental Protection Agency ("EPA") or appropriate agency of the State of Texas as a hazardous waste) and any radioactive, pathological, toxic, acidic or volatile materials, or any chemical compound, mixture, substance, or article which is designated by the EPA or appropriate agency of the State of Texas to be "hazardous", "toxic", "contaminant" or "pollutant" as such terms are defined by or pursuant to federal or state laws.
- (t) *Mobile home*: A single-family housing unit.
- (u) *Mobile home park*: A tract of land, which is generally not less than ten acres, used for the development of a mobile home subdivision pursuant to the city's zoning and licensing ordinances. The subdivision allows for the placement of individual mobile homes within the subdivision.
- (v) *Non-exclusive*: No rights provided for in this article by the city shall be exclusive, and the city reserves the right to grant franchises, licenses, easements, or permissions to use the public rights-of-ways within the city to any person or entity as the city, in its sole discretion may determine to be in the public interest.
- (w) *Recycling containers*: A sixty-five (65) gallon or ninety-five (95) gallon container specifically provided by COMPANY for use by residential

customers for recyclable materials collection. Only containers supplied by COMPANY meet this definition.

- (x) *Recyclable materials*: Recyclable materials shall mean:
- (1) Newsprint and magazines.
 - (2) Telephone directories in conjunction with re-directory projects.
 - (3) Glass bottles and jars but not including mirrors, windows, ceramics or other glass products.
 - (4) Aluminum and tin cans used for beverage, food, beer, and soft drinks composed of tin, steel, or aluminum but excluding scrap metal.
 - (5) Plastics composed of H.D.P.E. (high density polyethylene) and P.E.T. (polyethylene terephthalate) bottles, numbers 1, 2,3,4,5 and 7.
 - (6) White paper products including mail, office paper, advertisements and similar materials.
 - (7) Old corrugated cardboard (OCC) and chip board.

As recycling markets open up to additional recyclables, this list may be expanded based on mutual agreement of city and company.

- (y) *Residential customer*: Any single-family home or duplex located on an individually platted lot or as may be defined from time to time by the city manager or his designee in consultation with company.
- (z) *Rights-of-way*: All present and future streets, avenues, highways, alleys, bridges and easements dedicated for public use within the city limits of the city.
- (aa) *Solid waste*: All garbage, trash, brush, yard waste, bulky waste and construction materials.
- (bb) *TCEQ*: Texas Commission on Environmental Quality.
- (cc) *Trash*: All household refuse other than garbage, construction materials, brush and bulky wastes. Trash includes yard waste, heavy accumulations of newspapers and magazines, old clothes and other household trash of like kind, but shall not include hazardous wastes or refrigerators, freezers, air conditioners or other appliances or equipment using freon which has not been properly discharged or other items banned by state or federal regulation to prohibit from disposal in landfills.

(dd) *Yard waste*: Grass clippings, yard cleanings, leaves, tree trimmings and branches.

(ee) *Yard waste container*: A container having no more than a 33-gallon capacity and weighing less than 50 pounds or a disposable container.

Section 3. That Chapter 25 Utilities and Services, Article III, Solid Waste Disposal, is hereby amended by amending Section 25-91 in its entirety to read as follows:

“Sec. 25-91. Containers – Required.

Every owner, occupant, tenant, or lessee using or occupying any building, house or structure within the city for residences, churches, schools, colleges, lodges, commercial business and other purposes shall utilize and maintain disposal, recycling, commercial, or yard waste containers of sufficient number and size, as hereinafter specified, to hold the garbage, trash, recyclables, and yard waste that will normally accumulate on the premises.”

Section 4. That Chapter 25 Utilities and Services, Article III, Solid Waste Disposal, is hereby amended by amending Section 25-92 in its entirety to read as follows:

“Sec. 25-92. Same - Specifications.

Each of said owners, occupants, tenants or lessee shall utilize disposal containers for trash and recycling, provided by COMPANY.”

Section 5. That Chapter 25 Utilities and Services, Article III, Solid Waste Disposal, is hereby amended by amending Section 25-94 in its entirety to read as follows:

“Sec. 25-94. Same - placement for emptying.

The owner, occupant, tenant, or lessee of the premises shall place disposal, recycling, and yard waste containers, in the required front yard or right-of-way. Containers shall not be placed in the required front yard or right-of-way more than 12 hours prior to the day of pickup. All containers shall be placed at the foregoing prescribed locations not later than 7:00 a.m. on the day of scheduled collection if they are to be picked up. Dumpsters shall not be placed in the right-of-way or required front yard of any premises. The planning services director may approve the location of dumpsters in the required front yards, provided he finds there is no other location on the lot suitable for storage and access to the dumpster. All dumpsters located within the city shall conform to all requirements of this section within 60 days of the adoption of this section.

Section 6. That Chapter 25 Utilities and Services, Article III, Solid Waste Disposal, is hereby amended by amending Section 25-97 in its entirety to read as follows:

“Sec. 25-97. Service rates-schedules.

- (a) Any houses, buildings or premises used for residential purposes, shall have their garbage and trash removed at a monthly charge where such collection and removal is not required in excess of twice each week, have their recyclable materials removed once per week, have their brush and yard waste removed once per week, and have their bulky wastes removed once every other week with such rates established annually by ordinance.

	<i>Monthly Charge</i>
Single-family residential	\$ 18.29
Single-family residence without city water service	18.29
Extra Disposal Container (per cart).....	6.00
Duplex.....	36.58
Multifamily, per unit (without dumpster container).....	18.29

- (b) Collecting and removing of garbage, refuse and trash from houses, buildings and premises used for commercial and business purposes (apartment complexes with three or more units and mobile home parks are defined as commercial units) shall be determined by the number of times each week that collection and removal of garbage, refuse and trash is required, plus the amount of garbage, refuse and trash collected and removed. The rates are established annually by ordinance.

(1) *Trash Container rates:*

a. Two-yard loose containers:

1 Dump per week	\$ 93.30
2 Dumps per week	157.28
3 Dumps per week	210.64
4 Dumps per week	296.20
5 Dumps per week	384.56
6 Dumps per week	444.81
Extra pickup.....	31.90

b. Two-yard compactor containers:

1 Dump per week.....	\$ 111.98
2 Dumps per week.....	188.73
3 Dumps per week.....	252.77
4 Dumps per week.....	355.45

5 Dumps per week.....	461.49
6 Dumps per week.....	533.79
Extra pickup.....	38.05

c. Three-yard loose containers:

1 Dump per week.....	\$ 106.09
2 Dumps per week.....	175.15
3 Dumps per week.....	251.28
4 Dumps per week.....	334.28
5 Dumps per week.....	419.71
6 Dumps per week.....	476.26
Extra pickup.....	36.48

d. Three-yard compactor containers:

1 Dump per week.....	\$ 127.30
2 Dumps per week.....	210.15
3 Dumps per week.....	301.56
4 Dumps per week.....	401.13
5 Dumps per week.....	503.66
6 Dumps per week.....	571.50
Extra pickup.....	43.28

e. Four-yard loose containers:

1 Dump per week.....	\$ 134.63
2 Dumps per week.....	216.34
3 Dumps per week.....	302.95
4 Dumps per week.....	385.72
5 Dumps per week.....	470.72
6 Dumps per week.....	515.06
Extra pickup.....	41.06

f. Four-yard compactor containers:

1 Dump per week.....	\$ 161.53
2 Dumps per week.....	259.60
3 Dumps per week.....	363.53
4 Dumps per week.....	462.86
5 Dumps per week.....	564.86
6 Dumps per week.....	618.07
Extra pickup.....	54.91

g. Six-yard loose containers:

1 Dump per week.....	\$ 160.17
2 Dumps per week.....	270.12
3 Dumps per week.....	379.41
4 Dumps per week.....	487.95
5 Dumps per week.....	611.86
6 Dumps per week.....	708.42
7 Dumps per week.....	826.46
Extra pickup.....	45.59

h. Six-yard compactor containers:

1 Dump per week.....	\$ 192.19
2 Dumps per week.....	324.13
3 Dumps per week.....	455.31
4 Dumps per week.....	585.53
5 Dumps per week.....	734.25
6 Dumps per week.....	850.10
7 Dumps per week.....	991.74
Extra pickup.....	65.34

i. Eight-yard loose containers:

1 Dump per week.....	\$ 199.58
2 Dumps per week.....	337.07
3 Dumps per week.....	482.40
4 Dumps per week.....	616.66
5 Dumps per week.....	752.86
6 Dumps per week.....	857.89
7 Dumps per week.....	1,000.88
Extra pickup.....	50.13

j. Roll-Cart Disposal Container (Commercial):

2 Dumps per week	\$ 37.50
Extra Roll-Carts	7.62

(2) *Recycle Container rates:*

a. Cardboard only front-load eight-yard containers:

1 Dump per week (not to exceed).....	\$ 52.22
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b. Roll-Cart (95 gallon) Recycle containers:

1 Dump per week (not to exceed)..... \$ 21.86
 Extra Roll-Carts \$ 7.62

c. Six-yard front-load recycle containers:

1 Dump per week \$ 94.82
 2 Dumps per week 163.32
 3 Dumps per week 229.41
 4 Dumps per week 295.03
 Extra pickup 32.24

d. Eight-yard front-load recycle containers:

1 Dump per week \$ 109.44
 2 Dumps per week 188.47
 3 Dumps per week 269.73
 4 Dumps per week 344.77
 Extra pickup 37.20

e. Twenty-yard open top loose recycle containers:

Total per load \$ 304.06

f. Twenty-yard compacted recycle containers:

Total per load \$ 330.26

g. Thirty-yard open top loose recycle containers:

Total per load \$ 326.66

h. Thirty-yard compacted recycle containers:

Total per load \$ 365.96

(3) *Organic Food Waste rates:*

a. Three-yard containers:

1 Dump per week..... \$ 146.44

(4) *Caster rates:*

per month \$ 9.54

such error or omission will not relieve the owner, occupant, tenant or lessee of the binding effect of this article, but the same charge shall be made as that entered against a business of a like or similar nature.

- (f) Mobile home parks may request curbside service for each individual housing unit for the collection of garbage, trash, yard waste and recyclables only. Such garbage, trash, yard waste and recyclables must be generated by tenant. The fee for such service will be the normal residential rate established annually by ordinance per the number of units in the park. The mobile home park must maintain commercial service for its office, management and other operations and for the collection of all brush and bulky waste as further defined by Article III, section 25-90, Grapevine Code of Ordinances.”

Section 4. If any section, article, paragraph, sentence, clause, phrase or word in this ordinance, or application thereto any person or circumstances is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of the ordinance; and the City Council hereby declares it would have passed such remaining portions of the ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 5. 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 of the public which requires that this ordinance shall become effective from and after the date of its passage, and it is accordingly so ordained.

Section 6. That the effective date of this rate adjustment will be October 1, 2024.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 3rd day of September, 2024.

APPROVED:

William D. Tate
Mayor

ATTEST:

Tara Brooks
City Secretary

APPROVED AS TO FORM:

Matthew C.G. Boyle
City Attorney

MEMO TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: BRUNO RUMBELOW, CITY MANAGER *BR*

MEETING DATE: SEPTEMBER 3, 2024

SUBJECT: OCTOBER 1, 2024 CITY COUNCIL MEETING START TIME

RECOMMENDATION: City Council to consider changing the start time of the October 1, 2024 regular Council meeting to 5:30 pm to allow the City Council to attend National Night Out events.

FUNDING SOURCE:

BACKGROUND: Every year the City of Grapevine celebrates National Night Out on the first Tuesday of October with neighborhoods throughout the City holding events in their neighborhoods.

Changing the meeting time on October 1 from 7:30 pm to 5:30 pm allows Council Members time to attend events throughout the City.

Staff recommends approval.

STATE OF TEXAS
COUNTY OF TARRANT
CITY OF GRAPEVINE

The City Council of the City of Grapevine, Texas met in Regular Session on this the 20th day of August, 2024 in the City Council Chambers, Second Floor, 200 South Main Street, with the following members present:

William D. Tate	Mayor
Darlene Freed	Mayor Pro Tem
Sharron Rogers	Council Member
Chris Coy	Council Member
Duff O'Dell	Council Member
Paul Slechta	Council Member
Leon Leal	Council Member

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

Larry Oliver	Chairman
Monica Hotelling	Vice Chair
Beth Tiggelaar	Member
Traci Hutton	Member
Jason Parker	Member
Justin Roberts	Member
Kirby Kercheval	Member

constituting a quorum, and with the following members of the City Staff:

Bruno Rumbelow	City Manager
Jennifer Hibbs	Assistant City Manager
Matthew C.G. Boyle	Assistant City Attorney
Suzanne Le	Assistant to the City Secretary

Item 1. Executive Session:

Mayor Tate called the meeting to order at 6:45

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 of the purchase, exchange, lease, sale or value of real property (City facilities, Public Works, and the 185 acres) 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 6:49 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 Sections 551.072 or 551.087.

City Manager Bruno Rumbelow stated there was no action necessary.

REGULAR MEETING

Mayor Tate called the regular meeting to order at 7:30 p.m.

Item 2. Invocation and Pledge of Allegiance:

Commissioner Traci Hutton gave the invocation and led the Pledge of Allegiance.

Mayor Tate declared the public hearing open.

JOINT PUBLIC HEARINGS

Item 3. Conditional Use Permit **CU24-12** and Planned Development Overlay **PD24-04** (Floor & Décor)

Mayor Tate declared the public hearing open.

Planning Services Director Erica Marohnic reported the applicant was requesting a conditional use permit to amend the previously approved site plan CU06-16 (Ordinance No. 2006-35) that allowed for a planned commercial center to allow for the development of a 45,000-square-foot fitness/workout center. This request is specifically to allow a 71,461-square-foot retail store for building materials and supplies. The applicant is also requesting a planned development overlay to deviate from, but not be limited to, a reduction in the required parking from Section 56, Off-Street Parking Requirements of the Comprehensive Zoning Ordinance, No. 82-73. The subject property is located at 3200 Grapevine Mills Parkway and is currently zoned "CC", Community Commercial District. **This item was tabled from the June 18, 2024, Joint Meeting. The applicant has requested to withdraw this item.**

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

Motion was made to close the public hearing.

Motion: Parker

Second: Hutton

Ayes: Oliver, Hotelling, Tiggelaar, Hutton, Parker, Roberts, and Kercheval

Nays: None

Approved: 7-0

Motion was made to close the public hearing.

Motion: Coy

Second: O'Dell

Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal

Nays: None

Approved: 7-0

Item 4. Conditional Use Permit **CU24-21** (Freeman GMC Grapevine)

Mayor Tate declared the public hearing open.

Planning Services Director Erica Marohnic reported the applicant was requesting a conditional use permit to amend the previously approved site plan CU10-24 (Ordinance No. 2010-059). This request is specifically to expand Lot 12A, an existing car dealership, to allow additional vehicle inventory storage. The subject property is located at 501 West State Highway 114 and is currently zoned "CC", Community Commercial District.

Applicant Representative Drew Donosky from Claymoore Engineering answered question from the Commission and Council.

Motion was made to close the public hearing.

Motion: Hotelling

Second: Tiggelaar

Ayes: Oliver, Hotelling, Tiggelaar, Hutton, Parker, Roberts, and Kercheval

Nays: None

Approved: 7-0

Motion was made to close the public hearing.

Motion: Freed

Second: Leal

Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal

Nays: None

Approved: 7-0

Item 5. Conditional Use Permit **CU24-27** (Cinemark Tinseltown)

Mayor Tate declared the public hearing open.

Planning Services Director Erica Marohnic reported the applicant was requesting a conditional use permit to amend the previously approved site plan CU18-29 (Ordinance No. 2018-090). This request is specifically to remove less than 2 acres from the proposed Lot 1A. The subject property is located at 911 West State Highway 114 and is currently zoned "CC", Community Commercial District.

Applicant Representative Drew Donosky from Claymoore Engineering answered questions from the Commission.

Motion was made to close the public hearing.

Motion: Tiggelaar

Second: Hotelling

Ayes: Oliver, Hotelling, Tiggelaar, Hutton, Parker, Roberts, and Kercheval

Nays: None

Approved: 7-0

Motion was made to close the public hearing.

Motion: O'Dell

Second: Rogers

Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal

Nays: None

Approved: 7-0

Item 6. Conditional Use Permit **CU24-31** (Padel)

Mayor Tate declared the public hearing open.

Planning Services Director Erica Marohnic reported the applicant was requesting a conditional use permit to amend the previously approved site plan CU21-26 (Ordinance No. 2021-062) for a planned commercial center to allow for the possession, storage, retail sale, and on- and off premise consumption of alcoholic beverages (beer, wine and mixed beverages), outdoor entertainment, outdoor dining, outdoor speakers and an entry gate sign in conjunction with a restaurant. This request is specifically to construct eight padel courts. The subject property is located at 4550 Merlot Avenue and is currently zoned "CC", Community Commercial District.

Co-Owners of Chicken N Pickle, Matt Rose and David Johnson described the game of Padel and answered questions from the Commission and Council.

Motion was made to close the public hearing.

Motion: Parker

Second: Hotelling

Ayes: Oliver, Hotelling, Tiggelaar, Hutton, Parker, Roberts, and Kercheval

Nays: None

Approved: 7-0

Motion was made to close the public hearing.

Motion: Rogers

Second: Slechta

Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal

Nays: None

Approved: 7-0

Item 7. AM23-02A Electric Vehicle Charging Stations

Mayor Tate declared the public hearing open.

Planning Services Director Erica Marohnic described the proposed changes to the Comprehensive Zoning Ordinance (Ordinance No. 82-73) same being Appendix "D" of the Code of Ordinances, as follows: amend Subsection (C) *Conditional Uses*, of Section 25, "CC", Community Commercial District; Subsection (C) *Conditional Uses*, of Section 26, "HC", Highway Commercial District; and Subsection (C) *Conditional Uses*, of Section 31, "LI", Light Industrial District, regarding the requirement of a conditional use permit for electrical vehicle charging stations, by adding an exception for automobile sales and services and retail establishments with the repair of new and used cars, light trucks and vans, motorcycles, and boats.

Erica Marohnic answered questions from the Commission.

Bentley Durant, Vice President and Chief Operating Officer of Classic Chevrolet, 1101 West State Highway 114 spoke in favor of the proposed changes.

Motion was made to close the public hearing.

Motion: Parker

Second: Hotelling

Ayes: Oliver, Hotelling, Tiggelaar, Hutton, Parker, Roberts, and Kercheval

Nays: None

Approved: 7-0

Motion was made to close the public hearing.

Motion: Slechta

Second: Coy

Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal

Nays: None

Approved: 7-0

Item 8. AM24-01 Residential Standby Generators

Mayor Tate declared the public hearing open.

Planning Services Director Erica Marohnic described the proposed changes to the

Comprehensive Zoning Ordinance (Ordinance No. 82-73) same being Appendix “D” of the Code of Ordinances, as follows: to create a definition in Section 12, *Definitions* and amend Subsection A.3, *Noise Regulation* of Section 55, *Performance Standards* by adding an exception for residential standby generators.

Erica Marohnic answered questions from the Commission and Council.

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

Motion was made to close the public hearing.

Motion: Hotelling

Second: Parker

Ayes: Oliver, Hotelling, Tiggelaar, Hutton, Parker, Roberts, and Kercheval

Nays: None

Approved: 7-0

Motion was made to close the public hearing.

Motion: Coy

Second: Rogers

Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal

Nays: None

Approved: 7-0

Planning and Zoning Commission to recess to the Planning and Zoning Commission Conference Room, Second Floor, to consider published agenda items.

City Council to remain in session in the Council Chambers to consider published business.

Item 9. Citizen Comments

Adair Foust, 121 East College Street, Grapevine submitted a petition requesting to reopen gate 10 during the festivals.

CITY COUNCIL ONLY PUBLIC HEARING

Mayor Tate declared the public hearing open.

Item 10. Mass Gathering Permit **MG24-01** (Fun Box)

Planning Services Director Erica Marohnic reported the applicant was requesting a mass gathering permit to allow an outdoor bounce park in the Grapevine Mills Mall parking lot, adjacent to East Grapevine Mills Circle from September 20 – December 13, 2024.

Applicant George Tedros along with sons Jagger and Kingston spoke about the concept and success of FunBox and answered questions from Council.

Motion was made to close the public hearing.

Motion: O'Dell

Second: Slechta

Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal

Nays: None

Approved: 7-0

PRESENTATION

Item 11. City Treasurer to present Quarterly Investment Report.

City Treasurer Amber Karkauskas presented this item to Council and answered questions from Council.

Jeff Strawn answered questions from Council.

Council did not take any action on this item.

OLD BUSINESS

Item 12. Conditional Use Permit **CU24-23** (Los Amigos)

Planning Services Director Erica Marohnic reported the applicant was requesting a conditional use permit to allow the possession, storage, retail sales of on- and off-premise consumption of alcoholic beverages (beer, wine and mixed beverages) in conjunction with an existing restaurant. The subject property is located at 202 East Northwest Highway and is currently zoned "HC", Highway Commercial District. **The public hearing and first reading of this item were held at the July 16, 2024, meeting.**

ORDINANCE NO. 2024-059

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS ISSUING CONDITIONAL USE PERMIT CU24-23 ALLOW THE POSSESSION, STORAGE, RETAIL SALES OF ON- AND OFF- PREMISE CONSUMPTION OF ALCOHOLIC BEVERAGES (BEER, WINE AND MIXED BEVERAGES) IN CONJUNCTION WITH AN EXISTING RESTAURANT FOR BLOCK 1, LOT 1, LOS AMIGOS ADDITION (202 EAST NORTHWEST HIGHWAY) IN A DISTRICT ZONED "HC", HIGHWAY COMMERCIAL DISTRICT 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

Motion: Freed

Second: Coy

Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal

Nays: None

Approved: 7-0

NEW BUSINESS

Item 13. Consider Resolution No. 2024-013

Consider Resolution No. 2024-013 approving the use of the proposed ad valorem tax rate of 0.241165 per \$100 to calculate property tax revenue for the Fiscal Year 2025 Budget and take any necessary action.

Assistant Finance Director Rebecca Coryea presented this item to Council and answered questions from Council.

RESOLUTION NO. 2024-013

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, APPROVING THE PROPOSED TAX RATES FOR TAX YEAR 2024 ON PROPERTY WITHIN THE CITY; AND PROVIDING AN EFFECTIVE DATE

Motion: Coy

Second: Freed

Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta, and Leal

Nays: None

Approved: 7-0

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. No one requested to remove any items from the consent agenda.

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

Item 14. Consider the purchase of two trumpeting angels for display on Main Street during Christmas Capital of Texas. Convention and Visitors Bureau Director recommends approval.

Convention and Visitors Bureau Director Paul McCallum recommended approval of the purchase of two trumpeting angles for an amount not to exceed \$19,690.00.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
 Second: Coy
 Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta and Leal
 Nays: None
 Approved: 7-0

Item 15. Consider the purchase of two entrance to the city signs from Worlds of Wow. Convention and Visitors Bureau Director recommends approval.

Convention and Visitors Bureau Director Paul McCallum recommended approval of the purchase of two Christmas Capital of Texas entrance signs for an amount not to exceed \$36,000.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
 Second: Coy
 Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta and Leal
 Nays: None
 Approved: 7-0

Item 16. Consider the purchase of replacement network switches from ePlus Technologies Inc. Chief Information Officer recommends approval.

Chief Information Officer Tessa Allberg recommended approval of the purchase of replacement network switches for an estimated amount of \$846,969.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
 Second: Coy
 Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta and Leal

Nays: None
 Approved: 7-0

Item 17. Consider the purchase of fiber media converters in the data center from FluxLight Inc. Chief Information Officer recommends approval.

Chief Information Officer Tessa Allberg recommended approval of the purchase of fiber media converters for an amount not to exceed \$19,862.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
 Second: Coy
 Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta and Leal
 Nays: None
 Approved: 7-0

Item 18. Consider the purchase of Multi-factor Authentication System, Identity Access Management (IAM) System, software maintenance, and support for the Public Safety Building from ePlus Inc. Chief Information Officer and Police Chief recommend approval.

Chief Information Officer Tessa Allberg recommended approval of the purchase of a Multi-Factor Authentication system for an estimated amount of \$57,477.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
 Second: Coy
 Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta and Leal
 Nays: None
 Approved: 7-0

Item 19. Consider the renewal of the Koha Integrated Library System (ILS) annual support and hosting for the library integrated operating system from Bywater Solutions. Library Director recommends approval.

Library Director Leigh Kapsos recommended approval of the renewal of the contract for annual support and hosting for the library integrated operating system in an amount not to exceed \$18,860.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
 Second: Coy
 Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta and Leal
 Nays: None
 Approved: 7-0

Item 20. Consider the renewal of annual contracts for grounds management and landscaping services with Superscapes and Brightview as primary vendors and American Landscape Systems as secondary vendors. Parks and Recreation Director recommends approval.

Parks and Recreation Director Chris Smith recommended approval of the renewal of the contracts for grounds management and landscaping services for an annual estimated amount of \$2,300,000.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
 Second: Coy
 Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta and Leal
 Nays: None
 Approved: 7-0

Item 21. Consider the renewal of an annual contract for wood fiber playground surfacing from GWG Wood Group. Parks and Recreation Director recommends approval.

Parks and Recreation Director Chris Smith recommended approval of the renewal of the contract for wood fiber playground surfacing for an estimated amount of \$30,000.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
 Second: Coy
 Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta and Leal
 Nays: None
 Approved: 7-0

Item 22. Consider the purchase of a 2024 Chevrolet Tahoe for the Police Department from Silsbee Ford Inc. Police Chief and Public Works Director recommend approval.

Police Chief Mike Hamlin and Public Works Director Bryan Beck recommended approval of the purchase of a 2024 Police Chevrolet Tahoe for an amount not to exceed \$58,928.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
 Second: Coy
 Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta and Leal
 Nays: None
 Approved: 7-0

Item 23. Consider Amendment No. 1 to the contract for the purchase of materials for the electrical control cabinets and SCADA panel at the Hilton Lift Station from Graybar. Public Works Director recommends approval.

Public Works Director Bryan Beck recommended approval of the purchase of materials for the electrical control cabinets and SCADA panel at the Hilton Lift Station for an estimated amount of \$28,300.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
Second: Coy
Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta and Leal
Nays: None
Approved: 7-0

Item 24. Consider the purchase of backlit street name signs from Consolidated Traffic Controls, Inc. Public Works Director recommends approval.

Public Works Director Bryan Beck recommended approval of the purchase of backlit street name signs for an estimated amount of \$70,000.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
Second: Coy
Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta and Leal
Nays: None
Approved: 7-0

Item 25. Consider the renewal of an annual contract for water and wastewater analysis services from the Trinity River Authority of Texas. Public Works Director recommends approval.

Public Works Director Bryan Beck recommended approval of the renewal of the contract for water and wastewater analysis services for an amount not to exceed \$25,000.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
Second: Coy
Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta and Leal
Nays: None
Approved: 7-0

Item 26. Consider the purchase of two traffic control cabinets from Mobotrex. Public Works Director recommends approval.

Public Works Director Bryan Beck recommended approval of the purchase two traffic control cabinets for an amount not to exceed \$25,180.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell

Second: Coy
 Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta and Leal
 Nays: None
 Approved: 7-0

Item 27. Consider the purchase for guardrail and installation for West Kimball Avenue and Lakeridge Drive from Texas Traffic and Barricade, LLC. Public Works Director recommends approval.

Public Works Director Bryan Beck recommended approval of the purchase for guardrail and installation for an amount not to exceed \$52,080.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
 Second: Coy
 Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta and Leal
 Nays: None
 Approved: 7-0

Item 28. Consider the purchase of two vertical inventory systems for the Fleet Division and General Warehouse from Kardex Remstar, LLC. Public Works Director recommends approval.

Public Works Director Bryan Beck recommended approval of the purchase of two vertical inventory systems for the Fleet and General Warehouse for an amount not to exceed \$409,406.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
 Second: Coy
 Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta and Leal
 Nays: None
 Approved: 7-0

Item 29. Consider the first amendment to the Water Treatment and Wastewater Treatment Administration Facilities engineering services contract with Freese and Nichols, Inc., and **Ordinance 2024-068** appropriating the funds. Public Works Director recommends approval.

Public Works Director Bryan Beck recommended approval of the first amendment to the Water Treatment and Wastewater Treatment Administration Facilities engineering services contract in an amount not to exceed \$120,000.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
 Second: Coy

Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta and Leal
Nays: None
Approved: 7-0

ORDINANCE NO. 2024-068

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, AUTHORIZING THE APPROPRIATION OF \$120,000 IN THE UTILITY ENTERPRISE FUND; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

Item 30. Consider the purchase for resurfacing of flooring for The REC from Ponder Company, Inc. Public Works Director recommends approval.

Public Works Director Bryan Beck recommended approval of the purchase for resurfacing of flooring for The REC for an amount not to exceed \$19,085.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
Second: Coy
Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta and Leal
Nays: None
Approved: 7-0

Item 31. Consider the purchase and installation of road surface treatment for Park Boulevard from Andale Construction. Public Works Director recommends approval.

Public Works Director Bryan Beck recommended approval of the purchase and installation of road surface treatment for Park Boulevard for an amount not to exceed \$19,125.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
Second: Coy
Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta and Leal
Nays: None
Approved: 7-0

Item 32. Consider the renewal of an annual sole source contract for multimedia services for live streaming, archiving, and live closed-captioning of public meetings from Granicus. City Secretary recommends approval.

City Secretary Tara Brooks recommended approval of the renewal of an annual sole source contract for multimedia services for live streaming, archiving, and live closed-captioning of public meetings for an amount not to exceed \$33,288.

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
 Second: Coy
 Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta and Leal
 Nays: None
 Approved: 7-0

Item 33. Consider the minutes of the August 6, 2024, Regular City Council meeting and the August 13, 2024, Special City Council meetings. City Secretary recommends approval.

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

Motion was made to approve the consent agenda as presented.

Motion: O'Dell
 Second: Coy
 Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta and Leal
 Nays: None
 Approved: 7-0

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.

PLANNING AND ZONING COMMISSION RECOMMENDATIONS

Item 34. Final Plat Lot 1, Block 1, Los Amigos Addition

Chairman Oliver reported the Commission approved the final plat with a vote of 7-0.

Motion was made to approve the **Final Plat** Lot 1, Block 1, Los Amigos Addition

Motion: Coy
 Second: Slechta
 Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta and Leal
 Nays: None
 Approved: 7-0

Item 35. Conditional Use Permit **CU24-21** (Freeman GMC Grapevine)

Chairman Oliver reported the Commission approved the conditional use permit with a vote of 7-0.

Motion was made to approve Conditional Use Permit **CU24-21** (Freeman GMC Grapevine) and **Ordinance No. 2024-069**.

Motion: Freed
 Second: Coy
 Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta and Leal
 Nays: None
 Approved: 7-0

ORDINANCE NO. 2024-069

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS ISSUING CONDITIONAL USE PERMIT CU24-21 TO AMEND THE PREVIOUSLY APPROVED SITE PLAN CU10-24 (ORD. 2010-59) FOR AN AUTOMOBILE DEALERSHIP WITH NEW AND USED CAR SALES AND ALLOW A 40-FOOT POLE SIGN SPECIFICALLY TO EXPAND THE EXISTING CAR DEALERSHIP TO ALLOW ADDITIONAL VEHICLE INVENTORY STORAGE FOR BLOCK 6, LOT 12A, METROPLACE 2ND INSTALLMENT (501 WEST STATE HIGHWAY 114) IN A DISTRICT ZONED "CC", COMMUNITY COMMERCIAL DISTRICT 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

Item 36. Conditional Use Permit **CU24-27** (Cinemark Tinseltown)

Chairman Oliver reported the Commission approved the conditional use permit with a vote of 7-0.

Motion was made to approve Conditional Use Permit **CU24-27** (Cinemark Tinseltown) and **Ordinance No. 2024-070**.

Motion: Freed
 Second: Coy
 Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta and Leal

Nays: None
 Approved: 7-0

ORDINANCE NO. 2024-070

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS ISSUING CONDITIONAL USE PERMIT CU24-27 TO AMEND THE PREVIOUSLY APPROVED SITE PLAN CU18-29 (ORD. 2018-90) TO ALLOW 45 SKILL OR COINED OPERATED MACHINES AND THE POSSESSION, STORAGE, RETAIL SALE AND ON AND OFF PREMISE CONSUMPTION OF ALCOHOLIC BEVERAGES (BEER, WINE, AND MIXED BEVERAGES) IN CONJUNCTION WITH A MOVIE THEATRE, SPECIFICALLY TO REMOVE TWO ACRES FROM THE EXISTING CINEMARK LOT FOR BLOCK 1, LOT 1A, CINEMARK ADDITION (911 WEST STATE HIGHWAY 114) IN A DISTRICT ZONED "CC", COMMUNITY COMMERCIAL DISTRICT 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

Item 37. Conditional Use Permit **CU24-31** (Padel)

Chairman Oliver reported the Commission approved the conditional use permit with a vote of 7-0.

Motion was made to approve Conditional Use Permit **CU24-31** (Padel) and **Ordinance No. 2024-071**.

Motion: Freed
 Second: Coy
 Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta and Leal
 Nays: None
 Approved: 7-0

ORDINANCE NO. 2024-071

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS ISSUING CONDITIONAL USE PERMIT CU24-31 TO AMEND THE PREVIOUSLY APPROVED SITE PLAN CU21-26 (ORD. 2021-62) FOR A PLANNED COMMERCIAL CENTER TO ALLOW THE POSSESSION, STORAGE, RETAIL SALE, AND ON- AND OFF PREMISE CONSUMPTION OF ALCOHOLIC BEVERAGES, (BEER, WINE AND MIXED BEVERAGES), OUTDOOR ENTERTAINMENT, OUTDOOR DINING, OUTDOOR SPEAKERS AND AN ENTRY GATE SIGN IN CONJUNCTION WITH A RESTAURANT, SPECIFICALLY TO CONSTRUCT 8 PADEL COURTS FOR BLOCK 1, LOT 1, POST RAIL ADDITION (4550 MERLOT AVENUE) IN A DISTRICT ZONED "CC", COMMUNITY COMMERCIAL DISTRICT 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

Item 38. **AM23-02A** Electric Vehicle Charging Stations – Consider the recommendation of the Planning and Zoning Commission and **Ordinance No. 2024-072**, if applicable, and take any necessary action.

Chairman Oliver reported the Commission approved **AM23-02A** with a vote of 7-0.

Motion was made to approve **AM23-02A** Electric Vehicle Charging Stations and **Ordinance No. 2024-072**.

Motion: Freed
 Second: Coy
 Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta and Leal
 Nays: None
 Approved: 7-0

ORDINANCE NO. 2024-072

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF GRAPEVINE, TEXAS, SAME BEING ALSO KNOWN AS APPENDIX "D" OF THE CITY CODE OF GRAPEVINE, TEXAS, AMENDING SECTION 25, "CC", COMMUNITY COMMERCIAL DISTRICT REGULATIONS; SECTION 26, "HC", HIGHWAY COMMERCIAL DISTRICT; AND SECTION 31, "LI", LIGHT INDUSTRIAL DISTRICT; TO ALLOW FOR AN EXCEPTION FOR LEVEL 1 AND LEVEL 2 ELECTRIC VEHICLE CHARGING STATIONS AS A CONDITIONAL USE FOR PROPERTIES WITH A VALID CONDITIONAL USE PERMIT FOR AUTOMOBILE SALES AND SERVICE IN THE "CC", COMMUNITY COMMERCIAL DISTRICT AND "HC", HIGHWAY COMMERCIAL DISTRICT; AND RETAIL ESTABLISHMENTS WITH THE REPAIR OF NEW AND USED CARS, LIGHT TRUCKS AND VANS, MOTORCYCLES, AND BOATS IN THE "LI", LIGHT INDUSTRIAL DISTRICT , (AM23-02A); REPEALING CONFLICTING ORDINANCES; PROVIDING A PENALTY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE

Item 39. **AM24-01 Residential Standby Generators – Consider the recommendation of the Planning and Zoning Commission and Ordinance No. 2024-073, if applicable, and take any necessary action.**

Chairman Oliver reported the Commission approved **AM24-01** with the additional language (permanently installed) added to the definition concerning Residential Standby Generators with a vote of 7-0.

Motion was made to approve **AM24-01 Residential Standby Generators and Ordinance No. 2024-073.**

Motion: Freed
 Second: Coy
 Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta and Leal
 Nays: None
 Approved: 7-0

ORDINANCE NO. 2024-073

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF GRAPEVINE,

TEXAS, SAME BEING ALSO KNOWN AS APPENDIX "D" OF THE CITY CODE OF GRAPEVINE, TEXAS, AMENDING SECTION 12, DEFINITIONS; TO CREATE A NEW DEFINITION AND SECTION 55, PERFORMANCE STANDARDS; TO CREATE A NEW EXCEPTION TO NOISE REGULATION FOR RESIDENTIAL STANDBY GENERATORS (WHOLE HOME) DURING TESTING PERIODS AND EMERGENCY EVENTS (AM24-01); REPEALING CONFLICTING ORDINANCES; PROVIDING A PENALTY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE

ADJOURNMENT

Motion was made to adjourn the meeting at 8:40 p.m.

Motion: Coy
Second: Slechta
Ayes: Tate, Freed, Rogers, Coy, O'Dell, Slechta and Leal
Nays: None
Approved: 7-0

APPROVED:

William D. Tate
Mayor

ATTEST:

Suzanne Le
Assistant to the City Secretary