



**CITY OF GRAND PRAIRIE
PUBLIC SAFETY, HEALTH, AND ENVIRONMENT
COMMITTEE
COUNCIL BRIEFING ROOM
MONDAY, MARCH 04, 2024 AT 3:00 PM**

AGENDA

The meeting will be held at City Hall Council Briefing Room, 300 W. Main St, Grand Prairie, Texas, and a quorum of the committee or the presiding member will be physically present. Some members may participate remotely via video conference.

CALL TO ORDER

STAFF PRESENTATIONS

1. The Greatest American Cleanup Pledge from Keep America Beautiful
2. 2023 Clean Prairie Annual Report

INDIVIDUAL CONSIDERATION

Citizens may speak for five minutes on any item on the agenda by completing and submitting a speaker card.

3. Minutes of February 12, 2024, Public Safety, Health, and Environment Committee Meeting
4. Approve application for the Environmental Protection Agency Climate Pollution Reduction Grant in conjunction with NCTCOG for various projects to reduce greenhouse gases
5. An Ordinance of the City of Grand Prairie, Texas, Amending Chapter 29 “Code Compliance” to Add Article XI “Vacant Properties” to Require Registration of Vacant Buildings, Lots, and Suites; Providing a Penalty; Providing a Savings Clause and a Severability Clause; Providing and Effective Date After Publication
6. Ordinance Amending Chapter 13, Article II “Food and Food Establishments” of the Grand Prairie Code of Ordinances

EXECUTIVE SESSION

The Public Safety, Health, and Environment Committee may conduct a closed session pursuant to Chapter 551, Subchapter D of the Government Code, V.T.C.A., to discuss any of the following:

- (1) Section 551.071 “Consultation with Attorney”
- (2) Section 551.072 “Deliberation Regarding Real Property”
- (3) Section 551.074 “Personnel Matters”
- (4) Section 551.087 “Deliberations Regarding Economic Development Negotiations.”

CITIZEN COMMENTS

Citizens may speak during Citizen Comments for up to five minutes on any item not on the agenda by completing and submitting a speaker card. The views expressed during Citizen Comments are the views of the speaker, and not the City of Grand Prairie or City Council. Council Members are not able to respond to Citizen Comments under state law.

ADJOURNMENT

The Grand Prairie City Hall is accessible to people with disabilities. If you need assistance in participating in this meeting due to a disability as defined under the ADA, please call 972-237-8035 or email GPCitySecretary@gptx.org at least three (3) business days prior to the scheduled meeting to request an accommodation.

Certification

In accordance with Chapter 551, Subchapter C of the Government Code, V.T.C.A, the Public Safety, Health, and Environment Committee agenda was prepared and posted on March 1, 2024.



Candis Jones, Assistant City Secretary



CITY OF GRAND PRAIRIE COMMUNICATION

MEETING DATE: 03/04/2024

PRESENTER: Patricia Redfearn, Solid Waste and Recycling Director

TITLE: The Greatest American Cleanup Pledge from Keep America Beautiful

REVIEWING COMMITTEE: (Reviewed by the Public Safety, Health, and Environment Committee on 03/04/2024)

SUMMARY:

The Greatest American Cleanup (kab.org/Greatest) invites community leaders across the country to take a pledge to do more for the next three years to make our towns cleaner, greener, and more beautiful. Keep America Beautiful believes that if 25,000 communities can take this pledge, we can reduce litter by 25% and deliver a cleaner America for all on July 4th, 2026. By committing the simple yet impactful actions below from now until July 2026, Grand Prairie can join the movement!

1. Organize and Participate in Five New Annual Community Cleanups: These events will not only clear our streets and public spaces of litter but also instill a sense of camaraderie and shared purpose among citizens.
2. Host Four Beautification Events Each Year: Planting native trees, shrubs and flowers, and maintaining green spaces will not only enhance our city's visual appeal but will also contribute to a healthier and more enjoyable environment for all.
3. Launch Three Reduce, Reuse, Recycle Activations annually: By promoting responsible waste disposal and resource conservation, we are paving the way for a more sustainable future for our community.
4. Convene Two Community Gatherings annually: These gatherings will provide a forum for residents, local businesses, and organizations to collaborate and develop strategies for a cleaner, more sustainable city.
5. Culminate in a Grand "Community Celebration": At the end of each year, we will come together to recognize the progress made, applaud the dedication of our residents, and celebrate our collective achievements in reducing litter.

FINANCIAL CONSIDERATION:

None



CITY OF GRAND PRAIRIE COMMUNICATION

MEETING DATE: 03/04/2024

PRESENTER: Cindy Mendez, Public Health & Environmental Quality Director

TITLE: 2023 Clean Prairie Annual Report

REVIEWING COMMITTEE: (Reviewed by the Public Safety, Health, and Environment Committee on 03/04/2024)

SUMMARY:

In 2023, city partners of Clean Prairie carried out various activities and public education to promote clean and green partnerships in the community. Public Health, Environmental Quality, Housing & Neighborhood Services, Code Compliance, and Solid Waste & Recycling worked together to maximize these efforts.



**CITY OF GRAND PRAIRIE
COMMUNICATION**

MEETING DATE: 03/04/2024

PRESENTER: Jorja Clemson, Chairwoman

TITLE: Minutes of February 12, 2024, Public Safety, Health, and Environment Committee Meeting

REVIEWING COMMITTEE:



CITY OF GRAND PRAIRIE
PUBLIC SAFETY, HEALTH, AND ENVIRONMENT
COMMITTEE
COUNCIL BRIEFING ROOM
MONDAY, FEBRUARY 12, 2024 AT 3:00 PM

MINUTES

CALL TO ORDER

Chairwoman Clemson called the meeting to order at 3:03 p.m.

PRESENT

Chairwoman Jorja Clemson

Council Member Jacquin Headen

Council Member Bessye Adams

CONSENT AGENDA

Motion to recommend approval to City Council made by Council Member Headen, seconded by Council Member Adams, to approve consent agenda items one through three. Voting Yea: Chairwoman Clemson, Council Member Headen, Council Member Adams. The motion carried unanimously, 3-0.

1. Minutes of January 8, 2024, Public Safety, Health, and Environment Committee Meeting

Approved on Consent Agenda

2. Reject all Proposals for RFP 24017 for a Library Mobile App

Approved on Consent Agenda

3. Reject the bid from RFB #24035 for Cross Connection Control Device Testing & Repairs

Approved on Consent Agenda

INDIVIDUAL CONSIDERATION

4. Ordinance Amending Various Sections of Chapter 13, Article XII “Mobile Food Vendors” of the Grand Prairie Code of Ordinances; Providing a Penalty, a Savings Clause, a Severability Clause, and an Effective Date Upon Publication

Werner Rodriguez, Public Health Manager, informed the Committee about the recent request for proposals for cross-connection testing and repairs made by the Public Health and Environmental Quality Department. The city has put backflow valves in place to stop cross-connections with non-potable water sources. Most of the testing of city-owned backflow valves is done in-house, but a contractor is necessary to carry out testing on fire lines and backflow devices in confined spaces. The contract also permits repairs and new device installations. Notice of bid# 24035 was advertised in the Fort Worth Star-Telegram and PlanetBids, and distributed to 94 vendors, including one Grand Prairie vendor and 82 HUB vendors. But, as only one bid was received, which was made after the bid had closed, the staff suggested rejecting it. The bidder requested changes to the bid after the bid had closed. Therefore, the service will need to be rebid.

Chairwoman Clemson asked for more information concerning the specific changes. Cindy Mendez, Public Health and Environmental Quality Director mentioned that vendors will now require a permit from the county and city. Furthermore, Tiffany Bull, the Deputy City Attorney, interjected and stated that it would cause our vendors to purchase permits in three different counties as Grand Prairie is situated within three separate counties. Ms. Mendez also explained that there is a difference in fees between pushcart vendors and food trucks. Council Member Headen inquired whether vendors were given any "grandfather privileges" for this new law, to which Ms. Mendez said they were not. Council Member Headen stated that she believed this matter should be discussed further with the Texas Municipal League and that they should be informed that the law is not working for us. Chairwoman Clemson asked when this law became effective, and Mr. Rodriguez stated it was effective as of September 1, 2023. Additionally, Chairwoman Clemson asked whether this would affect our Mainstreet Event. Cheryl De Leon, Deputy City Manager, stated that our city staff would be coordinating with them on the requirements needed.

Motion to recommend approval to City Council by Council Member Adam, seconded by Council Member Headen. Voting Yea: Chairwoman Clemson, Council Member Headen, Council Member Adams. The motion carried unanimously, 3-0.

EXECUTIVE SESSION

There was no executive session.

CITIZEN COMMENTS

There were no citizen comments.

ADJOURNMENT

Chairwoman Clemson adjourned the meeting at 3:24 p.m.

The foregoing minutes were approved at the March 4, 2024, Public Safety, Health, and Environment Committee meeting.

Jorja Clemson, Chairwoman



CITY OF GRAND PRAIRIE COMMUNICATION

MEETING DATE: 03/04/2024
PRESENTER: Cindy Mendez, Public Health & Environmental Quality Director
TITLE: Approve application for the Environmental Protection Agency Climate Pollution Reduction Grant in conjunction with NCTCOG for various projects to reduce greenhouse gases
REVIEWING COMMITTEE: (Reviewed by the Public Safety, Health, and Environment Committee on 03/04/2024)

PURPOSE OF REQUEST:

North Central Texas Council of Government (NCTCOG) will be applying, on behalf of the region, to the Environmental Protection Agency (EPA) for funding to reduce greenhouse gas emissions. Local governments have the opportunity to be a subrecipient and receive Climate Pollution Reduction Grant (CPRG) funding. The application is due April 1, 2024 to the EPA. Funding is to be allocated from 2025-2030. To be competitive, the city has requested 80% funding and will contribute 20%. EPA awards are expected in October 2024. The total grant request is \$8,628,000 with an 80% federal grant request of \$6,902,400 and city funding of \$1,725,600.

City staff from various departments have reviewed current and future city projects that may qualify for grant funding and identified nine projects to include the following: replacement of 10-inch gravity main with a 15-inch sewer line at a cost of \$1,640,000; improvement to the Doghouse Lift Station south of Camp Wisdom at a cost of \$212,500; replacement of an existing 6,8, and 10-inch gravity feed main into Performance Lift Station at Lone Star Park at a cost of \$1,522,500; improvement of the Waterford Lift Station at a cost of \$143,000; replacement of the Performance Lift Station and an existing 8-inch force main and 12 and 15-inch gravity mains near Performance Place at a cost of \$2,001,000; replacement of five manholes in Basin 3.0 at a cost of \$2,641,000; improvements to the Oasis Lift Station at a cost of \$9,000; improvements to the Koscher Lift Station at a cost of \$109,000; and replacement of a generator at Fire Station #1 at a cost of \$350,000.

FINANCIAL CONSIDERATION:

Table with 6 columns: Description, Total Project Budget, Proposed New Funding, Remaining Funding, etc. Row 1: If Capital Improvement: Grant Funding from MFAC CIP and Water CIP. Row 2: Total Project Budget \$1,725,600*, Proposed New Funding \$0, Remaining Funding \$0.

*Projects would be expected to be funded through CIP Funding. Grant would limit our costs to 20% of the total project cost of \$8,628,000

ATTACHMENTS / SUPPORTING DOCUMENTS:

1- Project Descriptions

Climate Pollution Reduction Grant (CPRG) Planning Grant Project

Project: Jefferson Avenue (Condition Replace)

Description: This will replace an existing 10-inch gravity main near Idlewild and Jefferson, with a new 15-inch sewer line. Model results indicate capacity issues and a potential for SSOs at 3 manholes, during 2021 Wet Weather Conditions. The total length of pipe recommended for upsizing Project 12 is 2,116 ft. When SSOs occur methane and other pollutants are released into the air. Additional greenhouse gases and air pollutants are released during the response by the use of heavy-duty vacuum trucks and other response vehicles.

Number of sites/vehicles/projects/etc.: One project site location.

- South of IH-30, near MacArthur and Jefferson St.

Estimated project cost: Total project cost estimate is \$1,640,000. Requesting 80% of cost be funded with CPRG Implementation Grant funding.

Estimated co-benefits: Health benefits, decreased exposure to criteria pollutants

Expected benefits to disadvantaged communities (DAC):

Existing community engagement/feedback: No public feedback currently exists.

Funding availability:

Implementation Schedule/Milestones: Project part of FY25 through FY30 5-Year Multi-Year Program

Estimated start date: FY2025

Estimated finish date: FY2026

- Include an explanation on how this can be implemented in ~2025- 2030

Climate Pollution Reduction Grant (CPRG) Planning Grant Project

Project: Doghouse Lift Station

Description: Lift Station needed improvements driven a physical survey of each of the City's 16 lift stations and an asset management assessment of the remaining useful life of each type of equipment at each of these lift stations. Each of these assessments generated facility improvement needs to ensure that these systems would continue to operate with a lower potential for failure. This lift station has the fourth highest consequence of failure among the lift stations based on the prioritization criteria of the lift stations. Lift station failures result in sanitary sewer overflows (SSOs) that release methane and other pollutants into the air. Additional greenhouse gases and air pollutants are released during the response by the use of heavy-duty vacuum trucks and other response vehicles.

Number of sites/vehicles/projects/etc.: One project site location.

- South of West Camp Wisdom Road just east of State Highway 360.

Estimated project cost: Total project cost estimate is \$212,500. Requesting 80% of cost be funded with CPRG Implementation Grant funding.

Estimated co-benefits: Health benefits, decreased exposure to criteria pollutants

Expected benefits to disadvantaged communities (DAC):

Existing community engagement/feedback: No public feedback currently exists.

Funding availability: Impact Fees

Implementation Schedule/Milestones: Project part of FY25 through FY30 5-Year Multi-Year Program

Estimated start date: FY2025

Estimated finish date: FY2026

- Include an explanation on how this can be implemented in ~2025- 2030

Climate Pollution Reduction Grant (CPRG) Planning Grant Project

Project: Performance New Lift Station & Gravity – Phase 2

Description: Project is needed to replace an existing 6, 8 and 10-inch gravity main feeding into Performance Lift Station at Lone Star Park beginning at Pollack PI and Performance PI, with a new 15-inch gravity line. Model results indicate capacity issues at manholes upstream of Performance Lift Station, during 2021 Wet Weather Conditions. The total length of pipe recommended for upsizing is 1,866 ft. Lift station failures result in sanitary sewer overflows (SSOs) that release methane and other pollutants into the air. Additional greenhouse gases and air pollutants are released during the response by the use of heavy-duty vacuum trucks and other response vehicles.

Number of sites/vehicles/projects/etc.: One project site location.

- Lone Star Parkway and Levee Drive near Lone Star Park.

Estimated project cost: Total project cost estimate is \$1,522,500. Requesting 80% of cost be funded with CPRG Implementation Grant funding.

Estimated co-benefits: Health benefits, decreased exposure to criteria pollutants

Expected benefits to disadvantaged communities (DAC):

Existing community engagement/feedback: No public feedback currently exists.

Funding availability: Impact Fees

Implementation Schedule/Milestones: Project part of FY25 through FY30 5 Year Multi-Year Program

Estimated start date:

Estimated finish date:

- Include an explanation on how this can be implemented in ~2025- 2030

Climate Pollution Reduction Grant (CPRG) Planning Grant Project

Project: Waterford Lift Station

Description: Lift Station needed improvements driven a physical survey of each of the City's 16 lift stations and an asset management assessment of the remaining useful life of each type of equipment at each of these lift stations. Each of these assessments generated facility improvement needs to ensure that these systems would continue to operate with a lower potential for failure. This lift station has the highest consequence of failure among the lift stations based on the prioritization criteria of the lift stations. Lift station failures result in sanitary sewer overflows (SSOs) that release methane and other pollutants into the air. Additional greenhouse gases and air pollutants are released during the response by the use of heavy-duty vacuum trucks and other response vehicles.

Number of sites/vehicles/projects/etc.: One project site location.

- South of West Camp Wisdom Road just east of State Highway 360.

Estimated project cost: Total project cost estimate is \$143,000.00. Requesting 80% of cost be funded with CPRG Implementation Grant funding.

Estimated co-benefits: Health benefits, decreased exposure to criteria pollutants

Expected benefits to disadvantaged communities (DAC):

Existing community engagement/feedback: No public feedback currently exists.

Funding availability: Impact Fees

Implementation Schedule/Milestones: Project part of FY25 through FY30 5 Year Multi-Year Program

Estimated start date: FY2025

Estimated finish date: FY2026

- Include an explanation on how this can be implemented in ~2025- 2030

Climate Pollution Reduction Grant (CPRG) Planning Grant Project

Project: Performance New Lift Station & Gravity – Phase 1

Description: Project 9 replaces Performance Lift station, and an existing 8-inch force main and 12 and 15-inch gravity main near Performance Place at Lone Star Park beginning at the connection to a 27-inch sewer line and ending at Performance Lift Station, with a new dual pump 2500 gpm Lift Station, 12-inch force main and 21-inch gravity line. Model results indicate capacity issues at the Performance Lift Station wet well and potential for SSO, during 2021 Wet Weather Conditions. The total length of pipe recommended for upsizing Project 9 is 1,359 ft. Lift station failures result in sanitary sewer overflows (SSOs) that release methane and other pollutants into the air. Additional greenhouse gases and air pollutants are released during the response by the use of heavy-duty vacuum trucks and other response vehicles.

Number of sites/vehicles/projects/etc.: 1 project site location.

- Lone Star Parkway and Levee Drive near Lone Star Park.

Estimated project cost: Total project cost estimate is \$2,001,000.00 Requesting 80% of cost be funded with CPRG Implementation Grant funding.

Estimated co-benefits: Health benefits, decreased exposure to criteria pollutants

Expected benefits to disadvantaged communities (DAC):

Existing community engagement/feedback: No public feedback currently exists.

Funding availability: Impact Fees

Implementation Schedule/Milestones: Project part of FY25 through FY30 5 Year Multi-Year Program

Estimated start date:

Estimated finish date:

- Include an explanation on how this can be implemented in ~2025- 2030

Climate Pollution Reduction Grant (CPRG) Planning Grant Project

Project: SSES – Manhole Replace Gr 5, Pipeline Replace Gr 5, Manhole Replace GR 4, Pipeline Replace GR 4

Description: Inspection scoring was performed on the manholes. Each code has a rating of 1 through 5, with 5 being the most severe. The scoring showed 13 manholes in Basin 3.0W with score 5, all 13 manholes with severe damage and structural defects (MACP score 5) need to be replaced and replacing or rehabbing 3,200 LF of gravity sewers with grade 4 structural and O&M defects. Manhole failures result in sanitary sewer overflows (SSOs) that release methane and other pollutants into the air. Additional greenhouse gases and air pollutants are released during the response by the use of heavy-duty vacuum trucks and other response vehicles.

Number of sites/vehicles/projects/etc.: One project site location.

- 3.0W Basin Location

Estimated project cost: Total project cost estimate is \$2,641,000.00. Requesting 80% of cost be funded with CPRG Implementation Grant funding.

Estimated co-benefits: Health benefits, decreased exposure to criteria pollutants

Expected benefits to disadvantaged communities (DAC):

Existing community engagement/feedback: No public feedback currently exists.

Funding availability: Impact Fees

Implementation Schedule/Milestones: Project part of FY25 through FY30 5 Year Multi-Year Program

Estimated start date: FY2025

Estimated finish date: FY2026

- Include an explanation on how this can be implemented in ~2025- 2030

Climate Pollution Reduction Grant (CPRG) Planning Grant Project

Project: Oasis Lift Station

Description: Lift Station needed improvements driven a physical survey of each of the City's 16 lift stations and an asset management assessment of the remaining useful life of each type of equipment at each of these lift stations. Each of these assessments generated facility improvement needs to ensure that these systems would continue to operate with a lower potential for failure. This lift station has the second highest consequence of failure among the lift stations based on the prioritization criteria of the lift stations. Lift station failures result in sanitary sewer overflows (SSOs) that release methane and other pollutants into the air. Additional greenhouse gases and air pollutants are released during the response by the use of heavy-duty vacuum trucks and other response vehicles.

Number of sites/vehicles/projects/etc.: One project site location.

- South of West Camp Wisdom Road just east of State Highway 360.

Estimated project cost: Total project cost estimate is \$9,000.00. Requesting 80% of cost be funded with CPRG Implementation Grant funding.

Estimated co-benefits: Health benefits, decreased exposure to criteria pollutants

Expected benefits to disadvantaged communities (DAC):

Existing community engagement/feedback: No public feedback currently exists.

Funding availability: Impact Fees

Implementation Schedule/Milestones: Project part of FY25 through FY30 5 Year Multi-Year Program

Estimated start date: FY2025

Estimated finish date: FY2026

- Include an explanation on how this can be implemented in ~2025- 2030

Climate Pollution Reduction Grant (CPRG) Planning Grant Project

Project: Koscher Lift Station

Description: Lift Station needed improvements driven a physical survey of each of the City's 16 lift stations and an asset management assessment of the remaining useful life of each type of equipment at each of these lift stations. Each of these assessments generated facility improvement needs to ensure that these systems would continue to operate with a lower potential for failure. This lift station has the third highest consequence of failure among the lift stations based on the prioritization criteria of the lift stations. Lift station failures result in sanitary sewer overflows (SSOs) that release methane and other pollutants into the air. Additional greenhouse gases and air pollutants are released during the response by the use of heavy-duty vacuum trucks and other response vehicles.

Number of sites/vehicles/projects/etc.: One project site location.

- South of West Camp Wisdom Road just east of State Highway 360.

Estimated project cost: Total project cost estimate is \$109,000. Requesting 80% of cost be funded with CPRG Implementation Grant funding.

Estimated co-benefits: Health benefits, decreased exposure to criteria pollutants

Expected benefits to disadvantaged communities (DAC):

Existing community engagement/feedback: No public feedback currently exists.

Funding availability: Impact Fees

Implementation Schedule/Milestones: Project part of FY25 through FY30 5 Year Multi-Year Program

Estimated start date: FY2025

Estimated finish date: FY2026

- Include an explanation on how this can be implemented in ~2025- 2030

Description: *Replacement of Fire Station #1 Generator with a more efficient and Tier Model*

Number of sites/vehicles/projects/etc.: One site located at 510 W. Main Street, Grand Prairie TX. 75050

Estimated project cost: \$350,000.00 for equipment and installation. Requesting 80% of cost be funded with CPRG Implementation Grant Funding

Estimated co-benefits: Increased equipment efficiency, decreased pollutants.

Expected benefits to disadvantaged communities (DAC):

Existing community engagement/feedback: No public feedback currently exists.

Funding availability: City CIP Funding

Implementation Schedule/Milestones:

Approval January 2025, Completion by November 2025



**CITY OF GRAND PRAIRIE
ORDINANCE**

MEETING DATE: 03/04/2024

PRESENTER: Ryan Simpson, Assistant Director of Police

TITLE: An Ordinance of the City of Grand Prairie, Texas, Amending Chapter 29 “Code Compliance” to Add Article XI “Vacant Properties” to Require Registration of Vacant Buildings, Lots, and Suites; Providing a Penalty; Providing a Savings Clause and a Severability Clause; Providing and Effective Date After Publication

REVIEWING COMMITTEE: (Reviewed by the Public Safety, Health, and Environment Committee on 03/04/2024)

PURPOSE OF REQUEST:

Many common code violations occur on vacant properties throughout the city. Common violations include litter, trespassing, high grass and weeds, rodent and mosquito harborage, substandard and dangerous structures, and illegal dumping. Many of these violations pose a public health and/or public safety concern, and are present due to lack of proper planning and maintenance on the part of the property owners.

The City has also experienced situations with individuals trespassing on vacant properties, including inside vacant buildings. These individuals have started fires for warmth or engaged in other criminal activity, creating unsanitary conditions and posing a risk to public health and safety.

To ensure compliance with the City’s Code of Ordinances and expedite the Code Compliance Division’s response to violations, staff has drafted a Vacant Properties Registration ordinance for review.

This ordinance will require registration of all privately owned vacant properties. A maintenance plan and up-to-date point of contact will be required. This will all serve to expedite resolution of any code violations occurring on these properties.

BODY

AN ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS, AMENDING CHAPTER 29 “CODE COMPLIANCE” TO ADD ARTICLE XI “VACANT PROPERTIES” TO REQUIRE REGISTRATION OF VACANT BUILDINGS, LOTS, AND SUITES; PROVIDING A PENALTY, PROVIDING A SAVINGS CLAUSE AND SEVERABILITY CLAUSE, PROVIDING AN EFFECTIVE DATE AFTER PUBLICATION.

WHEREAS, the City of Grand Prairie, Texas (“City”) is a home-rule municipality having its own Charter under the laws and Constitution of the State of Texas; and

WHEREAS, Section 54.004 of the Texas Local Government Code provides that a home rule municipality may enforce ordinances necessary to protect health, life, and property and to preserve the good government, order, and security of the municipality and its inhabitants; and

WHEREAS, vacant properties, including lots, businesses, and suites, are particularly vulnerable to theft, squatters, property damage, dilapidation, and a lack of maintenance; and

WHEREAS, individuals who utilize vacant properties, lots, or suites without authorization often create a public health and safety risk due to the lack of utilities and/or restrooms; and

WHEREAS, the City of Grand Prairie to regularly burdened with the abatement of nuisance weeds and grass conditions which are commonly found on vacant properties; and

WHEREAS, the proper maintenance and oversight of vacant properties reduces the risk of nuisance conditions and public health and safety concerns; and

WHEREAS, the City having current contact information for those responsible for the maintenance and oversight of vacant properties increases the City’s ability to communicate with those responsible, thus increasing owner oversight and reducing the need for the City to take enforcement and abatement action;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, THAT:

SECTION 1. Chapter 29 “Code Compliance” of the Grand Prairie Code of Ordinances is hereby amended to add Article XI “Vacant Properties” which shall read as follows:

“ARTICLE XI – VACANT PROPERTIES

Section 29-246. – Purpose and Applicability

- (a) **Purpose.** The purpose of this article is to protect the public health, safety, and welfare of Grand Prairie citizens by requiring the registration of all vacant buildings and lots and the submission of a vacant property maintenance plan. Further, this article serves to preserve property and reduce fire safety hazards and unlawful, temporary occupancy by transients. The provisions of this article are cumulative of all City ordinances.
- (b) **Applicability.** This article applies to all property located within the City of Grand Prairie other than land owned by a local, state, or federal governmental entity.

Section 29-247. - Definitions

Unless otherwise expressly stated or clearly indicated by the context, the following terms shall, for the purpose of this article, have the meanings indicated in this section:

Code Compliance Manager means the person designated by the City Manager to enforce this article or their designee.

Occupied means where one or more persons actually conduct a lawful business or resides in all or any part of a structure as the licensed business-occupant, or as the legal or equitable owner or occupant or tenant on a permanent, non-transient basis, or any combination of the same.

Owner means any person, agent, firm or corporation, whether one or more, having a legal or equitable interest in the property; owner or owners recorded in the Official Public Records of the county in which the Real Property is located, specifically in the Appraisal District; or any person, agent, firm or corporation otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person ordered to take possession of real property by a court.

Vacant Building means a building, including a residence, which is not lawfully occupied.

Vacant Lot means any parcel of real property which is not improved with a lawfully and completely constructed structure.

Vacant Property Maintenance Plan means the owner's plan to ensure the property is regularly monitored and maintained to prevent dangerous and nuisance conditions, including unlawful entry and high weeds and grass.

Vacant Suite means a suite of a non-residential building which is not in lawfully occupied.

Section 29-248. – Registration for Vacant Buildings, Lots, and Suites

- (a) The owner of a Vacant Lot shall register the Vacant Lot with the Code Compliance Manager within fourteen (14) days of said lot becoming vacant.
- (b) The owner of a Vacant Building or Vacant Suite shall register the Vacant Building or Vacant Suite with the Code Compliance Manager within 30 days of said building or suite becoming vacant. A commercial building or suite shall be presumed to be vacant if the building does not have a valid certificate of occupancy or has remained unoccupied for a period of ninety (90) days.
- (c) The registration shall be on the form prescribed by the Code Compliance Manager and, to the extent applicable, shall include:
 - (1) the street address of the Vacant Building, Vacant Lot, or Vacant Suite;
 - (2) the names, addresses, contact information, and driver's license information of the property owners and building owners;
 - (3) the name, address, and contact information for any property maintenance company responsible for maintaining the property;
 - (4) the name, address, and twenty-four (24) hour telephone number of a local contact person who can respond to the property within an hour in the event of an emergency;
 - (5) a Vacant Property Maintenance Plan;

- (6) and any other information deemed necessary by the Code Compliance Manager.
- (d) The owner shall, through a form prescribed by the Code Compliance Manager, notify the Code Compliance Manager of a change in the vacant status of the building, lot, or suite or a change in any of the information which was provided on the registration form, including but not limited to, a change in ownership, maintenance responsibility, contact information, and the Vacant Property Maintenance Plan. Such form shall be submitted to the Code Compliance Manager within thirty (30) days of said change.
- (e) Registration is valid for a year from the date of registration and cannot be transferred or assigned.
- (f) It is an affirmative defense to the registration requirements of this section that the person has owned the property for less than thirty (30) days as evidenced by a deed or other document transferring ownership to the person.

Section 29-249. – Enforcement and Penalty

- (a) It is an offense to fail to perform any act required by this article.
- (b) It is an offense to provide false information on the registration application.
- (c) Each offense is punishable by a fine not to exceed five-hundred dollars (\$500) and each day that the violation continues shall constitute a separate offense.

Sections 29-250 – 29-259. Reserved”

SECTION 2. A violation of this Ordinance is a misdemeanor punishable in accordance with Section 1-8 of the Code of Ordinances of the City of Grand Prairie, Texas.

SECTION 3. That Chapter 29, “Code Compliance”, of the Code of Ordinances of the City of Grand Prairie, Texas, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

SECTION 4. That the terms and provisions of this Ordinance are severable and are governed by Section 1-4 of the Code of Ordinances of the City of Grand Prairie, Texas.

SECTION 5. All ordinances or parts of ordinances not consistent or conflicting with the provisions of this Ordinance are hereby repealed. Provided that such repeal shall be only to the extent of such inconsistency and in all other respects this Ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered in this Ordinance.

SECTION 6. This ordinance shall be in full force and effect from and after its passage, approval, and publication.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE,
TEXAS, ON THIS THE 19TH DAY OF MARCH 2024.**



**CITY OF GRAND PRAIRIE
ORDINANCE**

MEETING DATE: 03/04/2024

PRESENTER: Cindy Mendez, Public Health & Environmental Quality Director

TITLE: Ordinance Amending Chapter 13, Article II. “Food and Food Establishments”, Section 13-20 of the Grand Prairie Code of Ordinances to Amend Terminology and Food Manager Requirements; Providing a Penalty; Providing a Savings Clause and Severability Clause; Providing an Effective Date After Publication

REVIEWING COMMITTEE: Public Safety, Health & Environment Committee 3/04/24

ANALYSIS:

The Texas 88th Legislature passed Senate Bill No. 577, effective on September 1, 2023, which amended the Health and Safety Code to prohibit a municipality from requiring a local food manager card and fee. City Public Health Specialists will still ensure that food service establishments have a Certified Food Manager on site but will not require that the facility submit a copy to the city or charge a fee.

FINANCIAL CONSIDERATION:

Prior to September 1, 2023, the city collected approximately \$27,820 for food manager cards in fiscal year 2023.

BODY

AN ORDINANCE AMENDING CHAPTER 13 “HEALTH AND SANITATION,” ARTICLE II ENTITLED “FOOD AND FOOD ESTABLISHMENTS”, SECTION 13-20 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND PRAIRIE CODE OF ORDINANCES TO AMEND TERMINOLOGY AND FOOD MANAGER REQUIREMENTS; PROVIDING A PENALTY; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE UPON PASSAGE AND PUBLICATION

WHEREAS, the State of Texas, 88th Legislature, passed Senate Bill No. 577 prohibiting municipalities from requiring a local food manager certificate; and

WHEREAS, the City of Grand Prairie desires to ensure food safety for the protection of Grand Prairie residents and visitors and

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS:

SECTION 1. That Section 13-20(a)(7) of Chapter 13, Article II “Food and Food Establishments”, of the Code of Ordinances of the City of Grand Prairie, Texas is hereby amended to read as follows:

- “(7) The fee to operate a mobile food unit to vend commercially prepared, prepackaged foods or fresh produce in its natural state shall be:
- (A) Hot Truck – Two hundred and fifty dollars (\$250.00)
 - (B) Cold Truck – Two hundred dollars (\$200.00)
 - (C) Ice Cream Truck – One hundred and seventy-five dollars (\$175.00)
 - (D) Ice Cream Pushcart – One hundred and thirty dollars (\$130.00)
 - (E) Stationary Food Unit – One hundred and thirty dollars (\$130.00)”

SECTION 2. That Section 13-20(l) of Chapter 13, Article II “Food and Food Establishments”, of the Code of Ordinances of the City of Grand Prairie, Texas is hereby amended to read as follows:

“(l) **Food handler's certificate and certified food manager required.** Any person who does not possess a valid food handler's certificate showing satisfactory completion of an accredited course that is certified by the American National Standards Institute (ANSI) or the Texas Department of State Health Services in sanitary food handling within thirty (30) days after his or her employment in a food service, drinking or food manufacturing establishment shall not be allowed to continue his or her employment (exception: those individuals possessing a Food Manager Certificate).

(1) The fee for attending the food handler’s class shall be fifteen dollars (\$15.00). The fee for replacement of a lost certificate shall be five dollars (\$5.00).

(2) Current food handler's certificates for each employee shall be available at such food service, drinking, or food manufacturing establishment for review by the regulatory authority. Certificates are the property of the person named thereon and must be returned by employers to such person upon cessation of employment.

(3) Food service establishment owners, managers, and persons in charge of any food service establishment shall, upon request by the regulatory authority, provide documentation of the dates of employment of any employee of such establishment.

(4) No owner, manager or person in charge shall permit any person to be employed therein whose work brings him into contact with the handling of food, utensils or food service equipment unless a valid food handler's training certificate has been received by the management as required in this section.

(5) At least one person in charge of a food establishment shall demonstrate knowledge and training of the Texas Food Establishment Rules (TFER), by being a certified food manager (CFM). The CFM shall show proficiency of required information through passing a department of state health services (DSHS) approved examination through an accredited training program or licensed test site. Additionally, the CFM shall respond correctly to the inspector's questions as they relate to the specific food operation.

- a. The permit holder of every food establishment shall ensure that at least one person in charge at each location has a valid food management certificate issued or approved by the department of state and health services as proof of successful completion of a DSHS accredited training program exam or licensed test site exam.
- b. The permit holder shall display the Food Manager Certificate available for immediate inspection upon request by the regulatory authority.
- c. The permit holder of a new food establishment and existing food establishment that has changed ownership, or a food establishment whose certified food manager has transferred or resigned shall have thirty (30) days to comply with the requirements of this section.
- d. The following food establishments are exempt from the requirements of this section: Temporary food establishments and permanent food establishments that sell or distribute only prepackaged foods or uncut produce and do not prepare or package food; food establishments that serve only fountain drinks, coffee, and bottled alcoholic beverages. Other establishments may be determined on a case-by-case basis depending on the types of food handling operations to be used, and the overall risk to the public health with approval by the director or manager.
- e. State-approved food management training, as required by Chapter 438, Subchapter D, Texas Health and Safety Code, shall substitute for the required food handler training. A food handling certificate will not be required upon presentation of a valid food management training certificate.”

SECTION 3. That Chapter 13, “Health and Sanitation”, of the Code of Ordinances of the City of Grand Prairie, Texas, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

SECTION 4. That the terms and provisions of this Ordinance are severable and are governed by Section 1-4 of the Code of Ordinances of the City of Grand Prairie, Texas.

SECTION 5. All ordinances or parts of ordinances not consistent or conflicting with the provisions of this Ordinance are hereby repealed. Provided that such repeal shall be only to the extent of such inconsistency and in all other respects this Ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered in this Ordinance.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, ON THE 19TH DAY OF MARCH 2024.

Sec. 13-20 Changes

SECTION 1

(a) *Permits, licenses or certificates generally.* No person shall operate a full service or limited use food service establishment, food manufacturing establishment, drinking establishment, food warehouse, or retail food store who does not have a valid permit issued to him by the regulatory authority. Only a person who complies with the requirements of these rules shall be entitled to receive and retain such a permit. Permits are not transferable. A valid permit shall be posted in conspicuous public view in every food establishment. Permits shall not be defaced or altered in any way. Permits shall be valid for a period of one (1) year from the date of issuance. Application and permit fees are nonrefundable and will not be prorated.

- (1) The fee for initial issuance of a permit is two hundred dollars (\$200.00) for application and the cost listed in 13-20 (a) (2) (A) – (E).
- (2) The fee for each annual renewal of the permit shall be:
 - (A) Food Service Five hundred dollars (\$500.00)
 - (B) Licensed Child-Care Center Food Permits – Less than one hundred (100) children – fifty dollars (\$50.00); one hundred (100) children to one hundred and ninety-nine (199) children – one hundred dollars (\$100.00); more than one hundred and ninety-nine (199) children – two hundred dollars (\$200.00). The fee shall be dependent upon a facility's licensed capacity.
 - (C) Convenience Store – Three hundred dollars (\$300.00)
 - (D) Other Food Establishments – Two hundred and fifty dollars (\$250.00)
 - (E) Feeding programs authorized by the U.S. Department of Agriculture or the Texas Department of Agriculture – Twenty-five dollars (\$25.00).

Any failure to pay the annual fee shall cause the permit to be automatically revoked.

- (3) The fee for change of ownership of a food establishment shall be one hundred and fifty dollars (\$150.00).
- (4) The fee for replacement of permits shall be twenty-five dollars (\$25.00).
- (5) The fee for issuance of temporary food service permits for special events for a maximum of four events per location per year shall be fifty dollars (\$50.00) each.
- (6) The fee for a “Recurring” temporary food service permit at special events that is limited to more than 4 events but less than thirteen events per location shall be two-hundred and fifty dollars (\$250.00) for a 12-month period from the date of issuance.
- (7) The fee to operate a mobile **packaged** food unit to vend commercially prepared, prepackaged foods or fresh produce in its natural state shall be:
 - (A) Hot Truck – Two hundred and fifty dollars (\$250.00)
 - (B) Cold Truck – Two hundred dollars (\$200.00)

- (C) Ice Cream Truck – One hundred and seventy-five dollars
(\$175.00)
- (D) Ice Cream Pushcart – One hundred and thirty dollars
(\$130.00)
- (E) Stationary Food Unit – One hundred and thirty dollars
(\$130.00)

SECTION 2.

(1) Food handler's certificate and certified food protection manager required. Any person who does not possess a valid food handler's certificate showing satisfactory completion of an accredited course that is certified by the American National Standards Institute (ANSI) or the Texas Department of State Health Services in sanitary food handling within ~~sixty~~ thirty (~~60~~ 30) days after his or her employment in a food service, drinking or food manufacturing establishment shall not be allowed to continue his or her employment (exception: those individuals possessing a ~~Grand Prairie~~ Food Manager Certificate).

(1) The fee for attending the food handler's class shall be fifteen dollars (\$15.00). The fee for replacement of a lost certificate shall be five dollars (\$5.00).

(2) Current food handler's certificates for each employee shall be available at such food service, drinking, or food manufacturing establishment for review by the regulatory authority. Certificates are the property of the person named thereon and must be returned by employers to such person upon cessation of employment.

(3) Food service establishment owners, managers, and persons in charge of any food service establishment shall, upon request by the regulatory authority, provide documentation of the dates of employment of any employee of such establishment.

(4) No owner, manager or person in charge shall permit any person to be employed therein whose work brings him into contact with the handling of food, utensils or food service equipment unless a valid food handler's training certificate has been received by the management as required in this section.

(5) At least one person in charge of a food establishment shall demonstrate knowledge and training of the Texas Food Establishment Rules (TFER), by being a certified food protection manager (CFPM). The CFPM shall show proficiency of required information through passing a department of state health services (DSHS) approved examination through an accredited training program or licensed test site. Additionally, the CFPM shall respond correctly to the inspector's questions as they relate to the specific food operation.

a. The permit holder of every food establishment shall ensure that at least one person in charge at each location has a valid food protection management training certificate issued or approved by the department of state and health services as proof of successful completion of a DSHS accredited training program exam or licensed test site exam.

b. The permit holder shall display the ~~Grand Prairie~~ Food Protection Manager Certificate available for immediate inspection upon request by the regulatory authority.

~~e. The fee for obtaining a Grand Prairie Food Manager Certificate (GPFMC) shall be fifty dollars (\$50.00). This fee shall not be prorated. The fee for replacement of a lost GPFMC certificate shall be ten dollars (\$10.00).~~

~~d. Individuals meeting the criteria noted in section 13-20(1)(5)a. e. shall obtain a Grand Prairie Food Manager Certification (GPFMC). The expiration date of the certified food manager certificate issued by DSHS or an approved accredited agency listed by DSHS, and shall not exceed a period of two (2) years.~~

~~e. c.~~ The permit holder of a new food establishment and existing food establishment that has changed ownership, or a food establishment whose certified food protection manager has transferred or resigned shall have thirty (30) days to comply with the requirements of this section.

~~f. d.~~ The following food establishments are exempt from the requirements of this section: Temporary food establishments and permanent food establishments that sell or distribute only prepackaged foods or uncut produce and do not prepare or package food; food establishments that serve only fountain drinks, coffee, and bottled alcoholic beverages. Other establishments may be determined on a case-by-case basis depending on the types of food handling operations to be used, and the overall risk to the public health with approval by the director or manager.

~~f. e.~~ State-approved food protection management training, as required by Chapter 438, Subchapter D, Texas Health and Safety Code, shall substitute for the required food handler training. A food handling certificate will not be required upon presentation of a valid food protection management training certificate.