



**City of Lake Dallas
City Council
Regular Meeting
Thursday, February 11, 2021 at 7:00 p.m.
Conducted by Videoconference
Agenda**

Pursuant to Governor Greg Abbott's temporary suspension of various provisions of the Texas Open Meetings Act, and in an effort to protect the health and safety of the public, this meeting is being conducted by video conference. Members of the public who desire to only listen to proceedings of the meeting may dial the following toll-free number and, when prompted, enter the following Meeting ID #, beginning at 6:40 p.m. to join the meeting. Any person wishing to view the video conference may go to the Internet link shown below and enter the password shown.

Toll Free Number: 877-853-5257

Meeting ID#: 880 2897 7304

Passcode: 794175

Video Conference: <https://us02web.zoom.us/j/88028977304?pwd=TDFVYWl3QzB5VWVVeEdPMnFocVZBdz09>

Members of the public are entitled to participate remotely via Videoconference. To speak remotely at the City Council Meeting, speakers must:

- Register with the City Secretary by either email cdelcambre@lakedallas.com or calling 940-497-2226 ext. 102 by 3:00 p.m. on Thursday, February 11, 2021.
- Registered speakers will receive an email or phone call providing the meeting link and/or telephone number to call on the date of the meeting.
- Speakers must call not later than 6:45 p.m. on the date of the meeting in order to be allowed to speak. Late callers will not be accepted and will not be allowed to speak.
- Registered speakers will not be allowed to speak until recognized by the Mayor and unmuted by the City Secretary.
- Speakers will be limited to 5 minutes each.
- Handouts or other information that a member of the public desires to provide to the City Council must be emailed to cdelcambre@lakedallas.com by 3:00 p.m. on Thursday, February 11, 2021.
- Any person wishing to provide only written comments during Item 4 – Citizen Agenda & Public Comment, or on any other matter to be considered on this agenda, should email such comments to the City Secretary at cdelcambre@lakedallas.com by 3:00 p.m. on Thursday, February 11, 2021.

Section I – Presentations

- 1. Call to Order & Determination of Quorum**
- 2. Invocation & Pledges of Allegiance**
- 3. Announcements & Special Recognitions**

A. City Manager's Report

The City Manager's Report may provide information on status of current city projects and other projects affecting the City, meetings and actions of the city's boards and commissions, upcoming local community events, including, but not limited to, departmental operations and capital improvement project status. No action will be taken with respect to this report.

4. Citizen Agenda & Public Comment

An opportunity for citizens to address the Mayor and City Council on matters which are not scheduled for consideration by the City Council. In order to address the Council, please send your comments to the City Secretary before 3:00 p.m. on the date of this meeting. Comments sent by e-mail will be read aloud so that they are included in the recorded record of the meeting. In keeping with the Council's procedures for limiting speaking time to five (5) minutes per speaker, any written comments provided for this item should be kept short enough so that they can be read aloud in five (5) minutes or less.

Section II – Consent Agenda

All items listed below are considered to be routine by the City Council and will be enacted with one motion. There will be no separate discussion of the items unless a Councilmember so requests, in which event the item will be removed from the consent agenda and considered in its normal sequence.

5. Consider and Act on the Consent Agenda

- A. Approval of January 28, 2021 City Council Minutes.
- B. Be made aware of the submission of the 2020 Lake Dallas Police Department racial profiling report.
- C. Consider and Act on a Resolution declaring certain City property surplus and authorizing the City Manager to sell, trade and/or dispose of it in accordance with this Resolution and state law.

Section III – Planning & Development:

- 6.** Receive a report, hold a discussion, and give staff direction regarding various parking considerations for Texas Drive.
- 7.** Receive a report, hold a discussion, and give staff direction regarding an outside storage ordinance.
- 8.** Consider and Act on a Resolution regarding the appointment of members to various positions of the City of Lake Dallas Planning and Zoning Commission.

Section IV- General Items

- 9.** Receive a report, hold a discussion, and give staff direction regarding the location of the 2021 Lake Dallas Farmer's Market.
- 10.** Receive a report, hold a discussion, and give staff direction on the design alternatives and construction cost estimates for the Shady Shores Bridges project.

11. Consider the Approval of an Ordinance ordering a Special Election to be held on May 1, 2021 to consider various propositions regarding proposed Amendments to the Home Rule Charter of the City of Lake Dallas.

Section V – Elected Official Requested Items

12. Mayor & Council Member Announcements

The City Council may hear or make reports of community interest provided no action is taken or discussed. Community interest items may include information regarding upcoming schedules of events, honorary recognitions, and announcements involving imminent public health and safety threats to the city. Any deliberation shall be limited a proposal to place the subject on an agenda for a subsequent meeting.

Section VI – Executive Session As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed executive session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed above or herein. A closed executive session will also be conducted for the following purposes:

Section VII – Return to Open Session

13. Discuss and take appropriate action, if any, resulting from the discussions conducted in Closed Session.

Section VIII – Adjournment

I certify that the above notice of this meeting posted on the bulletin board at City Hall of the City of Lake Dallas, Texas on February 8, 2021 at 5:00 p.m.



Codi Delcambre, TRMC
City Secretary

If you plan to attend this public meeting telephonically and you have a disability that requires special arrangements at this meeting, please contact City Secretary's Office at (940) 497-2226 ext. 102 or fax (940) 497-4485 at least two (2) working days prior to the meeting so that appropriate arrangements can be made.

**State of Texas
County of Denton
City of Lake Dallas**

The Lake Dallas City Council met in a regular called meeting on January 28, 2021 via video conference, with notice of the meeting given, as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Barnhart called the meeting to order at 7:03 p.m.

1. Roll Call

Michael Barnhart	Mayor
Megan Ray	Councilmember 1
Brian Bailey	Councilmember 2
Cheryl McClain	Councilmember 3
Charlie Price	Councilmember 4
Andi Nolan	Councilmember 5

Absent:

Staff Present: City Manager John Cabrales, City Secretary Codi Delcambre, City Attorney Kevin Laughlin, Public Works Superintendent Layne Cline, Police Chief Dan Carolla, Director of Library Services Natalie McAdams, Development Services Director Angie Manglaris, and Development Services Coordinator Lancine Bentley.

2. Invocation and Pledges of Allegiance

Kevin Laughlin led the invocation and the pledges.

3. Announcements & Special Recognitions.

A. City Manager's Report

City Manager John Cabrales announced that Natalie McAdams, Director of Library Services would be leaving us at the end of February. He stated that she would greatly miss.

4. Citizen Agenda & Public Comments

Mayor Barnhart opened the Visitors/Citizens Agenda.

Glynn Vbra of 202 Julien stated he had complained about a former Officer. He stated that Officer Grant had several complaints against him and has been placed on a witness listed with the District Attorney. He stated that he was promoted to Sergeant and demoted back to Officer. Mr. Vbra stated that this Officer wasn't able to perform he job duties as an Officer since he was on the District Attorney witness list. He stated that this was why it was important for Section 4.01.02 of the Charter allow the City Manager to manage all employees.

5. Consider and Act on the Consent Agenda

- A. Approval of December 10, 2020 and January 14, 2021 City Council Minutes.**
- B. Consider the approval of an Ordinance ordering a General Municipal Election to be held on May 1, 2021 for the purpose of election of Councilmembers to**

Places 1, 3 and 5; authorizing a Joint Election with other Denton Council Political Subdivisions; contracting for Election Services with Denton County; providing for a runoff date.

- C. Consider the approval of a Resolution authorizing the City Manager to apply for and accept a grant through the Violence Against Women Justice and Training Program administered by the Office of the Governor and repealing Resolution No. 01142021-02**

Motion: to approve a consent agenda item 5B and 5C was made by Councilmember Ray and second by Councilmember McClain

Ayes: Councilmembers Ray, Bailey, Nolan, McClain and Price

Noes: None

Motion Passed 5-0.

Motion: to approve a consent agenda item 5A as amended was made by Councilmember Ray and second by Councilmember Bailey

Ayes: Councilmembers Ray, Bailey, Nolan, McClain and Price

Noes: None

Motion Passed 5-0.

- 6. Conduct a public hearing and consider an ordinance amending the development and use regulations applicable to the property described as Lot 7, Block 1, Providence Addition generally located at the northwest corner of Betchan Street and Main Street by changing the zoning classification from Retail (C-1) with a Downtown Overlay to Planned Development Residential R-1-6000 and adopting a site plan and development regulations (Z-20-006).**

Director of Development Services, Angie Manglaris presented to Council the background information for the an ordinance amending the development and use regulations applicable to the property described as Lot 7, Block 1, Providence Addition generally located at the northwest corner of Betchan Street and Main Street by changing the zoning classification from Retail (C-1) with a Downtown Overlay to Planned Development Residential R-1-6000 and adopting a site plan and development regulations (Z-20-006).

Council discussed one residential home versus two residential homes. The consensus of Council was one residential home.

Motion: to table an ordinance amending the development and use regulations applicable to the property described as Lot 7, Block 1, Providence Addition generally located at the northwest corner of Betchan Street and Main Street by changing the zoning classification from Retail (C-1) with a Downtown Overlay to Planned Development Residential R-1-6000 and adopting a site

plan and development regulations (Z-20-006 was made by Councilmember Nolan and second by Councilmember Rau.

Ayes: Councilmembers Ray, Bailey, Nolan, Price, and McClain

Noes: None

Motion Passed 5-0

- 7. Receive a report, hold a discussion, and give staff direction regarding directional signage in the city including the possible relocation and addition of kiosks to the Sign Central Kiosk program.**

Council received a presentation from Code Compliance Officer Daniel Rusnak regarding directional signage in the city including the possible relocation and addition of kiosks to the Sign Central Kiosk program. Council directed staff to move forward with the addition of kiosks signs.

- 8. Consider and Act on a Resolution authorizing a lease agreement and other related agreements with Enterprise FM Trust and Enterprise Fleet Management, Inc. relating to the leasing and maintenance of the city's fleet vehicles and the sale of surplus city vehicles.**

Motion: to approve a Resolution authorizing a lease agreement for four vehicles and other related agreements with Enterprise FM Trust and Enterprise Fleet Management, Inc. relating to the leasing and maintenance of the city's fleet vehicles and the sale of surplus city vehicles was made by Councilmember Ray and second by Councilmember Nolan.

Ayes: Councilmembers Ray, Bailey, Nolan, McClain and Price

Noes: None

Motion Passed 5-0.

- 9. Receive a report, hold a discussion, and provide staff direction regarding the development of a community newsletter.**

Council received a presentation from Hayden Scarnato with respect to the development of a community newsletter. No action was taken.

- 10. Consider and Act on a Resolution adopting the City of Lake Dallas Purchasing Policy.**

Motion: to approve a Resolution adopting the City of Lake Dallas Purchasing Policy was made by Councilmember Bailey and second by Councilmember McClain.

Ayes: Councilmembers Ray, Bailey, Nolan, McClain and Price

Noes: None

Motion Passed 5-0.

11. Receive a report, hold a discussion and give staff direction regarding proposed Charter Amendments to the Home Rule Charter of the City of Lake Dallas.

Council received a presentation from City Manager John Cabrales and City Attorney Kevin Laughlin regarding the proposed Charter Amendments to the Home Rule Charter of the City of Lake Dallas. Council directed staff to move forward with the proposed amendments.

12. Mayor & Council Member Announcements

Councilmember McClain stated that the new LED lights along Main Street look good.

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

No Executive Session

14. Adjournment

Mayor Barnhart adjourned the meeting at 12:15 a.m.

Approved:

Michael Barnhart, Mayor

Attest:

Codi Delcambre, City Secretary



**CITY COUNCIL
AGENDA MEMO**

Prepared By: Daniel Carolla, Chief of Police

February 11, 2021

2020 Racial Profiling Report

DESCRIPTION:

Be made aware of the submission of the 2020 Lake Dallas Police Department racial profiling report.

BACKGROUND INFORMATION:

The Texas Code of Criminal Procedure Articles 2.132 and 2.134 require that the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report to the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

FINANCIAL CONSIDERATION:

None

RECOMMENDED MOTIONS:

None, discussion only.

ATTACHMENT(S):

1. 2020 Racial Profiling Presentation
2. 2020 TCOLE Racial Profiling Report

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Lake Dallas Police Department Racial Profiling Comparative Analysis-2020

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01. Total Traffic Stops by Lake Dallas Police Department = 3105 =100%

02. Location of Stop:

- a. City Street = 2578
- b. US Highway = 506
- c. County Road = 1
- d. State Highway = 5
- e. Private Property or Other = 15

Total = 3105

03. Was Race known prior to Stop: = 3105 = 100%

- a. NO = 3002 96.68%
- b. YES = 103 3.32%

Total = 3105

04. Race or Ethnicity: = 3105 = 100%

- a. Alaska-Native/American Indian = 4 0.13%
- b. Asian/Pacific-Islander = 108 3.48%
- c. Black = 541 17.42%
- d. White = 1855 59.74%
- e. Hispanic/Latino = 597 19.23%

Total = 3105

05. Gender: Female: = 1081 = 100%

- a. Alaska Native/American Indian = 1 0.09%
- b. Asian/Pacific Islander = 29 2.68%
- c. Black = 196 18.13%
- d. White = 676 62.53%
- e. Hispanic/Latino = 179 16.56%

Gender: Male: = 2024 = 100%

- a. Alaska Native/American Indian = 3 0.15%
- b. Asian/Pacific Islander = 79 3.90%
- c. Black = 345 17.05%

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Lake Dallas Police Department Racial Profiling Comparative Analysis-2020

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d. White = 1179	58.25
e. Hispanic/Latino = 418	20.65%

Total = 3105

06. Reason for Stop:

a. Violation of Law: = 56

i. Alaska Native/American Indian = 0	0.00%
ii. Asian/Pacific Islander = 1	1.79%
iii. Black = 3	5.36%
iv. White = 39	69.64%
v. Hispanic/Latino = 13	23.21%

b. Pre-Existing Knowledge: = 22

i. Alaska Native/American Indian = 0	0.00%
ii. Asian/Pacific Islander = 0	0.00%
iii. Black = 1	4.55%
iv. White = 15	68.18%
v. Hispanic/Latino = 6	27.27%

c. Moving Traffic Violation: = 2792

i. Alaska Native/American Indian = 4	0.14%
ii. Asian/Pacific Islander = 101	3.62%
iii. Black = 501	17.94%
iv. White = 1651	59.13%
v. Hispanic/Latino = 535	19.16%

d. Vehicle Traffic Violation = 235

i. Alaska Native/American Indian = 0	0.00%
ii. Asian/Pacific Islander = 6	2.55%
iii. Black = 36	15.32%
iv. White = 150	63.83%
v. Hispanic/Latino = 43	18.30%

Total = 3105

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Lake Dallas Police Department Racial Profiling Comparative Analysis-2020

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07. Was a Search Conducted:

a. NO = 2953

i. Alaska Native/American Indian = 4	0.14%
ii. Asian/Pacific Islander = 106	3.59%
iii. Black = 498	16.86%
iv. White = 1779	60.24%
v. Hispanic/Latino = 566	19.17%

b. YES = 152

i. Alaska Native/American Indian = 0	0.00%
ii. Asian/Pacific Islander = 2	1.32%
iii. Black = 43	28.29%
iv. White = 76	50.00%
v. Hispanic/Latino = 31	20.39%

Total = 3105

08. Reason for Search:

a. Consent = 32

i. Alaska Native/American Indian = 0	0.00%
ii. Asian/Pacific Islander = 1	3.13%
iii. Black = 5	15.63%
iv. White = 20	62.50%
v. Hispanic/Latino = 6	18.75%

b. Contraband in Plain View = 18

i. Alaska Native/American Indian = 0	0.00%
ii. Asian/Pacific Islander = 0	0.00%
iii. Black = 8	44.44%
iv. White = 4	22.22%
v. Hispanic/Latino = 6	33.33%

c. Probable Cause = 77

i. Alaska Native/American Indian = 0	0.00%
ii. Asian/Pacific Islander = 0	0.00%
iii. Black = 24	31.17%

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Lake Dallas Police Department Racial Profiling Comparative Analysis-2020

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iv. White = 36	46.75%
v. Hispanic/Latino = 17	22.08%

d. Inventory =3

i. Alaska Native/American Indian = 0	0.00%
ii. Asian/Pacific Islander = 0	0.00%
iii. Black = 1	33.33%
iv. White = 2	66.67%
v. Hispanic/Latino = 0	0.00%

e. Incident to Arrest = 22

i. Alaska Native/American Indian = 0	0.00%
ii. Asian/Pacific Islander = 1	4.55%
iii. Black = 5	22.73%
iv. White = 14	63.64%
v. Hispanic/Latino = 2	9.09%

Total = 152

09. Was Contraband Discovered:

a. YES = 103

i. Alaska Native/American Indian = 0	0.00%
ii. Asian Pacific/Islander = 1	0.97%
iii. Black = 28	27.18%
iv. White = 49	47.57%
v. Hispanic/Latino = 25	24.27%

Total = 103

b. NO = 49

i. Alaska Native/American Indian = 0	0.00%
ii. Asian/Pacific Islander = 1	2.04%
iii. Black = 15	30.61%
iv. White = 27	55.10%
v. Hispanic/Latino = 6	12.24%

Total = 49

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Lake Dallas Police Department Racial Profiling Comparative Analysis-2020

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10. Description of Contraband:

a. Drugs = 71

i. Alaska Native/American Indian = 0	0.00%
ii. Asian/Pacific Islander = 0	0.00%
iii. Black = 20	28.17%
iv. White = 35	49.30%
v. Hispanic/Latino = 16	22.54%

b. Currency = 0

c. Weapons = 0

d. Alcohol = 26

i. Alaska Native/American Indian = 0	0.00%
ii. Asian/Pacific Islander = 1	3.85%
iii. Black = 6	23.08%
iv. White = 11	42.31%
v. Hispanic/Latino = 8	30.77%

e. Stolen Property = 1

i. Alaska Native/American Indian = 0	0.00%
ii. Asian/Pacific Islander = 0	0.00%
iii. Black = 0	0.00%
iv. White = 1	100.00%
v. Hispanic/Latino = 0	0.00%

f. Other = 5

i. Alaska Native/American Indian = 0	0.00%
ii. Asian/Pacific Islander = 0	0.00%
iii. Black = 2	40.00%
iv. White = 2	40.00%
v. Hispanic/Latino = 1	20.00%

Total = 103

10a. Finding of contraband result in arrest = 18

i. Alaska Native/American Indian = 0	0.00%
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Lake Dallas Police Department Racial Profiling Comparative Analysis-2020

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ii. Asian/Pacific Islander = 1	5.56%
iii. Black = 4	22.22%
iv. White = 10	55.56%
v. Hispanic/Latino = 3	16.67%

Total = 18

11. Result of Stop:

a. Verbal Warning = 197

i. Alaska Native/American Indian = 1	0.51%
ii. Asian/Pacific Islander = 3	1.52%
iii. Black = 33	16.75%
iv. White = 132	67.01%
v. Hispanic/Latino = 28	14.21%

b. Written Warning = 917

i. Alaska Native/American Indian = 1	0.11%
ii. Asian/Pacific Islander = 20	2.18%
iii. Black = 184	20.07%
iv. White = 617	67.28%
v. Hispanic/Latino = 95	10.36%

c. Citation = 1957

i. Alaska Native/American Indian = 2	0.10%
ii. Asian/Pacific Islander = 84	4.29%
iii. Black = 316	16.15%
iv. White = 1085	55.44%
v. Hispanic/Latino = 470	24.02%

d. Written Warning and Arrest = 8

i. Alaska Native/American Indian = 0	0.00%
ii. Asian/Pacific Islander = 0	0.00%
iii. Black = 2	25.00%
iv. White = 5	62.50%
v. Hispanic/Latino = 1	12.50%

e. Citation and Arrest = 9

i. Alaska Native/American Indian = 0	0.00%
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Lake Dallas Police Department Racial Profiling Comparative Analysis-2020

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ii. Asian/Pacific Islander = 0	0.00%
iii. Black = 2	22.22%
iv. White = 4	44.44%
v. Hispanic/Latino = 3	33.33%

f. Arrest = 17

i. Alaska Native/American Indian = 0	0.00%
ii. Asian/Pacific Islander = 1	5.88%
iii. Black = 4	23.53%
iv. White = 12	70.59%
v. Hispanic/Latino = 0	0.00%

Total = 3105

12. Arrest Based On:

a. Violation of Penal Code = 21

i. Alaska Native/American Indian = 0	0.00%
ii. Asian/Pacific Islander = 1	4.76%
iii. Black = 5	23.81%
iv. White = 15	71.43%
v. Hispanic/Latino = 0	0.00%

b. Violation of Traffic Law = 4

i. Alaska Native/American Indian = 0	0.00%
ii. Asian/Pacific Islander = 0	0.00%
iii. Black = 1	25.00%
iv. White = 2	50.00%
v. Hispanic/Latino = 1	25.00%

c. Violation of City Ordinance = 1

i. Alaska Native/American Indian = 0	0.00%
ii. Asian/Pacific Islander = 0	0.00%
iii. Black = 0	0.00%
iv. White = 1	100.00%
v. Hispanic/Latino = 0	0.00%

d. Outstanding Warrant = 8

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Lake Dallas Police Department Racial Profiling Comparative Analysis-2020

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i. Alaska Native/American Indian = 0	0.00%
ii. Asian/Pacific Islander = 0	0.00%
iii. Black = 2	25.00%
iv. White = 3	37.50%
v. Hispanic/Latino = 3	37.50%

Total = 34

13. Was Physical Force Used:

a. NO = 3105

i. Alaska Native/American Indian = 4	0.13%
ii. Asian/Pacific Islander = 108	3.48%
iii. Black = 541	17.42%
iv. White = 1855	59.74%
v. Hispanic/Latino = 597	19.23%

b. YES = 0

13a. Physical Force Resulting in Bodily Injury to Suspect = 0

13b. Physical Force Resulting in Bodily Injury to Officer = 0

13c. Physical Force Resulting In Bodily Injury To Both = 0

Total = 3105

14. Total number of Racial Profiling complaints received = 0

15. Current Demographic Information for Lake Dallas

• White alone	89.9%
• Black or African American alone	4.6%
• American Indian and Alaska Native alone	0.8%
• Asian alone	1.4%
• Native Hawaiian and other Pacific Islander alone	0.00%
• Two or More races	3.3%
• Hispanic or Latino	30.4%
• White Alone, not Hispanic or Latino	60.2%

<https://www.census.gov/quickfacts/fact/table/lakedallascitytexas,US/PST045219>

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Report Compiled January 29, 2021
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Racial Profiling Report | Full

Agency Name: LAKE DALLAS POLICE DEPT.
Reporting Date: 02/04/2021
TCOLE Agency Number: 121210

Chief Administrator: DANIEL J. CAROLLA

Agency Contact Information:
Phone: (940) 497-2228
Email: dcarolla@lakedallaspd.org

Mailing Address:
212 Main St
LAKE DALLAS, TX 75065-0368

This Agency filed a full report

LAKE DALLAS POLICE DEPT. has adopted a detailed written policy on racial profiling. Our policy:

- 1) clearly defines acts constituting racial profiling;
- 2) strictly prohibits peace officers employed by the LAKE DALLAS POLICE DEPT. from engaging in racial profiling;
- 3) implements a process by which an individual may file a complaint with the LAKE DALLAS POLICE DEPT. if the individual believes that a peace officer employed by the LAKE DALLAS POLICE DEPT. has engaged in racial profiling with respect to the individual;
- 4) provides public education relating to the agency's complaint process;
- 5) requires appropriate corrective action to be taken against a peace officer employed by the LAKE DALLAS POLICE DEPT. who, after an investigation, is shown to have engaged in racial profiling in violation of the LAKE DALLAS POLICE DEPT. policy;
- 6) requires collection of information relating to motor vehicle stops in which a warning or citation is issued and to arrests made as a result of those stops, including information relating to:
 - a. the race or ethnicity of the individual detained;
 - b. whether a search was conducted and, if so, whether the individual detained consented to the search;
 - c. whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual;
 - d. whether the peace officer used physical force that resulted in bodily injury during the stop;
 - e. the location of the stop;
 - f. the reason for the stop.
- 7) requires the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:
 - a. the Commission on Law Enforcement; and
 - b. the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

The LAKE DALLAS POLICE DEPT. has satisfied the statutory data audit requirements as prescribed in Article 2.133

(c), Code of Criminal Procedure during the reporting period.

Executed by: DANIEL CAROLLA
Chief of Police

Date: 02/04/2021

Total stops: 3105

Street address or approximate location of the stop

City street	2578
US highway	506
County road	1
State highway	5
Private property or other	15

Was race or ethnicity known prior to stop?

Yes	103
No	3002

Race / Ethnicity

Alaska Native / American Indian	4
Asian / Pacific Islander	108
Black	541
White	1855
Hispanic / Latino	597

Gender

Female	1081
Alaska Native / American Indian	1
Asian / Pacific Islander	29
Black	196
White	676
Hispanic / Latino	179
Male	2024
Alaska Native / American Indian	3
Asian / Pacific Islander	79
Black	345
White	1179
Hispanic / Latino	418

Reason for stop?

Violation of law	56
Alaska Native / American Indian	0
Asian / Pacific Islander	1
Black	3
White	39

Hispanic / Latino	13
Preexisting knowledge	22
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	1
White	15
Hispanic / Latino	6
Moving traffic violation	2792
Alaska Native / American Indian	4
Asian / Pacific Islander	101
Black	501
White	1651
Hispanic / Latino	535
Vehicle traffic violation	235
Alaska Native / American Indian	0
Asian / Pacific Islander	6
Black	36
White	150
Hispanic / Latino	43
Was a search conducted?	
Yes	152
Alaska Native / American Indian	0
Asian / Pacific Islander	2
Black	43
White	76
Hispanic / Latino	31
No	2953
Alaska Native / American Indian	4
Asian / Pacific Islander	106
Black	498
White	1779
Hispanic / Latino	566
Reason for Search?	
Consent	32
Alaska Native / American Indian	0
Asian / Pacific Islander	1
Black	5
White	20

Hispanic / Latino	6				
Contraband	18				
Alaska Native / American Indian	0				
Asian / Pacific Islander	0				
Black	8				
White	4				
Hispanic / Latino	6				
Probable	77				
Alaska Native / American Indian	0				
Asian / Pacific Islander	0				
Black	24				
White	36				
Hispanic / Latino	17				
Inventory	3				
Alaska Native / American Indian	0				
Asian / Pacific Islander	0				
Black	1				
White	2				
Hispanic / Latino	0				
Incident to arrest	22				
Alaska Native / American Indian	0				
Asian / Pacific Islander	1				
Black	5				
White	14				
Hispanic / Latino	2				
Was Contraband discovered?					
Yes	103				
		Did the finding result in arrest?			
		(total should equal previous column)			
Alaska Native / American Indian	0	Yes	0	No	0
Asian / Pacific Islander	1	Yes	1	No	0
Black	28	Yes	4	No	24
White	49	Yes	10	No	39
Hispanic / Latino	25	Yes	3	No	22
No	49				
Alaska Native / American Indian	0				
Asian / Pacific Islander	1				
Black	15				
White	27				
Hispanic / Latino	6				

Description of contraband	
Drugs	71
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	20
White	35
Hispanic / Latino	16
Weapons	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Currency	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Alcohol	26
Alaska Native / American Indian	0
Asian / Pacific Islander	1
Black	6
White	11
Hispanic / Latino	8
Stolen property	1
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	1
Hispanic / Latino	0
Other	5
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	2
White	2
Hispanic / Latino	1
Result of the stop	
Verbal warning	197

Alaska Native / American Indian	1
Asian / Pacific Islander	3
Black	33
White	132
Hispanic / Latino	28
Written warning	917
Alaska Native / American Indian	1
Asian / Pacific Islander	20
Black	184
White	617
Hispanic / Latino	95
Citation	1957
Alaska Native / American Indian	2
Asian / Pacific Islander	84
Black	316
White	1085
Hispanic / Latino	470
Written warning and arrest	8
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	2
White	5
Hispanic / Latino	1
Citation and arrest	9
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	2
White	4
Hispanic / Latino	3
Arrest	17
Alaska Native / American Indian	0
Asian / Pacific Islander	1
Black	4
White	12
Hispanic / Latino	0
Arrest based on	
Violation of Penal Code	21
Alaska Native / American Indian	0
Asian / Pacific Islander	1

Black	5
White	15
Hispanic / Latino	0
Violation of Traffic Law	4
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	1
White	2
Hispanic / Latino	1
Violation of City Ordinance	1
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	1
Hispanic / Latino	0
Outstanding Warrant	8
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	2
White	3
Hispanic / Latino	3

Was physical force resulting in bodily injury used during stop?

Yes	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
No	3105
Alaska Native / American Indian	4
Asian / Pacific Islander	108
Black	541
White	1855
Hispanic / Latino	597

Number of complaints of racial profiling

Total	0
Resulted in disciplinary action	0
Did not result in disciplinary action	0

Submitted electronically to the



The Texas Commission on Law Enforcement



**CITY COUNCIL
AGENDA MEMO**

Prepared By: Angie Manglaris, Director of Development Services

February 11, 2021

Parking on Texas Drive

DESCRIPTION:

Receive a report, hold a discussion, and give staff direction regarding various parking considerations for Texas Drive.

BACKGROUND INFORMATION:

On August 14, 2019, the City of Lake Dallas hosted a community meeting with the residents of Texas Drive and Bolivar Avenue regarding the narrow roadways on these two streets which causes parking congestion when vehicles are parked on the public street. During the meeting, several ideas were considered by the group including doing nothing and leaving the roadways as-is, installing "No Parking" signs on one side of the street, and creating the opportunity for citizens along these stretches of roadway to improve their boulevard access to park vehicles partially in the right of way. Ultimately, there was no decision made, although residents in the area indicated the improvement of right-of-way area to allow for additional parking space was their preference.

In the Summer of 2020, residents situated on Texas Drive and Bolivar Avenue inquired as to the status of the parking options discussed for their streets. City Council and staff held an additional workshop discussion recapping the previous meetings and potential solutions. During this discussion, City Council and staff came to the consensus that parking vehicles parallel on the street, with two wheels on the curb/right-of-way was not an optimal solution due to the potential long-term consequences.

At the direction of Council, staff held an additional public meeting with residents of Texas Drive and Bolivar Avenue on November 4, 2020 to discuss potential parking solutions. The proposed solution of parking on one side of the streets only was largely unfavorable among residents.

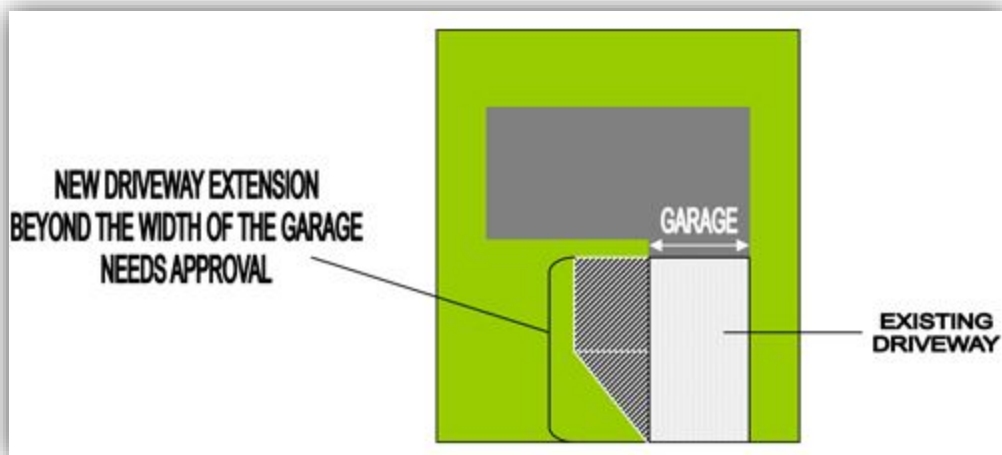
On January 14, 2021, City Council held a discussion and covered the parking alternatives that came from the resident input meeting. During the discussion, the following four (4) options for parking alternative along Texas Drive and Bolivar Avenue were considered:

Option 1: Widening Driveways

The premise behind option one is to allow and encourage property owners to widen their driveways to allow for additional parking space on their lot. Permits would be required and reviewed on a case-by-case basis by the Development Services Department. Provided the new portion of the driveway does not cut into the right-of-way, these permits can be quickly reviewed by City staff.

Concerns: The concern with this option is the maximum allowable 50% pervious surface coverage in front yards per City Ordinance. Given some of these lots are not very large, there could be a few cases where this issue arises. If an Ordinance amendment is made to accommodate for front yard coverage in excess of 50%, it is important to note this would apply to all areas in the City zoned R-1-6000, not just Texas Drive and Bolivar Avenue.

Example:



Option 2: Widening Driveways and Permeable Pavers

The second option is similar to the first since it would allow for driveway expansion to accommodate additional vehicles; however, it would differ in that the expansion could be done with permeable pavers so that new parking area does not count towards pervious lot coverage. This would help property owners avoid exceeding the allowable front yard lot coverage. In order to pursue this option, there would need to be a text amendment to the Code of Ordinances that specifically allows for permeable pavers as a parking surface.

Concerns: This option has the potential to be more costly to the property owner due to the materials involved.

Example:

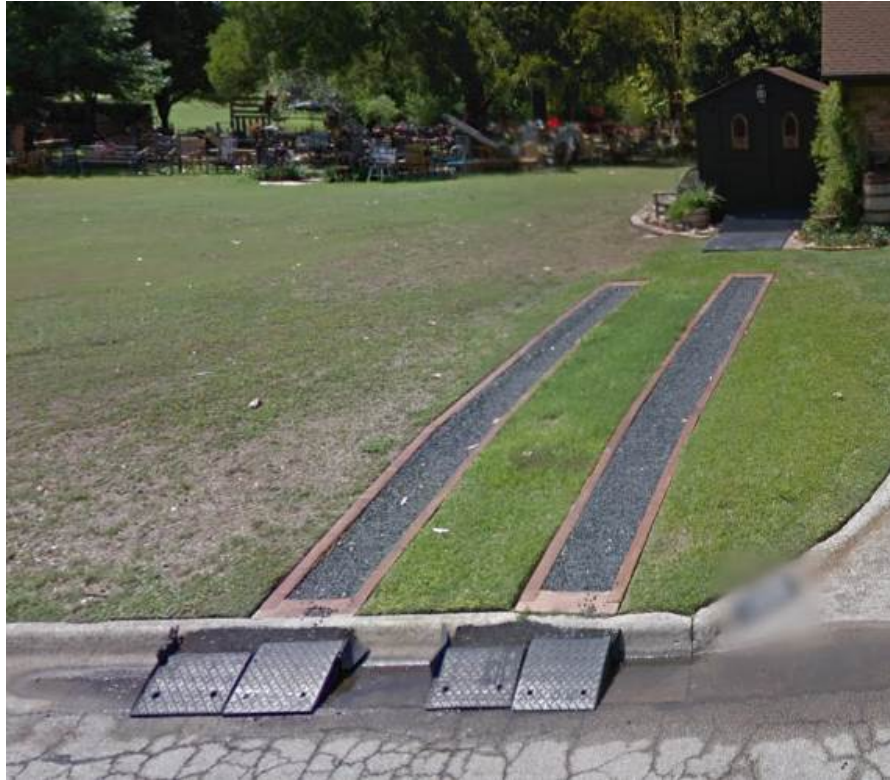


Option 3: Small Parking Strips

This option would allow residents to construct small strips of concrete or gravel in the front yard for their vehicles to be situated on without having to provide excess paving or require a driveway extension. This option would be less costly on the resident and would take up less space in the overall front yard area. Similar to option two, this option would require some amendments to the language in the Code of Ordinances to better define gravel parking areas and their respective maintenance requirements.

Concerns: The concern with this option is the solution would require property owners to drive over the curb continuously. Several internal departments and partnering agencies expressed concerns with this option as it involves strain on City curbs, could lead to long-term degradation of materials, and would limit right-of-way access if needed.

Example:



Option 4: One-sided Parking

The final option is one-sided parking on Texas Drive. Parking on one side of the street would alleviate congestion along the roadways and allow for traffic to pass through more easily. This would be the least intensive of the options to implement.

Concerns: This option is not favored by property owners in the area and would require the affected thoroughfares to become one-way to be able to function as intended.

The discussion held among Council favored the options of allowing residents to widen existing driveways and to allow for an ordinance amendment to allow permeable-type pavers as a parking surface to alleviate concerns of excess paving in the front yard. In addition to exploring these options, staff was directed to explore the drainage area long the north portion of the subdivision as well as looking into additional right-of-way the City may have along Stadium that could be improved and converted to a parking area.

Since the January 14, 2021 Council Meeting, a number of questions arose about what the permitting process for the wider driveways would include. The City has recently created a permit specific to driveways that follows the regulations outlined in both the Municipal Code and the Engineering and Design Standards Manual. The permitting process for driveways proceeds in this manner:

1. The Driveway Permit is submitted to staff along with a plot plan indicating existing structures and proposed improvements.

2. Permits are entered into our permit tracking software and sent to the Director of Development Services and Public Works Superintendent for review.
3. Review typically takes 1-2 business days.
4. Once approved, permits are issued, and the owner/contractors may proceed with improvements.
5. The owner/contractor calls the City for a pre-pour inspection. City staff confirms the improvements match the plan and give notice to proceed.

Flatwork/driveway permits typically cost \$125.00. City staff has discussed the option of waiving driveway permitting fees for projects that do not touch City-owned infrastructure.

This item addresses Strategic Goal 1, Objective 1.6.

FINANCIAL CONSIDERATION:

There is no immediate financial impact to the taxpayers of Lake Dallas. Depending on what option is decided upon, there may be costs to property owners who wish to make improvements to their lots in order to provide additional parking.

RECOMMENDED MOTIONS:

None, discussion only.

ATTACHMENT(S):

1. Driveway Permit
2. Development Review Committee Responses



Development Services Department
212 Main Street
Lake Dallas, Texas
75065 940-497-2226
(Tel.)
940-497-4485 (Fax)
www.lakedallas.com

DRC APPLICATION REVIEW

Date: December 10, 2020

Project Description: Parking on Texas Drive – Alternative Solutions

City Contact: Angie Manglaris 940-497-2226 Ext 401
212 Main St., Lake Dallas, TX 75065

COMMENTS DUE BACK: December 18, 2020

Please return comments to Hayden Scarnato, Management Assistant, hscarnato@lakedallas.com or Angie Manglaris, Director of Development Services amanglaris@lakedallas.com

Distribution List

☐ Angie Manglaris	Director of Development Services	☐ Lee Williams	Halff Associates
☐ John Cabrales	City Manager	☐ Kevin Gronwaldt	Halff Associates
☐ Layne Cline	Public Works Superintendent	☐ Kimberly Ponsonby	Spectrum
☐ Mark DiCiaccio	Lake Cities Municipal Utilities Authority	☐ Jim Tankersley	Century Link
☐ Devin Shields	Lake Cities Municipal Utilities Authority	☐ Ron Hays	Atmos Energy
☒ Dan Carolla	Police Chief	☐ Chase Nelson	Oncor
☐ Chad Thiessen	Lake Cities Fire Department	☐	Republic
☐ David Rodriguez	Lake Cities Fire Department	☐ File copy	

The application listed above has been filed with the Department of Development Services. Please review the project (attached plans, etc.) and return this sheet with your comments or recommendations prior to the due date listed above.

Please sign, mark and return this form, even if you have no comments or issues.

Dan Carolla [Signature] Police 12/10/20
Name (Please Print) Signature Dept./Org. Date

Comments:

☐ No comments/acceptable as proposed
☒ See attached comments

I agree with Option #1, widening the driveway, and Option #2, permeable pavers.

I do not agree with Option #3 because it creates problems with the curb and backing out over a curb, and Option #4 because of community feedback.



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Please sign, mark and return this form, even if you have no comments or issues.

Layne Cline [Signature] Public Works 12/11/2020
Name (Please Print) Signature Dept./Org. Date

Comments:

☐ No comments/acceptable as proposed
☒ See attached comments

Comments:

Option #1 and #2 are ideal expansions if allowable. Option #3 does present a couple issue, the overall strength and integrity of the curb could be compromised if traffic is allowed to traverse over, thus creating unnecessary maintenance repairs. Another issue would be the path of runoff and drainage being impacted if any ramps are installed along the curb, this allows for the collection of trash and debris in these blocked areas. I have no comment in regards to Option #4.



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Please sign, mark and return this form, even if you have no comments or issues.

David Rodriguez *David Rodriguez* *LCFD* *12/10/2020*

Name (Please Print)

Signature

Dept./Org.

Date

Comments:

☒ No comments/acceptable as proposed
☐ See attached comments



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Lake Dallas, Texas
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The application listed above has been filed with the Department of Development Services. Please review the project (attached plans, etc.) and return this sheet with your comments or recommendations prior to the due date listed above.

Please sign, mark and return this form, even if you have no comments or issues.

Devin Shields [Signature] LCMUA 12/14/2020
Name (Please Print) Signature Dept./Org. Date

Comments:

☒ No comments/acceptable as proposed
☐ See attached comments



Potential Texas Drive Parking Solutions

As operators of large vehicles and equipment, LCMUA would appreciate any solution to the accessibility issues that currently trouble Texas Drive. All the options provided would be substantial measures to help alleviate the congestion. However, due to LCMUA's water/wastewater infrastructure in that area, our concern would be any new permanent placement of structures within the easements/right-of-way, and the responsibility of replacing these structures if we were to need to make repairs to our underground infrastructure. LCMUA would be in favor of "option #4" as it creates no new permanent structures over existing utilities. "Options #1 and #3" would be the next best options, as they only create a minor amount of new cover over our existing infrastructure. "Option #2" would be the least preferable due to the expensive nature of replacing the "Grass-crete", in the event it ever had to be removed to make repairs to our system.

A handwritten signature in blue ink, appearing to read "Devin Shields", written over a horizontal line.

Devin Shields
Utility Inspector



212 Main Street · Lake Dallas, Texas 75065 · (940) 497-2226 · (940) 497-4485 Fax

<http://www.lakedallas.com> · lakedallas@lakedallas.com

Driveway/Culvert Construction

Permit Fee: \$125

Property Address: _____ Is property platted? ☐ Y / ☐ N

Lot: _____ Block: _____ Subdivision: _____

Owner: _____ Owner Address: _____

Contact Phone Number: _____ Email: _____

Contractor: _____ ☐ Is registered with City?

Contact Phone Number: _____ Email: _____

Project Description: ☐ Private drive ☐ Commercial drive ☐ Public access drive ☐ Driveway

Construction Material: ☐ Asphalt ☐ Concrete

Culvert Type: ☐ Box ☐ Reinforced concrete ☐ Corrugated Metal ☐ Other
Diameter: _____ Length: _____

*Minimum barrel diameter: 18" for driveway culverts and 24" for roadside ditches

*Minimum culvert length: 10'

Start Date: _____ Estimated Completion Date: _____

*All driveway culverts must meet flowline and pipe specifications, along with the horizontal distance from edge of pavement to center of culvert, found on the face of the plat for each lot.

With this form, please include a site plan. All work must be inspected prior to backfill. There are no exceptions.



I hereby agree that if a permit is issued, all the provisions of the City Ordinance and State Laws will be complied with, whether specified or not.

Applicant Signature

Date

Completed application and accompanying documents may be emailed to gcowling@lakedallas.com

Office Use Only

Permit Tech: _____

Permit #: _____

Date: _____

Total Fee Amount: _____

TABLE 2.9: Minimum and Maximum Driveway Widths⁽¹⁾

<u>Driveway Type</u>	<u>Land Use</u>	<u>Width in Feet (face to face)⁽²⁾</u>	
		<u>Minimum (ft)</u>	<u>Maximum(ft)</u>
Standard Driveway	Residential	10	24 to a street 32 to an alley ⁽³⁾
	Commercial	30 to a Major or Minor Arterial 24 to a Commercial Collector	36 (40 at a gas station)
	Industrial	30	40
One-Way Driveway	Residential (circular)	10	16
	Commercial	24	24
	Industrial	24	24
Divided High Capacity Driveway	Entrance	24	24
	Exit: Two Lanes	24	24
	Three Lanes	30	36
Driveway Medians		4	11

1. Driveway width at the property line. A driveway may transition to a different width as it extends onto the property.
2. Driveways that serve as a fire lane shall be a minimum of twenty-four feet (24') in width.
3. A residential driveway connecting to an alley may have a width up to a maximum of thirty-two feet (32') if the garage faces onto the alley; otherwise, its width is limited to twenty-four feet (24').



TABLE 2.10: Driveway Design Requirements

<u>Criteria</u>	<u>Thoroughfare Classification</u>	<u>Residential Driveway (ft)</u>	<u>Commercial or Multi-family Driveway (ft)</u>	<u>Industrial Driveway (ft)</u>
Driveway Curb Radius	Major Arterial	N.A.	30	40
	Minor Arterial	N.A.	30	40
	Commercial Collector	N.A.	25	40
	Residential Collector	N.A.	20	N.A.
	Local	5-10	N.A.	N.A.
Minimum Driveway Spacing Along	Major Arterial	N.A.	280	280
	Minor Arterial	N.A.	260	260



Engineering Standards

Roadway (edge to edge)	Commercial Collector	N.A.	90	90
	Residential Collector	N.A.	max. of 1 drive	N.A.
	Local	20 (10 when enclosing both mailboxes) ⁽²⁾	N.A.	N.A.
Minimum Distance to Intersection Along Roadway (edge to ROW line of intersecting street) ⁽¹⁾	Major Arterial	N.A.	75 / 200	75 / 200
	Minor Arterial	N.A.	75 / 200	75 / 200
	Commercial Collector	N.A.	100 / 100	100 / 100
	Residential Collector	N.A.	100 / 100	N.A.
	Local	15 / 5 from curb return to edge of drive	N.A.	N.A.
	Arterial Roundabout ⁽³⁾	N.A.	120 / 100	120 / 100

1. Upstream / downstream distance to intersection. See Figure 2.23.
2. If both mailboxes are located between two driveways, those driveways can be exactly 10 feet apart. If they are more than 10 feet apart, they must be 20 feet apart or more.
3. Applies to a roundabout on a Major Arterial, Minor Arterial, or Commercial Collector thoroughfare. Distances are measured upstream of yield line and downstream from crosswalk (see Section 2.05.G.3).

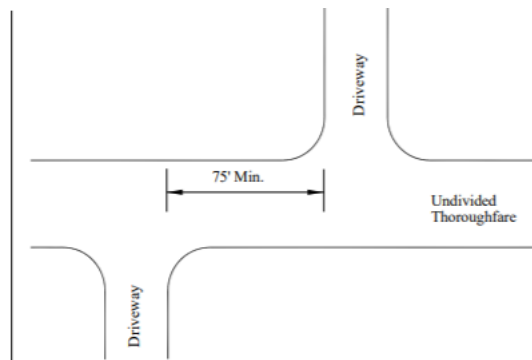


FIGURE 2.22: Driveway Spacing on Opposite Sides of an Undivided Street



212 Main Street · Lake Dallas, Texas 75065 · (940) 497-2226 · (940) 497-4485 Fax

<http://www.lakedallas.com> · lakedallas@lakedallas.com

TX-DOT Permit (I-35 Frontage Road)

- ☐ Commercial TX-DOT (3 sets of engineered drawings, traffic control plan, site plan)
- ☐ Residential TX-DOT (site plan, City of Lake Dallas Driveway/Culvert Construction Permit)

Each applicant must also provide the following:

- Traffic management
- Safety plan
- Erosion control plan

Site plans must show detailed and accurate measurements of all proposed drainage culverts and their locations, along with upstream and downstream flow for the entire length of the property.

Utility locations required. Please contact Lake Cities Municipal Utility Authority: 940-297-2999

Confirmation #: _____

Construction Hours: 7am-6pm Sunday-Saturday. Violating these hours will result in a citation.

Signature of applicant: _____

Date: _____

Office Use Only

Approved by: _____

Date approved: _____



CITY COUNCIL AGENDA MEMO

Prepared By: Angie Manglaris, Director of Development Services

February 11, 2021

Outside Storage

DESCRIPTION:

Receive a report, hold a discussion, and give staff direction regarding an outside storage ordinance.

BACKGROUND INFORMATION:

The Department of Development Services is currently reviewing the Lake Dallas Code of Ordinances for areas of potential improvement, both regarding existing Codes and new ones. The intent of this agenda item is to seek Council guidance and input relating to outside storage.

Outside storage refers to the storage, collection, or safekeeping of any goods, materials, products, appliances, equipment, or containers that are not enclosed by a structure with walls on all four (4) sides and a roof. Outside storage does not typically include moveable toys such as tricycles or pedal cars. The City of Lake Dallas Municipal Code does not currently have any language as it relates to outside storage in residential areas.

Without rules and regulations specific to outside storage, staff has little enforcement abilities regarding properties that could be considered “messy” in the City. Examples of items that could be addressed in an outside storage ordinance include:

- Building materials
- Lawn equipment
- Garden tools
- Household equipment (not in use)

It is important to note, outside storage requirements only apply to items not screened from public view. These regulations would not apply to a property owner who keeps lawn equipment in their rear yard and screened from public view.

The goal of this item is to receive input from Council on if an outside storage ordinance should be pursued at this time. Attached to this agenda sheet is an example of an outside storage ordinance from the City of Denton.

FINANCIAL IMPACT:

There is no financial impact to the residents of Lake Dallas.

RECOMMENDED MOTIONS:

There is no motion required as part of this item. After discussion, staff requests Council provide direction on how to proceed with the project.

ATTACHMENT(S):

City of Denton Outside Storage Ordinance



**CITY COUNCIL
AGENDA MEMO**

Prepared By: Angie Manglaris, Director of Development Services

February 11, 2021

APPOINTMENT OF PLANING AND ZONING COMMISSIONERS

DESCRIPTION:

Consider and Act on a Resolution regarding the appointment of members to various positions of the City of Lake Dallas Planning and Zoning Commission.

BACKGROUND INFORMATION:

The Planning and Zoning Commission is charged with the review of development plans, policies, and programs in the City of Lake Dallas. The Planning and Zoning Commission consists of five (5) members appointed by City Council. Members of the Commission are appointed to two (2) year terms. In December 2020, City staff received an application to serve on the Planning and Zoning Commission from Mr. Christian Cline.

The Planning and Zoning Commission currently has one (1) vacancy for Alternate Member Place 1.

Mr. Cline has lived in Lake Dallas for six (6) months and meets the residency requirement for serving on a Board or Commission in the City.

FINANCIAL CONSIDERATION:

There is no financial impact to the taxpayers of Lake Dallas.

P&Z Recommendation:

The City pf Lake Dallas Planning and Zoning Commission considered this request at their January 21, 2021 meeting. A motion to recommend Mr. Cline to Alternate Member Place 1 on the Planning and Zoning Commission. The motion carried by a vote of four (4) in favor to none (0) opposed.

RECOMMENDED MOTIONS:

I move to **approve/deny** Mr. Christian Cline to serve as a member on the Planning and Zoning Commission for Alternate Member Place 1.

ATTACHMENT(S):

1. Draft Resolution
2. Application for Boards and Commissions- Christian Cline

**CITY OF LAKE DALLAS, TEXAS
RESOLUTION NO. 02112021-____**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE DALLAS,
TEXAS APPOINTING MEMBERS TO VARIOUS POSITIONS OF THE
PLANNING AND ZONING COMMISSION; PROVIDING AN EFFECTIVE
DATE.**

WHEREAS, appointments to vacancies on the City's various Boards, Commissions and Committees are made each year for terms effective on October 1; and

WHEREAS, the Planning and Zoning Commission has one (1) vacancy as the result of resignations or completion of terms that need to be filled; and

WHEREAS, the City Council of the City of Lake Dallas, Texas, finds it to be in the public interest to make appointments to fill said vacancies.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS, THAT:

SECTION 1. The following are hereby appointed to the following positions on the Planning and Zoning Commission for terms ending as stated below and until their successors are appointed and qualified:

<u>Name</u>	<u>Position</u>	<u>Term Expiration</u>
Christian Cline	Alternate 1	Oct. 2021

SECTION 2. This Resolution shall take effect immediately upon passage.

PASSED AND APPROVED this the 11th day of February 2021.

APPROVED:

Michael Barnhart, Mayor

ATTEST:

Codi Delcambre, TRMC, City Secretary

APPROVED AS TO FORM

Kevin B. Laughlin, City Attorney
(kbl:2/4/2021:120506)



**CITY COUNCIL
AGENDA MEMO**

Prepared By: Natalie McAdams, Library Director

February 11, 2021

Farmers Market Relocation

DESCRIPTION:

Receive a report, hold a discussion, and give staff direction regarding the location of the 2021 Lake Dallas Farmer's Market.

BACKGROUND INFORMATION:

The City of Lake Dallas initiated the Lake Dallas Farmers Market in May of 2018 and since that time has grown from one vendor to five vendors. Originally, and for the past three years, the market has taken place in front of the Lake Dallas Public Library, providing the vendors and the public with a parking lot and public restroom facilities.

As the market has grown and word of the market has spread, the traffic for the market has become increasingly large and led to traffic disruptions and issues in the Library parking lot. Originally, the market set up in the parking spaces to the West of the Library building (facing Shady Shores Road), but with a parking lot of only 14 spaces (one of which is handicap accessible), Library staff moved the subsequent markets to the grassy area to the North West of the building. Even with access to all 14 parking spaces, and the Community Park parking lot, traffic continues to be a problem, with cars parking in front or behind of other vehicles, cars driving through lines of market attendees, and people circling the area to come back when parking is available.

Library staff has discussed the matter with the Library Advisory Board and City Hall staff to determine the best possible alternatives for where to move the Farmers Market. City staff have identified the following locations for possible relocation as being: City Park, City Hall, and Community Park. In addition, a member of the business community in Lake Dallas has made a recommendation to staff regarding the placement of the Farmers Market to be the Lake Dallas Water Tower; however, as the ordinance currently reads, the Farmers Market must take place on City Property, which the Water Tower currently is not. The acquisition of this property would need to occur prior to the opening of the Market in order to be in compliance with the Farmers Market Ordinance (Article V of the City Code). In a discussion with the Library Advisory Board, the Board suggested that the best possible location for the Farmers Market would be City Park, with the second option being City Hall.

Library staff have reached out to Dunn Farmin, the main provider of produce to the Market, to seek their opinion on moving the market to a new location. They expressed that such a move was fine with them, especially if the move were to City Park and that the move is well advertised.

Staff are looking for the recommendations of City Council as to where they believe the Farmers Market should move in 2021 so that it flourishes and remains a safe experience for all attendees.

FINANCIAL CONSIDERATION:

None

RECOMMENDED MOTIONS:

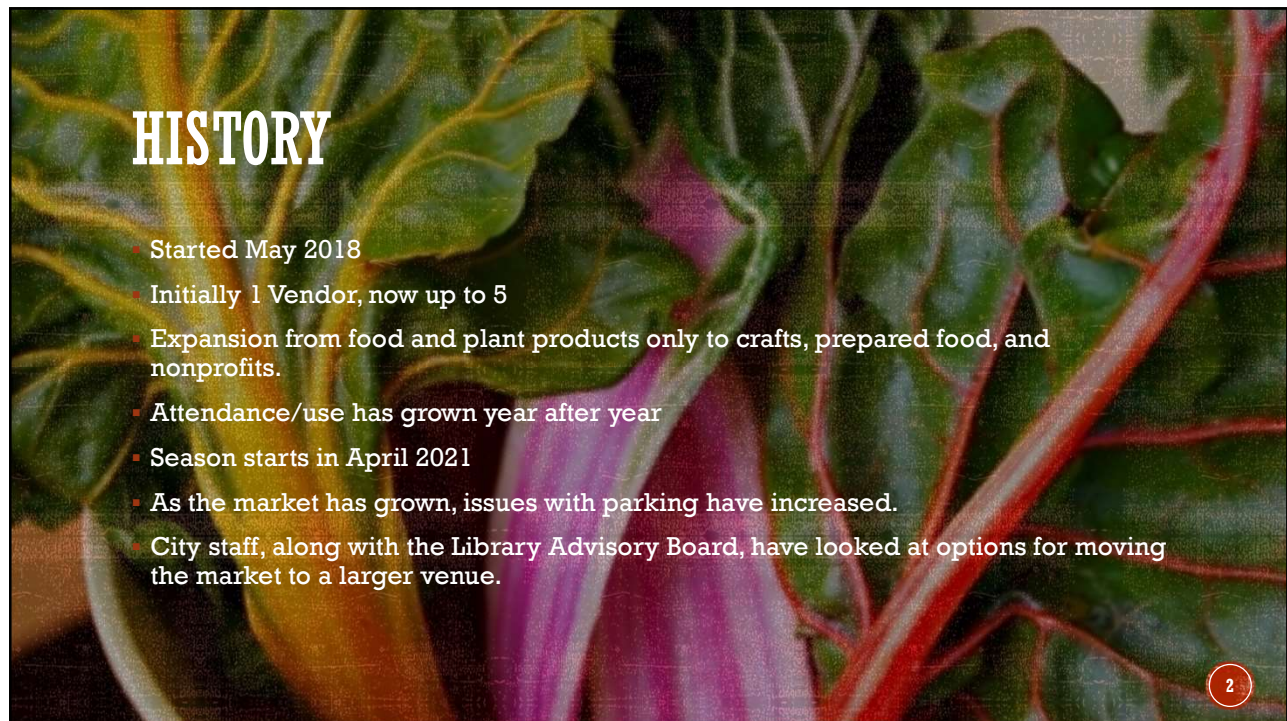
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ATTACHMENT(S):

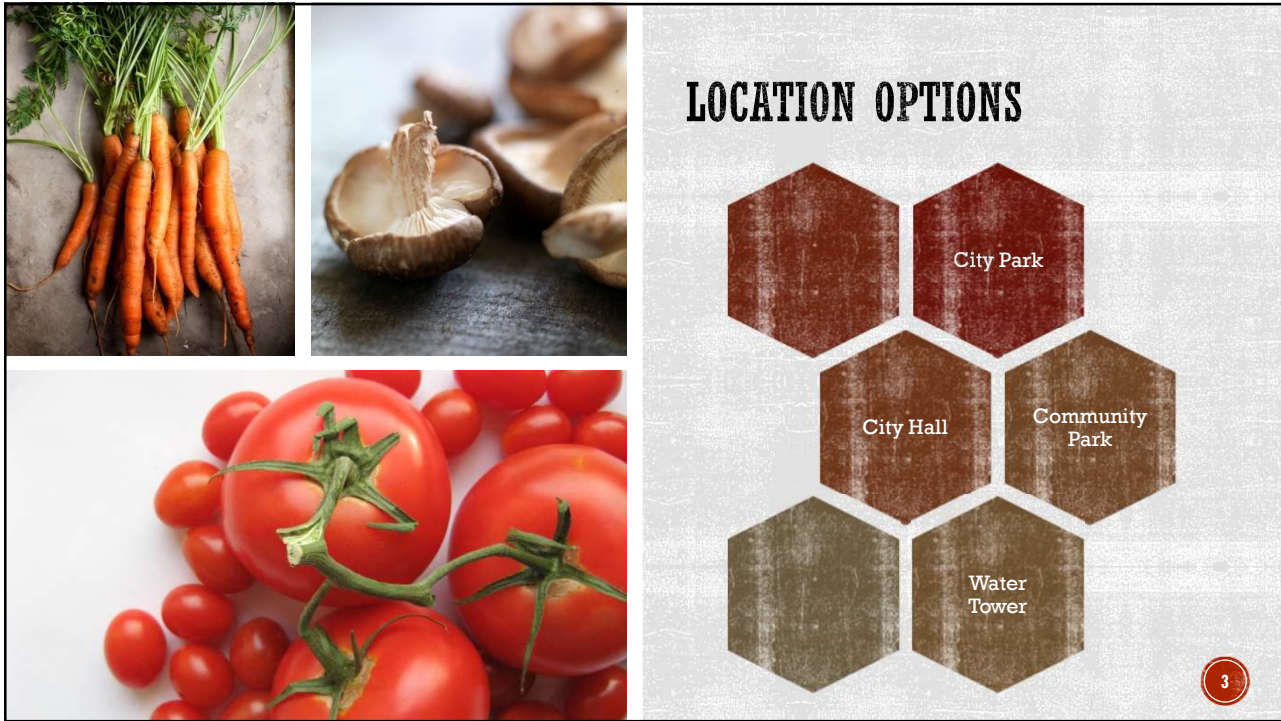
1. PowerPoint Presentation



1



2



3

CITY PARK

- Public bathroom facilities
- Sidewalk for ADA compliance & safety
- Captive audience
- Increased Visibility
- More parking

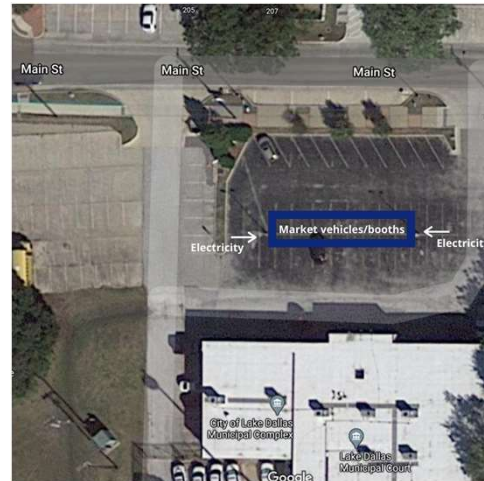


4

4

CITY HALL (OPTION 1)

- Increased parking
- Increased visibility
- Electricity
- ADA accessible
- No public restroom

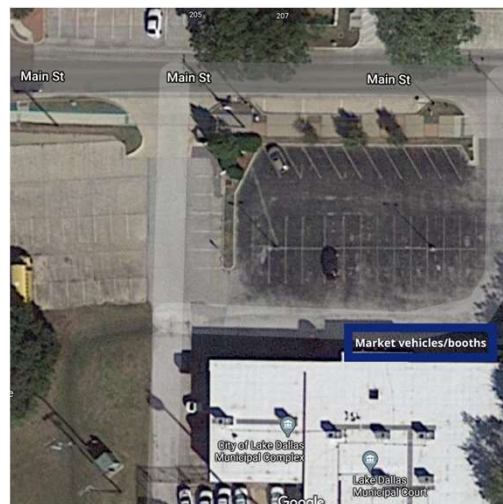


5

5

CITY HALL (OPTION 2)

- Increased parking
- Increased visibility
- Electricity
- ADA accessible
- Shade
- No public restroom

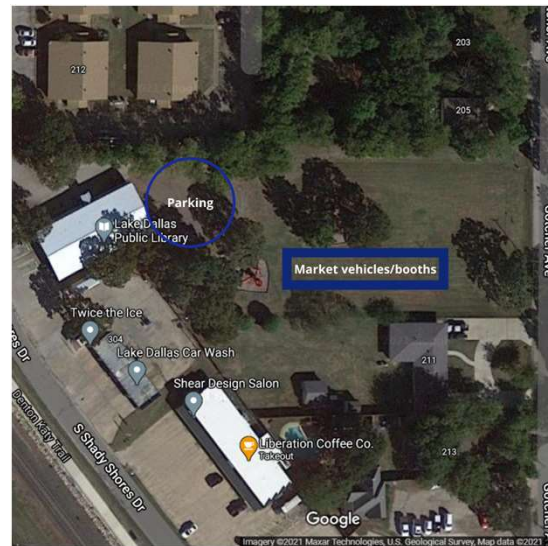


6

6

COMMUNITY PARK

- Increased space for vendors
- Public restroom
- No electricity
- No increase in parking
- Not ADA Compliant

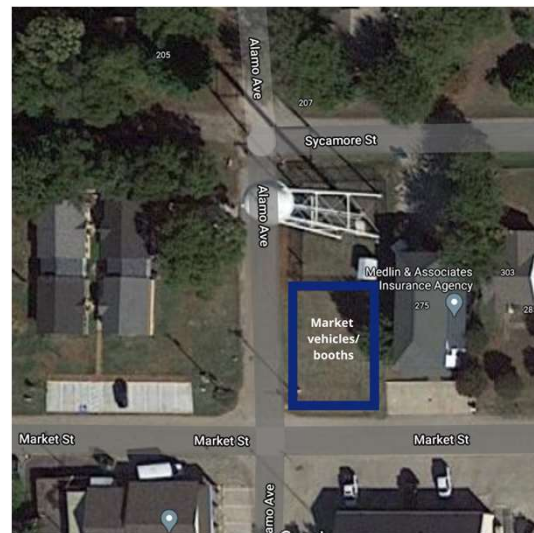


7

7

WATER TOWER

- Recommended by a member of the business community
- Electricity
- Not owned by the City
- No public parking
- No public restroom



8

8





**CITY COUNCIL
AGENDA MEMO**

Prepared By: Layne Cline, Public Works Superintendent

February 11, 2021

Denton County Shady Shores Bridges Project

DESCRIPTION:

Receive a report, hold a discussion, and give staff direction on the design alternatives and construction cost estimates for the Shady Shores Bridges project.

BACKGROUND INFORMATION:

Shady Shores Road is considered a collector road and has a capacity of approximately 8,000 vehicles per day (VPD). According to information from the North Central Texas Council of Government's (NCTCOG) Mobility 2040 Transportation Plan, Shady Shores currently has approximately 4,200 VPD's traveling on the portion between Swisher and Hundley. It is projected to have approximately 11,000 VPD's by the year 2040, thus exceeding its capacity.

Since 2016, the City has been working with the Town of Shady Shores and Denton County to develop options to mitigate the flooding of Shady Shores Drive, north of Swisher Road into the Town of Shady Shores. Often referred to as the Shady Shores Road Bridges Project, which covers a section of Shady Shores Road as a two-lane asphalt roadway that is listed as a Major Collector in both the Federal Functional Classification System and in the Texas Department of Transportation Functional Classification System. This section has three low spots, one in Shady Shores, one in Lake Dallas and one in the unincorporated section of the county. When this section of the road floods it must be closed and causes mobility and public safety issues for the region.

The scope of this project is to raise the road at the three low points in order to mitigate the flooding issues. Previous project construction cost estimate to raise the roadway at the low points and mitigate the flooding issues had anticipated a to cost around \$14 million and does not include the capital improvements costs that the Lake Cities Municipal Utility Authority (LCMUA) is seeking to complete simultaneously. The majority of this funding will come from the NCTCOG as pass through federal funding. There is a required local funding match, which Denton County has pledged to fund. There is also the cost for providing a feasibility study; schematic; environmental clearance; plans, specifications, and estimates; and construction engineering, which is estimated at \$1.5 million that the City of Lake Dallas and Town of Shady Shores will be responsible for.

At the February 22, 2018, city council meeting, staff gave an update on this project to the council and mentioned that we would be back with details as the project continued to evolve. At the May 10, 2018 City Council meeting, staff was directed to work with the Town of Shady Shores and split the preconstruction costs 50/50 between the two communities.

On August 14, 2018, representatives from the City of Lake Dallas, Town of Shady Shores and Denton County met to discuss this project. It appears that the FHA funding for this project will be approved and Denton County does have their portion of the project funding identified. We agreed that Denton County will oversee this project and will be responsible for the bidding, awarding and management of the construction contract. A committee of the two communities and two county precincts will be convened to begin the design and approval of this project. There will be a few points along the design process and after the bidding process that allow for modification of the design to lower costs or seek more funding or decide to not proceed forward with the project. The risk to the City of Lake Dallas is that we could end up spending some or all of funds for the preconstruction cost and we might need to come up with more money, or the project could be determined to be too costly and not proceed forward.

Lake Dallas entered into an Interlocal Cooperation Agreement (ICA) with Denton County for the purpose of providing a feasibility study; schematic; environmental clearance; plans, specifications, and estimates (PS&E); and construction engineering for the Shady Shores Bridges Project from W. Shady Shores Road to Swisher Road, located partially in the City of Lake Dallas. The total estimated PS&E project cost is One Million Four Hundred Thousand dollars (\$1,400,000.00), but the City of Lake Dallas is only contributing Seven Hundred Thousand dollars (\$700,000.00), which is required for satisfactory completion of the Project.

The County agrees to secure the contracts for the feasibility study, schematic, environmental clearance, PS&E, and construction engineering of the Project, and to oversee any and all necessary engineering which may be required for satisfactory completion of the Project. In addition, the County will ensure all inspections are conducted and approve all payments, including requested funding from the City, as invoices are received. Should design costs exceed the amount in this agreement, the County will seek approval and additional funding from the City prior to incurring any additional costs.

In August of 2020, HALFF was awarded the engineering contract by the County and a Design Committee was formed with representatives from Denton County, City of Lake Dallas, and the Town of Shady Shores. This committee has been meeting since the fall of 2020 to review data from the Shady Shores Road rights-of-way (ROW) survey conducted by HALFF. The project was recommended to remain within the existing road ROW, otherwise further costs and lengthy reviews will be required by the United States Army Corps of Engineers (USACE).

On January 28, 2021, the Design Committee met with HALFF to discuss the options below. The alternatives being proposed will include raising the road level above the 25-YR Water Surface Elevation (WSEL) (low road elevation of 535') or raising the road level above the 100-YR Water Surface Elevation (low road elevation of 539').

Option 1: Construction cost for full length of project, from Swisher Road to West Shady Shores Road (Project 4 on the exhibit).

- A. Raise roadway elevation above 25-YR lake elevation (2 bridges, 1 culvert): \$22.2M
- B. Raise roadway elevation above 100-YR lake elevation (2 bridges, 1 culvert): \$24.7M
- C. Raise roadway elevation above 100-YR lake elevation (3 bridges): \$24.8

Option 2: Construction cost for a portion of the roadway to raise the two northern low point crossings (Project 2 on the exhibit).

- A. Raise roadway elevation above 25-YR lake elevation (2 bridges): \$14.0M
- B. Raise roadway elevation above 100-YR lake elevation (2 bridges): \$16.1M

Option 3: Construction cost for a portion of the roadway to raise all three low point crossings (Project 1 and Project 2 on the exhibit).

- A. Raise roadway elevation above 25-YR lake elevation (2 bridges, 1 culvert): \$16.1M
- B. Raise roadway elevation above 100-YR lake elevation (2 bridges, 1 culvert): \$18.8M
- C. Raise roadway elevation above 100-YR lake elevation (3 bridges): \$19.0M

Staff is recommending the Option 3 (C) because it raises all three low point crossings with bridge structures to above the 100-YR water surface elevation (539') and makes some repairs to the roadway on either side of each bridge.

This item addresses Strategic Goal 5 and Objective 5.2.

FINANCIAL CONSIDERATION:

The funding for this project is currently at \$14 million. Any costs above that will have to be paid by the City of Lake Dallas, Town of Shady Shores, Denton County and/or the North Central-Texas Council of Governments.

The City of Lake Dallas paid the \$700,000 for this project through the issuance of debt from Certificates of Obligation.

RECOMMENDED MOTIONS:

Discussion only.

ATTACHMENT(S):

1. Stakeholder Meeting Agenda

2. Project Schedule
3. Shady Shores Bridges Project Exhibit

SHADY SHORES ROAD
STAKEHOLDER MEETING AGENDA
January 28, 2021

Denton County Court Order 20-0566

Half AVO 36886

A. Introductions

B. Status

1. Design Survey Complete
2. Working on obtaining access to various properties to obtain right-of-entry to locate property corners to assist in finalizing ROW boundary
3. Geotechnical borings and recommendations complete
 - a. Borings and recommendations indicate drilled shafts will need to extend 70'+ below existing grade
4. Design Summary Report (DSR) complete
 - a. TxDOT awaiting AFA in order to engage on the project
5. Preliminary Evaluation of Alternatives

Alternatives considered at low spots include raising the road above the 25-YR WSEL (low road elevation ~535') and raising the road above the 100-YR WSEL (low road elevation ~539')

- a. Bridge sizing controlled by USACE impacts rather than drainage conveyance
- b. Each alternative requires about 1,600' of total bridge length
- c. The 100-YR WSEL alternative requires additional retaining walls
- d. Construction cost for full length of project from Swisher to W. Shady Shores (Project 4 on the exhibit)
 - i. Roadway above 25-YR lake elevation: \$22.2M
 - ii. Roadway above 100-YR lake elevation: \$24.7M
- e. Construction cost for portion of the roadway to raise northern two low point crossings (Project 2 on the exhibit)
 - i. Roadway above 25-YR lake elevation: \$14.0M
 - ii. Roadway above 100-YR lake elevation: \$16.1M
- f. Construction cost for portion of the roadway to raise ALL three low point crossings (Project 1 plus Project 2 on the exhibit)
 - i. Roadway above 25-YR lake elevation: \$16.1M
 - ii. Roadway above 100-YR lake elevation: \$18.8M

Accelerated Bridge Construction (ABC) project evaluation

- a. Flow chart evaluation
- b. Additional Cost for ABC technique: \$5.4M
- c. Potential time savings in construction for ABC technique: 8 weeks

Alternative to ABC would be incentive based contract

- a. Set a daily incentive with a max amount set at about the same 6-8 week savings
- b. Daily incentive amount based on a determined user impact with a maximum incentive of around 2-4% of contract amount (Assuming a \$14M contract: \$300K to \$500K)

C. Schedule – See attached

D. Questions / Open Discussion

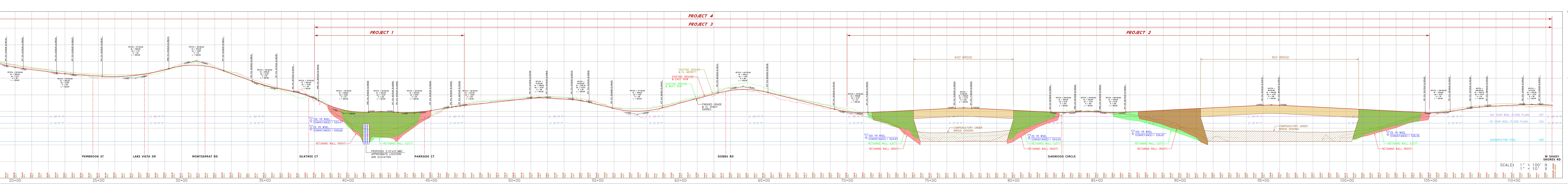
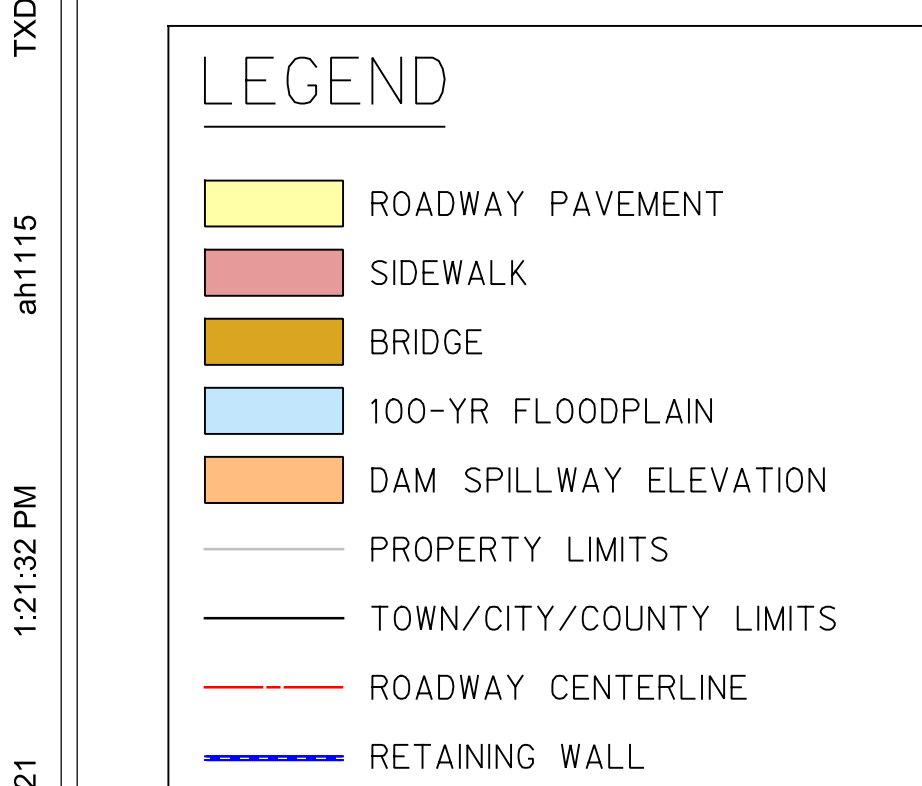
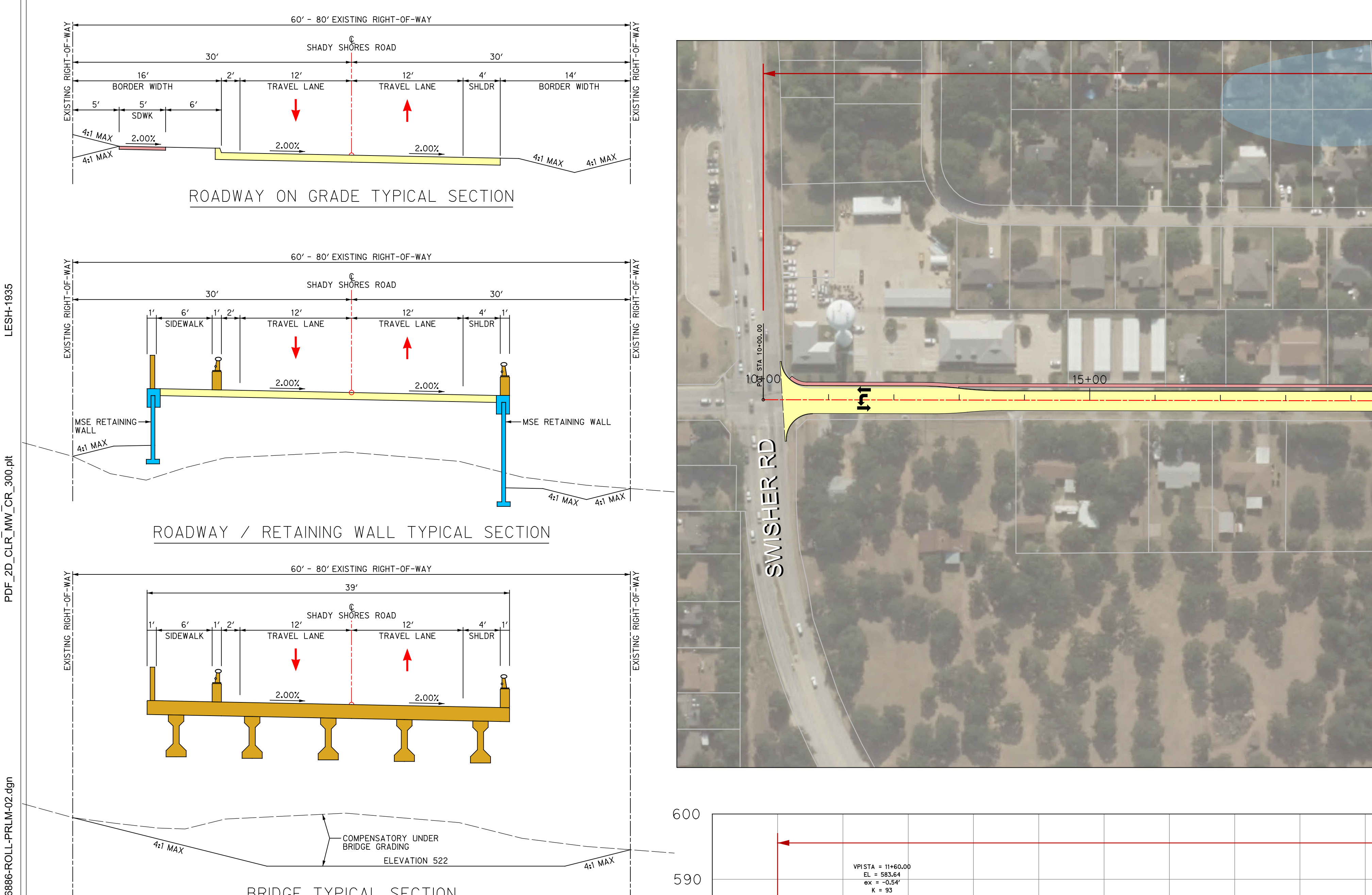
**PRELIMINARY ENGINEERING SERVICES SCHEDULE
SHADY SHORES ROAD PRELIMINARY DESIGN**

TASK No.	TASK DESCRIPTION	Duration (Months)	2020				2021												2022					...	2023							
			Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May		May	June	July	Aug	Sept	Oct	Nov	Dec
1	Notice to Proceed (Assumed 9/1/2020)	NA	●																													
2	Data Collection	1.5	■	■																												
3	Design Surveys	2		■	■	■																										
4	Geotechnical Investigation	2		■	■	■																										
5	Concept Design Layouts (Alternatives) (30%)	4		■	■	■	■	■	■																							
6	Schematic Design (60%)	4						■	■	■	■	■	■	■																		
7	Schematic Design (90%)	4										■	■	■	■	■	■															
8	Schematic Design (100%)	1.5															■	■	■													
9	Schematic Approval	NA																●														
10	Hydrology & Hydraulics	5		■	■	■	■	■	■																							
11	Traffic Projections & Analysis	3				■	■	■																								
12	Environmental Documentation	16					■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■										
13	Environmental Clearence	NA																					●									
14	USACE Coordination & Permitting	16					■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■										
15	Primary Engineering (PS&E)	12																				■	■	■								
16	ROW Acquisition	12																					■	■	■	■	■	■	■			
17	Utility Relocations	12																					■	■	■	■	■	■	■	■		
18	Begin Construction	NA																													●	



Critical Path

1/26/2021 12:29 PM
Detail
1000003888001/CADD/SHADYSHORES_38888-ROLL-PLAN-22.dgn
TWOPT-COR
DWG115



PRELIMINARY
FOR INTERIM REVIEW ONLY
DESIGNED BY: HALFF
CHECKED BY: DAB
SCALE: 1" = 100'

Project No.: 38888
Drawn By: HALFF
Checked By: DAB
Scale: 1" = 100'

Sheet Title
CONCEPTUAL DESIGN
SCHEMATIC
ALTERNATIVE 2

ROLL 2 OF 2

SHADY SHORES ROAD

HALFF
AECOM
DENTON COUNTY
LAKE LEWISVILLE

0 50 100 150 200
SCALE: 1" = 100'



**CITY COUNCIL
AGENDA MEMO**

Prepared By: John Cabrales Jr, City Manager

February 11, 2021

City Charter Amendments

DESCRIPTION:

Consider the Approval of an Ordinance ordering a Special Election to be held on May 1, 2021 to consider various propositions regarding proposed Amendments to the Home Rule Charter of the City of Lake Dallas.

BACKGROUND INFORMATION:

The City Council has expressed an interest in reviewing the City Home Rule Charter for possible amendments. Any amendments to the Home Rule Charter must be approved by the qualified voters of Lake Dallas as part of a Special Election conducted on a uniform election date. Section 9.004 of the Local Government Code allows for Charter Amendments to be submitted to the qualified voters of a home rule municipality. The Texas Election Code requires charter amendment elections to be conducted on a uniform election date, the next uniform election date being May 1, 2021. The last day to call a Charter Amendment Election is February 12, 2021.

At the January 14 and January 28, 2021, council meetings, the City Manager and City Attorney presented and prioritized a number of proposed City Charter amendments for City Council consideration. Based on City Council input regarding the proposed amendments, the City Attorney has prepared an ordinance calling the charter amendment election May 1, 2021, and setting forth the proposed amendments and ballot propositions.

Staff has been in contact with the Denton County Elections Office to work out any issues with the length of the ballot due to the Charter Amendment language. Staff will also work with the City Attorney to draft information materials for the public regarding the proposed intent of the charter amendments. As a reminder, the City is prohibited from spending any resources advocating for passage of any of the charter amendment propositions but may set forth factual information regarding the proposed amendments.

FINANCIAL CONSIDERATION:

The City is scheduled to have a May 1, 2021 General Municipal Election for the purpose of an election of Councilmembers to Places 1, 3 and 5. As such, there would be some costs to add Charter Amendments items to the ballot. We will not know those costs until we hear back from

the Denton County Elections office on the number of entities participating in the May Election. The City will also incur additional costs to have the ballot propositions, the proposed amendments, and the two required newspaper notices translated into Spanish as required by the federal Voting Rights Act. The City is also required to publish the proposed amendments in the City's official newspaper twice prior to the election in both English and Spanish.

RECOMMENDED MOTIONS:

I move to **approve/deny** an ordinance ordering a Special Election to be held on May 1, 2021 for the purpose of considering amendments to the City's Home Rule Charter.

ATTACHMENT(S):

1. Charter Amendment Proposition Table
2. Charter Amendment Proposition Ballot Language
3. Ordinance

PROPOSITION A

Shall Section 3.03b of the Lake Dallas City Charter be amended to provide that the canvassing of city council elections shall be conducted within the time required by state law.

PROPOSITION B

Shall paragraph 3 of Section 3.06.02 of the Lake Dallas City Charter be amended to clarify that the mayor or a city councilmember shall forfeit such office if convicted or placed on deferred adjudication for a crime involving moral turpitude.

PROPOSITION C

Shall paragraph 4 of Section 3.06.02 of the Lake Dallas City Charter be amended to provide that the mayor or a city councilmember shall forfeit such office if absent from three regular city council meetings during any period of twelve (12) consecutive months without such absences being excused by the city council.

PROPOSITION D

Shall Section 3.11.01 of the Lake Dallas City Charter be amended to provide that neither the mayor, any city councilmember, nor any member of any board, commission or committee, or any other officer, whether elected, appointed, paid or unpaid shall participate in the deliberation or a vote or decision on a matter when such participation is otherwise prohibited by law.

PROPOSITION E

Shall the first paragraph of Section 3.12 of the Lake Dallas City Charter be amended to allow for the recording of city council meetings by means other than tape recording.

PROPOSITION F

Shall the second paragraph of Section 3.12 of the Lake Dallas City Charter be amended to clarify that unless a different vote is required by this charter or state law, all issues coming before the city council or any boards, commissions or committees shall be decided by a vote of a simple majority of city council, board, commission or committee

PROPOSITION G

Shall Section 3.13.02 of the Lake Dallas City Charter be amended to clarify that unless a different vote is required by this charter or state law, an ordinance shall be considered adopted when it receives an affirmative vote of a simple majority of the membership of the city council.

PROPOSITION H

Shall the Lake Dallas City Charter be amended by repealing Section 3.13.03 regarding the vote required to approve ordinances which is duplicated in Section 3.13.02 of the Lake Dallas City Charter.

PROPOSITION I

Shall paragraphs 2 and 3 of Section 4.01.02 of the Lake Dallas City Charter be amended and Section 4.08 of the Lake Dallas City Charter be repealed to clarify and provide that the city manager shall have the power and duty to appoint, hire, suspend, and/or terminate any employee of the city, except as otherwise provided by this Charter, and to delegate such authority to department administrators with respect to employees within their respective departments.

PROPOSITION J

Shall paragraph 10 of Section 4.01.02 of the Lake Dallas City Charter be amended to clarify that the City Manager shall ensure that all public records are accessible to the public and available upon request as required by state law.

PROPOSITION K

Shall Section 4.09 of the Lake Dallas City Charter be amended to revise and simplify the procedure for selection of the members of the Appeals Board by the City Council.

PROPOSITION L

Shall Section 4.09 of the Lake Dallas City Charter be amended to provide that the procedures of the Appeals Board be established by an ordinance adopted by the City Council consistent with the City Charter.

PROPOSITION M

Shall Section 4.09 of the Lake Dallas City Charter be amended to clarify that the decision and action of the City Council regarding the recommendation received from the Appeals Board shall be final.

PROPOSITION N

Shall Section 4.09.01 of the Lake Dallas City Charter be amended to provide that a terminated city employee may file an appeal of the employee's termination to the city secretary not later than ten (10) days after being notified of the employee's termination from employment.

PROPOSITION O

Shall Section 4.09.01 of the Lake Dallas City Charter be amended to provide that the appeals board shall conduct a hearing on an appeal of a terminated city employment not later than ten (10) working days after receipt of the request to appeal the termination.

PROPOSITION P

Shall Section 5.01.01 of the Lake Dallas City Charter be amended to provide that the regulation to elect the mayor and city council members will be held on the uniform election date in May established by the Texas Election Code.

PROPOSITION Q

Shall Section 5.01.03 of the Lake Dallas City Charter be repealed to eliminate the requirement that the City Secretary maintain a certified copy of the Denton County voter registration list of city voters.

PROPOSITION R

Shall Section 6.04 of the Lake Dallas City Charter be amended to provide that petitions for recall, initiative, or referendum shall contain the signatures of qualified voters equal in number to no fewer than the greater of (i) fifteen (15%) percent of the qualified voters eligible to vote on the date of the last regular municipal election and (ii) 500.

PROPOSITION S

Shall Section 7.08 of the Lake Dallas City Charter be amended to provide City Council regulations regarding the purchase of goods and services adopted by resolution or ordinance shall not conflict with any applicable provisions of the Charter or state law governing municipal purchasing or contracting.

PROPOSITION T

Shall Section 8.03.02 of the Lake Dallas City Charter be amended to delete the required number of members and alternate member to be appointed to the parks and recreation board and make conforming amendments relating to the dates for appointment of such members.

PROPOSITION U

Shall Section 8.04.04 of the Lake Dallas City Charter be amended to allow for officers or others who hold compensated positions with the City to be appointed to a City board, commission, or committee when required by law.

PROPOSITION V

Shall Section 10.02 of the Lake Dallas City Charter regarding the selection of an official city newspaper and publication of official notices in the official newspaper be repealed.

PROPOSITION W

Shall the Lake Dallas City Charter be amended to add Section 10.12.05 to authorize the City Council to adopt ordinances renumbering articles, sections, subsections, and paragraphs of the Lake Dallas City Charter or any amendment thereto.

PROPOSITION X

Shall the Lake Dallas City Charter be amended to add a definition for the phrase “super-majority” to provide that when a super-majority vote to approve a matter is required by this Charter, approval of such matter shall require no fewer than 75% of city council members to vote in the affirmative.

Section 3.03b. - Council to be Judge of the Qualifications of its Own Members.

The city council shall be the judge of the qualifications of its own members and of the mayor, and for such purpose shall have power to subpoena witnesses and require the production of records, but the decision of the council shall, as soon as practicable after a regular or special election, either at a called meeting of said council, called for that purpose, or at the next regular meeting, but in any event within five ~~(5) calendar days after the closing of the polls~~ the time required by State law, canvass the returns and declare the results of such election.

Proposition A

Section 3.06.02. - Forfeiture.

The mayor or a member of the city council shall forfeit the office if such person:

- 1) During term of office, lacks any qualification at any time for the office prescribed by this Charter or by law;
- 2) Violates any express prohibition of this Charter;
- 3) Is convicted or placed on deferred adjudication for a crime involving moral turpitude;
- 4) Fails to attend three (3) ~~consecutive~~ regular city council meetings during any period of twelve (12) consecutive months without such absences being excused by the city council.
- 5) Submits an application to be placed on a ballot or submits his name in nomination as a candidate to run for election to any public office, other than the seat then held by such person, but shall continue to serve in said seat until his successor is duly qualified.

Proposition B

Proposition C

The city council shall rule in matters involving forfeiture of office.

Section 3.11.01. - Conflict of Interest.

~~No member of the city council, Neither the mayor, any city councilmember, nor any member of any board, commission or committee, or any other officer, whether elected, appointed, paid or unpaid, or related to an officer within the first degree of affinity or consanguinity, shall participate in the deliberation or a vote or decision on a matter when such participation is otherwise prohibited by law involving a business entity in which such officer the person holding such elected or appointed office, or a person related within the first degree of affinity or consanguinity to such person, has a substantial interest in the matter if it is reasonably foreseeable that an action on the matter would confer an economic benefit on the business entity. Prior to the meeting, the officer, or person related to the officer, shall file an affidavit with the city secretary stating the nature and extent of the interest and abstain from further participation in the matter.~~

Proposition D

Section 3.12. - Rules of Procedure.

The city council shall provide for ~~tape~~ recording of all meetings as well as written minutes to be taken of all meetings, except executive sessions authorized by law, and such minutes shall be a public record and shall be kept and maintained by the city secretary. Voting shall be recorded in the minutes. Except on procedural motions, voting shall be by roll call called by the city secretary or person serving as city secretary and shall be recorded in the minutes.

Proposition E

~~Unless a different vote is required by this charter or state law, All~~ issues coming before the city council or any boards, commissions or committees shall be decided by a vote of a simple majority of city council, board, commission or committee.

Proposition F

Section 3.13.02. - Procedure.

Any member of the city council may offer any ordinance in writing that has been placed on the agenda at the city council meeting. Copies of proposed ordinances, in the form required for adoption, shall be furnished to members of the city council. The city council shall adopt a rule that shall provide that no action be taken on any ordinance that has not been made available to the council and to the public concurrently. ~~Unless a different vote is required by this charter or state law, An~~ ordinance shall be considered adopted when it receives an affirmative vote of a simple majority of the membership of the city council.

Proposition G

~~Section 3.13.03. - Procedure.~~

~~An ordinance shall be considered adopted when it receives the appropriate affirmative votes as specified by conditions of this Charter.~~

Proposition H

Section 4.01.02. - Responsibilities and Powers.

The city manager shall be responsible for the proper administration of the affairs of the city and shall have the power and duty to:

* * *

2) Appoint, hire, suspend, and/or terminate ~~employees not under the supervision of a department administrator~~ any employee of the city, except as otherwise provided by this Charter, and may delegate such authority to department administrators with respect to employees within their respective departments;

Proposition I

3) ~~Assist department administrators in the hiring, suspension, and termination of employees to ensure compliance with all applicable laws;~~

* * *

10) Ensure that all public records are accessible to the public and available upon request as required by state law; and

Proposition J

Section 4.08. ~~Personnel System.~~

~~Department administrators are responsible to appoint, hire, suspend and/or terminate employees in their department. Department administrators will conduct annual performance evaluations of employees within their department. The city manager shall provide legal and regulatory guidance to department administrators.~~

Proposition I

Section 4.09. - Appeals Board.

The provisions contained herein are intended to aid the city in the discharge of its obligations to ascertain and understand the needs of the city and to be responsive to its citizens. Nothing contained within this section shall be construed as creating or conferring any substantive rights in or to a complainant.

The city council shall establish an appeals board for the purpose of hearing testimony of terminated city workers, and for hearing charges of corruption, discrimination, abuse of power, or abuse of policies from active city workers employees or citizens.

The appeals board shall have five members and two alternate members who shall serve as regular members of the board in the absence of a regular member. Each city council member will nominate five different citizens to serve on the appeals board. Duplication of names by separate council members shall be permitted. Of the 25 member pool, five members and three alternates will be selected from a blind draw to serve for two years. The city secretary shall supervise the drawing to ensure that each council member has submitted five names. If a citizen's name is drawn a second time it shall be laid aside and another name selected. The five selected members will convene to vote on a chairperson. The city council shall adopt an ordinance establishing the procedures of the appeals board consistent with this Charter. A quorum for all board meetings will be three members. In the event of an appeal initiated by a city employee or a citizen, the board will hear the case and make a recommendation to the city council to take no action or to take appropriate action. Final The decision and action of the city council regarding the recommendation received from the board shall be final on the appeal will be left to the city council.

Proposition K

Proposition L

Proposition M

Section 4.09.01. - Terminated Employee Appeal.

Any terminated city employee, ~~within ten (10) days of termination,~~ may submit an appeal of the employee's termination request to the city secretary not later than ten (10) days after being notified of the employee's termination from employment. The city secretary ~~who~~ must immediately forward the request to each member of the appeals board. ~~Within~~ Not later than ten (10) working days of receipt of the request, the appeals board ~~chairperson will~~ shall conduct a hearing of the matter after notifying all parties listed on the appeal request form of the date, time, and place of the hearing. Attendance by the city manager and department heads is required if identified on the appeal request form.

Proposition N

Proposition O

Section 5.01.01. - Election Schedule.

The regular ~~city~~ election to elect the mayor and city council members will be held ~~annually~~ on the ~~second Saturday~~ uniform election date in May established by the Texas Election Code. The city council shall be responsible for selection of places for holding such elections.

Proposition P

~~Section 5.01.03. - Voter Eligibility List.~~

~~A certified list of voter registrants within the city, as prepared by the county, shall be held by the city secretary. Any organization, group or person may request a list of qualified voters of the city. Permission to copy the current list shall be granted by the city secretary.~~

Proposition Q

Section 6.04. – Presentation of Petitions.

A petition to the city council for recall, initiative or referendum containing the signatures of qualified voters equal in number to no fewer than ~~twenty-five (25%)~~ the greater of (i) fifteen (15%) percent of the qualified voters eligible to vote on the date of who voted in the last regular municipal election and (ii) 500, shall be presented to the city secretary no later than thirty (30) days following the filing of the affidavit by the petitioners' committee.

Proposition R

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~~The city manager shall have general authority to contract for expenditures up to one thousand (\$1,000.00) dollars without approval of the city council. City council regulations regarding the purchase of goods and services provided adopted by resolution or ordinance shall not conflict with any applicable provisions of the Charter or state law governing municipal purchasing or contracting.~~

Proposition S

Section 8.03.02. - Parks and Recreation Board.

The city council shall appoint a parks and recreation board ~~of seven (7) members and two (2) alternate members~~ to work in an advisory capacity to the city council in the planning and development of parks and recreation facilities and regulations governing their use. Members of the board shall be appointed for two-year terms with ~~three (3)~~ the terms of the majority of the members' terms expiring in even-numbered years and ~~two (2)~~ the terms of the remaining members' terms expiring in odd-numbered years. Members of the board shall elect a chairperson each October from their membership and shall meet at the call of the chairperson or at the request of the city council. The city manager shall appoint a staff representative to the board.

Proposition T

Section 8.04.04. - Exclusion of City Officers and Employees.

Except where otherwise required by law, No officer of the city nor any person who holds a compensated position with the city shall be appointed to any board, commission or committee created or established by this Charter other than in an advisory capacity.

Proposition U

~~Section 10.02. — Official Newspaper.~~

~~The city council shall designate an official newspaper or newspapers of general circulation as defined by the laws of the State of Texas. All ordinances, captions of ordinances, notices and other matters required to be published by this Charter, by city ordinances or by the constitution and laws of the State of Texas, shall be published in the official newspaper.~~

Proposition V

Section 10.12.05. - Charter renumbering.

The City Council shall have the power, by ordinance, to renumber articles, sections, subsections, and paragraphs of this Charter or any amendment thereto, as it shall deem appropriate.

Proposition W

Definitions and Terms

Super-Majority: When a super-majority vote to approve a matter is required by this Charter, approval of such matter shall require no fewer than 75% of city council members to vote in the affirmative.

Proposition X

**CITY OF LAKE DALLAS, TEXAS
ORDINANCE NO. 2021-__**

AN ORDINANCE OF THE CITY OF LAKE DALLAS, TEXAS, ORDERING A SPECIAL ELECTION TO BE HELD ON MAY 1, 2021, TO CONSIDER VARIOUS PROPOSITIONS REGARDING PROPOSED AMENDMENTS TO THE HOME RULE CHARTER OF THE CITY OF LAKE DALLAS, TEXAS, PROVIDING FOR THE PUBLICATION AND POSTING OF NOTICE; AUTHORIZING A JOINT ELECTION WITH OTHER DENTON COUNTY POLITICAL SUBDIVISIONS; AUTHORIZING A CONTRACT FOR ELECTION SERVICES WITH DENTON COUNTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Lake Dallas, Texas (“City Council”), has reviewed the contents of the City’s home rule charter (the “City Charter”) and determined that various provisions of the charter should be amended; and

WHEREAS, in accordance with Section 9.004(a) of the Texas Local Government Code, the City Council of the City of Lake Dallas finds it to be in the public interest to call a special election for the purpose of submitting to the voters of the City of Lake Dallas various propositions seeking approval of amendments to the City Charter; and

WHEREAS, in accordance with Section 271.002 of the Texas Election Code, said special election will be conducted jointly with other political subdivisions of Denton County, Texas, pursuant to a contract with Denton County.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS, THAT:

Section 1. A special election is hereby ordered for May 1, 2021, for the purpose of submitting to the voters of the City for their approval or disapproval of proposed amendments to the Home Rule Charter of the City of Lake Dallas, Texas, contained in Exhibit “A” attached hereto and made a part of this Ordinance for all purposes..

Section 2. The election will be conducted jointly with other political subdivisions in Denton County on May 1, 2021, pursuant to Chapters 31 and 271, Texas Election Code.

Section 3. The election precinct and voting place of said elections shall be as follows:

City Voting Precinct
Lake Dallas City Hall
212 Main Street
Lake Dallas, Texas 75065

Election polls shall be open from 7:00 a.m. – 7:00 p.m.

Section 4. All election officials, including the Early Voting Clerk shall be the officials appointed to such positions by Denton County and to the extent required by law, are hereby so appointed.

Section 5. Early voting by personal appearance will be held jointly with other Denton County public entities at Denton County’s Main Early Voting Site located at the Denton County Elections Office, 701

Kimberly Drive, Suite A101, Denton, Texas 76208 beginning on April 19, 2021 and continuing through April 27, 2021, at the times set forth below:

<u>Early Election Dates</u>	<u>Times When Polls Are Open</u>
Monday through Saturday April 19 – April 24, 2021	8:00 a.m. – 5:00 p.m.
Sunday, April 25, 2021	11:00 a.m. – 4:00 p.m.
Monday and Tuesday April 26 – April 27, 2021	7:00 a.m. – 7:00 p.m.

In addition, all qualified and registered voters may vote by early appearance at the following location during the dates and times set forth below:

**Lake Dallas City Hall
212 Main Street
Lake Dallas, Texas 75065**

<u>Early Election Dates</u>	<u>Times When Polls Are Open</u>
Monday through Saturday April 19 – April 24, 2021	8:00 a.m. – 5:00 p.m.
Sunday, April 25, 2021	11:00 a.m. – 4:00 p.m.
Monday and Tuesday April 26 – April 27, 2021	7:00 a.m. – 7:00 p.m.

Section 6. Additional early voting locations will be determined in accordance with the Joint Election Agreement and Contract for Election Services with the Denton County Election Administrator.

Section 7. The Denton County Election Administrator is hereby appointed to serve as the Early Voting Clerk and the Election Administrator's permanent county employees are appointed as deputy early voting clerks.

Applications for ballot by mail shall be mailed to:

Frank Phillips, Early Voting Clerk
Denton County Elections
P.O. Box 1720
Denton, TX 76202

Applications for ballots by mail must be received no later than the close of business on Tuesday, April 20, 2021.

Section 8. The election shall be conducted pursuant to the election laws of the State of Texas.

Section 9. The City Secretary is hereby authorized and directed to file, publish and/or post, in the time and manner prescribed by law, all notices required to be so filed, published and/or posted in connection

with the conduct of this election. Notice of the election on the proposed Charter amendments shall be posted on the bulletin board used to post notice of the City Council meetings, be published in a newspaper of general circulation in the City, and must include a substantial copy of the proposed Charter amendments and include an estimate of the anticipated fiscal impact to the City if the proposed amendments are approved at the election. Said notice must be published on the same day in each of two successive weeks, with the first publication occurring before the fourteenth (14th) day before the date of the election. A copy of the published notice that contains the name of the newspaper and the date of publication shall be retained as a record of such notice, and such person posting the notice shall make a record of the time of posting, starting date and the place of posting.

Section 10. This Ordinance shall be construed with any action of the Denton County Commissioners Court providing for the conduct of a joint election with other public entities as herein contemplated.

Section 11. The City Manager is hereby authorized to negotiate and execute a contract for a joint election and election services with Denton County as the authorized representative of the City.

Section 12. The ballot propositions for the proposed amendments to the City Charter are as follows:

PROPOSITION A

Shall Section 3.03b of the Lake Dallas City Charter be amended to provide that the canvassing of city council elections shall be conducted within the time required by state law.

PROPOSITION B

Shall paragraph 3 of Section 3.06.02 of the Lake Dallas City Charter be amended to clarify that the mayor or a city councilmember shall forfeit such office if convicted or placed on deferred adjudication for a crime involving moral turpitude.

PROPOSITION C

Shall paragraph 4 of Section 3.06.02 of the Lake Dallas City Charter be amended to provide that the mayor or a city councilmember shall forfeit such office if absent from three regular city council meetings during any period of twelve (12) consecutive months without such absences being excused by the city council.

PROPOSITION D

Shall Section 3.11.01 of the Lake Dallas City Charter be amended to provide that neither the mayor, any city councilmember, nor any member of any board, commission or committee, or any other officer, whether elected, appointed, paid or unpaid shall participate in the deliberation or a vote or decision on a matter when such participation is otherwise prohibited by law.

PROPOSITION E

Shall the first paragraph of Section 3.12 of the Lake Dallas City Charter be amended to allow for the recording of city council meetings by means other than tape recording.

PROPOSITION F

Shall the second paragraph of Section 3.12 of the Lake Dallas City Charter be amended to clarify that unless a different vote is required by the charter or state law, all issues coming before the city council or any boards, commissions or committees shall be decided by a vote of a simple majority of city council, board, commission or committee

PROPOSITION G

Shall Section 3.13.02 of the Lake Dallas City Charter be amended to clarify that unless a different vote is required by the charter or state law, an ordinance shall be considered adopted when it receives an affirmative vote of a simple majority of the membership of the city council.

PROPOSITION H

Shall the Lake Dallas City Charter be amended by repealing Section 3.13.03 regarding the vote required to approve ordinances which is duplicated in Section 3.13.02 of the Lake Dallas City Charter.

PROPOSITION I

Shall paragraphs 2 and 3 of Section 4.01.02 of the Lake Dallas City Charter be amended and Section 4.08 of the Lake Dallas City Charter be repealed to clarify and provide that the city manager shall have the power and duty to appoint, hire, suspend, and/or terminate any employee of the city, except as otherwise provided by this Charter, and to delegate such authority to department administrators with respect to employees within their respective departments.

PROPOSITION J

Shall paragraph 10 of Section 4.01.02 of the Lake Dallas City Charter be amended to clarify that the City Manager shall ensure that all public records are accessible to the public and available upon request as required by state law.

PROPOSITION K

Shall Section 4.09 of the Lake Dallas City Charter be amended to revise and simplify the procedure for selection of the members of the Appeals Board by the City Council.

PROPOSITION L

Shall Section 4.09 of the Lake Dallas City Charter be amended to provide that the procedures of the Appeals Board be established by an ordinance adopted by the City Council consistent with the City Charter.

PROPOSITION M

Shall Section 4.09 of the Lake Dallas City Charter be amended to clarify that the decision and action of the City Council regarding the recommendation received from the Appeals Board shall be final.

PROPOSITION N

Shall Section 4.09.01 of the Lake Dallas City Charter be amended to provide that a terminated city employee may file an appeal of the employee's termination to the city secretary not later than ten (10) days after being notified of the employee's termination from employment.

PROPOSITION O

Shall Section 4.09.01 of the Lake Dallas City Charter be amended to provide that the appeals board shall conduct a hearing on an appeal of a terminated city employment not later than ten (10) working days after receipt of the request to appeal the termination.

PROPOSITION P

Shall Section 5.01.01 of the Lake Dallas City Charter be amended to provide that the regulation to elect the mayor and city council members will be held on the uniform election date in May established by the Texas Election Code.

PROPOSITION Q

Shall Section 5.01.03 of the Lake Dallas City Charter be repealed to eliminate the requirement that the City Secretary maintain a certified copy of the Denton County voter registration list of city voters.

PROPOSITION R

Shall Section 6.04 of the Lake Dallas City Charter be amended to provide that petitions for recall, initiative, or referendum shall contain the signatures of qualified voters equal in number to no fewer than the greater of (i) fifteen (15%) percent of the qualified voters eligible to vote on the date of the last regular municipal election and (ii) 500.

PROPOSITION S

Shall Section 7.08 of the Lake Dallas City Charter be amended to provide City Council regulations regarding the purchase of goods and services adopted by resolution or ordinance shall not conflict with any applicable provisions of the Charter or state law governing municipal purchasing or contracting.

PROPOSITION T

Shall Section 8.03.02 of the Lake Dallas City Charter be amended to delete the required number of members and alternate member to be appointed to the parks and recreation board and make conforming amendments relating to the dates for appointment of such members.

PROPOSITION U

Shall Section 8.04.04 of the Lake Dallas City Charter be amended to allow for officers or others who hold compensated positions with the City to be appointed to a City board, commission, or committee when required by law.

PROPOSITION V

Shall Section 10.02 of the Lake Dallas City Charter regarding the selection of an official city newspaper and publication of official notices in the official newspaper be repealed.

PROPOSITION W

Shall the Lake Dallas City Charter be amended to add Section 10.12.05 to authorize the City Council to adopt ordinances renumbering articles, sections, subsections, and paragraphs of the Lake Dallas City Charter or any amendment thereto.

PROPOSITION X

Shall the Lake Dallas City Charter be amended to add a definition for the phrase “super-majority” to provide that when a super-majority vote to approve a matter is required by this Charter, approval of such matter shall require no fewer than 75% of city council members to vote in the affirmative.

Section 13. This ordinance shall take effect immediately following its passage and publication in accordance with the provisions of the state law and the Charter of the City of Lake Dallas.

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS ON THE 11TH DAY OF FEBRUARY 2021.

APPROVED:

Michael Barnhart, Mayor

ATTEST:

Codi Delcambre, TRMC, City Secretary

APPROVED AS TO FORM:

Kevin B. Laughlin, City Attorney
(kbl:2/7/2021:120557)

Ordinance No. 2021-____
Exhibit "A"

Shown below are the proposed amendments to the City Charter of the City of Lake Dallas, Texas. Deletions are indicated by a strikethrough (e.g.: ~~aaa~~) and additions are indicated by a double underline (e.g.: aaa). The proposition stated in the accompanying ordinance to which the amendment relates is indicated in the right margin of this document

Section 3.03b. - Council to be Judge of the Qualifications of its Own Members.

The city council shall be the judge of the qualifications of its own members and of the mayor, and for such purpose shall have power to subpoena witnesses and require the production of records, but the decision of the council shall, as soon as practicable after a regular or special election, either at a called meeting of said council, called for that purpose, or at the next regular meeting, but in any event within five ~~(5) calendar days after the closing of the polls~~ the time required by State law, canvass the returns and declare the results of such election. **Proposition A**

Section 3.06.02. - Forfeiture.

The mayor or a member of the city council shall forfeit the office if such person:

- 1) During term of office, lacks any qualification at any time for the office prescribed by this Charter or by law;
- 2) Violates any express prohibition of this Charter;
- 3) Is convicted or placed on deferred adjudication for a crime involving moral turpitude; **Proposition B**
- 4) Fails to attend three (3) ~~consecutive~~ regular city council meetings during any period of twelve (12) consecutive months without such absences being excused by the city council. **Proposition C**
- 5) Submits an application to be placed on a ballot or submits his name in nomination as a candidate to run for election to any public office, other than the seat then held by such person, but shall continue to serve in said seat until his successor is duly qualified.

The city council shall rule in matters involving forfeiture of office.

Section 3.11.01. - Conflict of Interest.

~~No member of the city council, Neither the mayor, any city councilmember, nor any member of any board, commission or committee, or any other officer, whether elected, appointed, paid or unpaid, or related to an officer within the first degree of affinity or consanguinity, shall participate in the deliberation or a vote or decision on a matter when such participation is otherwise prohibited by law involving a business entity in which such officer the person holding such elected or appointed office, or a person related within the first degree of affinity or consanguinity to such person, has a substantial interest in the matter if it is reasonably foreseeable that an action on the matter would confer an economic benefit on the business entity. Prior to the meeting, the officer, or person related to the officer, shall file an affidavit with the city secretary stating the nature and extent of the interest and abstain from further participation in the matter.~~

Proposition D

Section 3.12. - Rules of Procedure.

The city council shall provide for ~~tape~~ recording of all meetings as well as written minutes to be taken of all meetings, except executive sessions authorized by law, and such minutes shall be a public record and shall be kept and maintained by the city secretary. Voting shall be recorded in the minutes. Except on procedural motions, voting shall be by roll call called by the city secretary or person serving as city secretary and shall be recorded in the minutes.

Proposition E

~~Unless a different vote is required by this charter or state law, A~~ll issues coming before the city council or any boards, commissions or committees shall be decided by a vote of a simple majority of city council, board, commission or committee.

Proposition F

Section 3.13.02. - Procedure.

Any member of the city council may offer any ordinance in writing that has been placed on the agenda at the city council meeting. Copies of proposed ordinances, in the form required for adoption, shall be furnished to members of the city council. The city council shall adopt a rule that shall provide that no action be taken on any ordinance that has not been made available to the council and to the public concurrently. ~~Unless a different vote is required by this charter or state law, A~~n ordinance shall be considered adopted when it receives an affirmative vote of a simple majority of the membership of the city council.

Proposition G

Section 3.13.03. — Procedure.

~~An ordinance shall be considered adopted when it receives the appropriate affirmative votes as specified by conditions of this Charter.~~

Proposition H

Section 4.01.02. - Responsibilities and Powers.

The city manager shall be responsible for the proper administration of the affairs of the city and shall have the power and duty to:

* * *

2) Appoint, hire, suspend, and/or terminate ~~employees not under the supervision of a department administrator~~ any employee of the city, except as otherwise provided by this Charter, and may delegate such authority to department administrators with respect to employees within their respective departments;

Proposition I

3) ~~Assist department administrators in the hiring, suspension, and termination of employees to ensure compliance with all applicable laws;~~

* * *

10) Ensure that all public records are accessible to the public and available upon request as required by state law;...

Proposition J

~~Section 4.08. - Personnel System.~~

~~Department administrators are responsible to appoint, hire, suspend and/or terminate employees in their department. Department administrators will conduct annual performance evaluations of employees within their department. The city manager shall provide legal and regulatory guidance to department administrators.~~

Proposition I

Section 4.09. - Appeals Board.

The provisions contained herein are intended to aid the city in the discharge of its obligations to ascertain and understand the needs of the city and to be responsive to its citizens. Nothing contained within this section shall be construed as creating or conferring any substantive rights in or to a complainant.

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~~A certified list of voter registrants within the city, as prepared by the county, shall be held by the city secretary. Any organization, group or person may request a list of qualified voters of the city. Permission to copy the current list shall be granted by the city secretary.~~

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A petition to the city council for recall, initiative or referendum containing the signatures of qualified voters equal in number to no fewer than ~~twenty-five~~ (25%) the greater of (i) fifteen (15%) percent of the qualified voters eligible to vote on the date of who voted in the last regular municipal election and (ii) 500. shall be presented to the city secretary no later than thirty (30) days following the filing of the affidavit by the petitioners' committee.

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~~The city manager shall have general authority to contract for expenditures up to one thousand (\$1,000.00) dollars without approval of the city council. City council regulations regarding the purchase of goods and services provided adopted by resolution or ordinance shall not conflict with any applicable provisions of the Charter or state law governing municipal purchasing or contracting.~~

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The city council shall appoint a parks and recreation board ~~of seven (7) members and two (2) alternate members~~ to work in an advisory capacity to the city council in the planning and development of parks and recreation facilities and regulations governing their use. Members of the board shall be appointed for two-year terms with ~~three (3)~~ the terms of the majority of the members' terms expiring in even-numbered years and ~~two (2)~~ the terms of the remaining members' terms expiring in odd-numbered years. Members of the board shall elect a chairperson each October from their membership and shall meet at the call of the chairperson or at the request of the city council. The city manager shall appoint a staff representative to the board.

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Proposition U

~~Section 10.02. Official Newspaper.~~

~~The city council shall designate an official newspaper or newspapers of general circulation as defined by the laws of the State of Texas. All ordinances, captions of ordinances, notices and other matters required to be published by this Charter, by city ordinances or by the constitution and laws of the State of Texas, shall be published in the official newspaper.~~

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The City Council shall have the power, by ordinance, to renumber articles, sections, subsections, and paragraphs of this Charter or any amendment thereto, as it shall deem appropriate.

Proposition W

Definitions and Terms

Super-Majority: When a super-majority vote to approve a matter is required by this Charter, approval of such matter shall require no fewer than 75% of city council members to vote in the affirmative.

Proposition X



**CITY COUNCIL
AGENDA MEMO**

Prepared By: John Cabrales Jr, City Manager

February 11, 2021

City Charter Amendments

DESCRIPTION:

Consider the Approval of an Ordinance ordering a Special Election to be held on May 1, 2021 to consider various propositions regarding proposed Amendments to the Home Rule Charter of the City of Lake Dallas.

BACKGROUND INFORMATION:

The City Council has expressed an interest in reviewing the City Home Rule Charter for possible amendments. Any amendments to the Home Rule Charter must be approved by the qualified voters of Lake Dallas as part of a Special Election conducted on a uniform election date. Section 9.004 of the Local Government Code allows for Charter Amendments to be submitted to the qualified voters of a home rule municipality. The Texas Election Code requires charter amendment elections to be conducted on a uniform election date, the next uniform election date being May 1, 2021. The last day to call a Charter Amendment Election is February 12, 2021.

At the January 14 and January 28, 2021, council meetings, the City Manager and City Attorney presented and prioritized a number of proposed City Charter amendments for City Council consideration. Based on City Council input regarding the proposed amendments, the City Attorney has prepared an ordinance calling the charter amendment election May 1, 2021, and setting forth the proposed amendments and ballot propositions.

Staff has been in contact with the Denton County Elections Office to work out any issues with the length of the ballot due to the Charter Amendment language. Staff will also work with the City Attorney to draft information materials for the public regarding the proposed intent of the charter amendments. As a reminder, the City is prohibited from spending any resources advocating for passage of any of the charter amendment propositions but may set forth factual information regarding the proposed amendments.

FINANCIAL CONSIDERATION:

The City is scheduled to have a May 1, 2021 General Municipal Election for the purpose of an election of Councilmembers to Places 1, 3 and 5. As such, there would be some costs to add Charter Amendments items to the ballot. We will not know those costs until we hear back from

the Denton County Elections office on the number of entities participating in the May Election. The City will also incur additional costs to have the ballot propositions, the proposed amendments, and the two required newspaper notices translated into Spanish as required by the federal Voting Rights Act. The City is also required to publish the proposed amendments in the City's official newspaper twice prior to the election in both English and Spanish.

RECOMMENDED MOTIONS:

I move to **approve/deny** an ordinance ordering a Special Election to be held on May 1, 2021 for the purpose of considering amendments to the City's Home Rule Charter.

ATTACHMENT(S):

1. Charter Amendment Proposition Table
2. Charter Amendment Proposition Ballot Language
3. Ordinance