



City of Lake Dallas

City Council

Regular Meeting

City Hall

212 Main Street, Lake Dallas, TX 75065

Thursday, January 24, 2019 at 7:00 p.m.

Agenda

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 or another City Board or Commission at a later date. In order to address the Council, please complete a Public Meeting Appearance Card and present it to the City Secretary prior to the start of the Council meeting. The Texas Open Meeting Act prohibits deliberation by the City Council of any subject which is not on the posted agenda, therefore the Council will not be able to discuss or take any action on items brought up during the citizen presentations. Citizen presentation will be limited to five (5) minutes per person.

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 Minutes of the Meeting held January 10, 2019.
- B. Approval of Resolution authorizing application for and acceptance of a grant through the Violence Against Women Justice and Training Program administered by the Office of the Governor.
- C. Approval of Ordinance ordering a General Municipal Election to be held on May 4, 2019 for the purpose of election the Mayor and Councilmembers to Places 2 and 4; authorizing a Joint Election with other Denton Council Political Subdivisions; contracting for Election Services with Denton County; providing for a runoff date.
- D. Approval of Resolution authorizing applications for and acceptance of a grant through the Rifle-Resistant Body Armor Grant Program, FY 2020 administered by the Office of the Governor.
- E. Approval of Resolution authorizing the purchase of a Zero-Turn Mower from Lawn Land through the City's Cooperative purchasing agreement with Sourcewell.

Section III – Planning & Development: None

Section IV- General Items

- 6. Second reading and adoption of a resolution approving a project of the Lake Dallas Community Development Corporation for construction of improvements in order to provide public facilities and improvements for the benefit of its residents, and to comply with Section 505.158, Texas Local Government Code
- 7. Receive a report and hold a discussion regarding the City of Lake Dallas ordinances for harborage and pool maintenance.

Section V – Elected Official Requested Items

- 8. 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.

Section VII – Return to Open Session

9. 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 January 18, 2019 at 5:00 p.m.



Codi Delcambre, TRMC
City Secretary

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.

If you plan to attend this public meeting and you have a disability that requires special arrangements at this meeting, please contact City Secretary's Office at (940) 497-2226 ext. 118 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 meeting on January 10, 2019 in the Lake Dallas City Hall, 212 Main Street, 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 7:00 p.m.

1. Roll Call

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

Absent: None

Staff Present: City Manager John Cabrales, City Secretary Codi Delcambre, Deputy City Secretary Renee O'Neill, Police Chief Carolla, Public Works Manager Devin Shields, Director of Development Services Jeremy Tennant, Director of Library Services Natalie McAdams, Lieutenant Sawyer, and City Attorney Kevin Laughlin.

2. Invocation and Pledges of Allegiance

Mayor Barnhart led the invocation and pledges.

3. Announcements & Special Recognitions.

A. City Manager's Report

No update.

4. Citizen Agenda & Public Comments

Mayor Barnhart opened the Visitors/Citizens Agenda.

No one spoke.

5. Consider and Act on the Consent Agenda

- A. Receive Monthly Budget & Financial Report for December.**
- B. Receive Investment Report.**
- C. Approval of Minutes of the Meeting held December 13, 2018.**
- D. Approval of Resolution authorizing the purchase of a pickup truck from Rush Medium Duty Truck Center through the City's Cooperative Purchasing Agreement with Texas Local Government Cooperative Purchasing (BuyBoard).**

- E. **Approval of Resolution authorizing a Financing Agreement with Government Capital Corporation for the purpose of procuring a truck for the Public Works Department and a Police Vehicle.**
- F. **Approval of Ordinance adopting amendments to the Fiscal Year 2018-2019 budget to create and fund a special revenue grant fund for the Violence Against Women Grant Program.**

Motion: to approve the consent agenda items A through F was made by Councilmember Ray and second by Councilmember McClain.

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

Noes: None

Motion Passed 5-0.

- 6. **Consider and approve for first reading a resolution approving a project of the Lake Dallas Community Development Corporation for construction of improvements in order to provide public facilities and improvements for the benefit of its residents, and to comply with Section 505.158, Texas Local Government Code.**

Motion to approve the first reading a resolution approving a project of the Lake Dallas Community Development Corporation for construction of improvements in order to provide public facilities and improvements for the benefit of its residents, and to comply with Section 505.158, Texas Local Government Code was made by Councilmember Ray and second by Councilmember McClain.

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

Noes: None

Motion Passed 5-0.

- 7. **Consider and Act on a resolution authoring acceptance of and making final payment for the Main Street Reconstruction Project.**

Motion to approve a resolution authoring acceptance of and making final payment for the Main Street Reconstruction Project was made by Councilmember Ray and second by Councilmember Price.

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

Noes: None

Motion Passed 5-0.

8. Receive a report and hold a discussion regarding the City of Corinth's plan to open and staff Fire Station #3 for the Lake Cities Fire Department.

Council received a presentation from Lake Cities Fire Chief Ross regarding the City of Corinth's plan to open and staff Fire Station #3 for the Lake Cities Fire Department. No action taken.

9. Mayor & Council Member Announcements:

No announcements.

10. Conduct a closed meeting pursuant to Texas Government Code Section 551.072 to deliberate the purchase, sale, exchange, lease and/or value of real property located in an area east of I-35E frontage road, north of Main Street, south of Hundley Drive, and west of Shady Shores Road.

Council did not convene into executive session.

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

12. Adjournment

Mayor Barnhart adjourned the meeting at 7:56 p.m.

Approved:

Michael Barnhart, Mayor

Attest:

Codi Delcambre, City Secretary



CITY COUNCIL
AGENDA MEMO

Prepared By: Daniel Carolla, Chief of Police

January 24, 2019

**Violence Against Women Justice and Training Program Grant Application and
Acceptance**

DESCRIPTION:

Consider and Act on 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 providing an effective date.

BACKGROUND INFORMATION:

The Criminal Justice Division of the Office of the Governor has established a Violence Against Women Justice and Training Program (Grant #3553602) to provide grant funds to assist Texas law enforcement agencies in the development of projects that promote a coordinated, multi-disciplinary approach to improve the justice system's response to violent crimes against women, including domestic violence, commercial sex trafficking, sexual assault, dating violence, and stalking.

FINANCIAL CONSIDERATION:

The City commits to providing all applicable matching funds. Matching funds can be either cash or in-kind contributions.

RECOMMENDED MOTIONS:

I move to approve/deny 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's Criminal Justice Division and provide an effective date.

ATTACHMENT(S):

Resolution

CITY OF LAKE DALLAS, TEXAS
RESOLUTION NO. 01242019-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE DALLAS
AUTHORIZING APPLICATION FOR AND ACCEPTANCE OF A GRANT THROUGH
THE VIOLENCE AGAINST WOMEN JUSTICE AND TRAINING PROGRAM
ADMINISTERED BY THE OFFICE OF THE GOVERNOR; AND PROVIDING AN
EFFECTIVE DATE.**

WHEREAS, the Office of the Governor has established a Violence Against Women Justice and Training Program (“the Grant Program”) to provide grant funds to the City of Lake Dallas for the Violence Against Women Investigator position (application #3553602) to assist Texas law enforcement agencies in the development of projects that promote a coordinated, multi-disciplinary approach to improve the justice system’s response to violent crimes against women, including domestic violence, commercial sex trafficking, sexual assault, dating violence, and stalking; and

WHEREAS, the City of Lake Dallas (“City”) possesses the legal authority to apply for, accept, or reject, alter, or terminate grant funds through the Grant Program, and make appointments for the conduct of the business relative to the Grant Program; and

WHEREAS, City Administration recommends applying for the Violence Against Women Investigator (“the Grant Project”) and accepting such grant if awarded to the City; and

WHEREAS, the City Council of the City of Lake Dallas, Texas, finds it in the best interest of the citizens of the City of Lake Dallas to apply for said grant funds and provide for the acceptance of said grant and that the Grant Program be operated for the 2019-2020 Fiscal Year.

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

Section 1. The City Council approves the submission of the grant application for the Grant Program to the Office of the Governor (Grant #3553602).

Section 2. The City Council of the City of Lake Dallas agrees to provide applicable matching funds for the Grant Project as required by the WF-Violence Against Women Formula Grants grant application.

Section 3. The City Council of the City of Lake Dallas agrees that in the event of loss or misuse of the Office of the Governor funds, the funds will be returned to the Office of the Governor in full.

Section 4. The City Manager of the City of Lake Dallas is designated as the City's authorized official and is given the power to apply for, accept, reject, alter, or terminate the Grant Project and related agreements on behalf of the City.

Section 5. This Resolution shall be effective immediately upon approval.

PASSED AND APPROVED this the 24th day of January 2019.

City of Lake Dallas, Texas

Michael Barnhart, Mayor

ATTEST:

Codi Delcambre, TRMC, City Secretary

APPROVED AS TO FORM:

Kevin B. Laughlin, City Attorney
(kbl:1/10/19:105238)



CITY COUNCIL
AGENDA MEMO

Prepared By: Codi Delcambre, City Secretary

January 24, 2019

General Election 2019

DESCRIPTION:

Approval of Ordinance ordering a General Municipal Election to be held on May 4, 2019 for the purpose of election the Mayor and Councilmembers to Places 2 and 4; authorizing a Joint Election with other Denton Council Political Subdivisions; contracting for Election Services with Denton County; providing for a runoff date.

BACKGROUND INFORMATION:

Pursuant to the City Charter and Texas Election Code, the City's general election is to be held on the uniform election date on the first Saturday in May. The City Secretary's Office is responsible for conducting municipal elections as prescribed by the Texas Election Code. In accordance with Section 271.002 of the Texas Election Code, the City's election will be conducted jointly with other political subdivisions of Denton County. The proposed ordinance calls for the May 4, 2019 General Elections for the purpose of election of the Mayor and Councilmembers to Places 2 and 4; authorizing a Joint Election Services with Denton County and providing a runoff date.

Denton County Elections Administrator Frank Phillips will serve as the administrator of the Joint Election, with each participating entity remaining responsible for decisions and actions as required by law. The contract provides for the following:

- Denton County will coordinate, supervise and conduct the Joint Election pursuant to provisions of the Texas Election Code;
- All election officials, including the Early Voting Clerk, shall be officials appointed by Denton County;
- Denton County will procure, prepare and distribute supplies and equipment for Early Voting and Election Day;
- Ballots that contain ballot content for more than one joint participant because of overlapping territory will be arranged in the following order: Independent School District, City, Water District(s), and other political subdivisions;
- Denton County shall be responsible for appointment of presiding judge and alternate judge for each polling location;

- Early Voting by personal appearance and voting on Election Day shall be conducted exclusively on Denton County's voting system;
- Denton County shall be responsible for releasing unofficial cumulative totals and precinct returns from the election to joint participants, candidates, press and general public by distribution of hard copies at the central counting station (if requested) and by posting to the Denton County web site;
- Denton County is general custodian of the voted ballots and all records of the Joint Election;

FINANCIAL CONSIDERATION:

The City's general election is funded in the Fiscal Year 2018-2019 budget.

RECOMMENDED MOTIONS:

I move to approve Ordinance ordering a General Municipal Election to be held on May 4, 2019 for the purpose of election the Mayor and Councilmembers to Places 2 and 4; authorizing a Joint Election with other Denton Council Political Subdivisions; contracting for Election Services with Denton County; providing for a runoff date.

ATTACHMENT(S):

Ordinance

CITY OF LAKE DALLAS, TEXAS
ORDINANCE NO. 2019-_____

AN ORDINANCE ORDERING A GENERAL MUNICIPAL ELECTION TO BE HELD ON MAY 4, 2019 FOR THE PURPOSE OF ELECTING THE MAYOR AND COUNCILMEMBERS TO PLACES 2 AND 4; AUTHORIZING A JOINT ELECTION WITH OTHER DENTON COUNTY POLITICAL SUBDIVISIONS; CONTRACTING FOR ELECTION SERVICES WITH DENTON COUNTY; PROVIDING FOR A RUNOFF DATE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the general election for the City of Lake Dallas, as set forth by the Texas Election Code, is required to be held on May 4, 2019, at which time the voters will elect persons to the offices of Mayor and City Councilmember Places 2 and 4; and

WHEREAS, in accordance with Section 271.002 of the Texas Election Code, the City election will be conducted jointly with other political subdivisions of Denton County, Texas.

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

Section 1. A general municipal election is hereby ordered to be held on the 4th day of May, 2019 for the purpose of electing the Mayor and Councilmembers to Places 2 and 4 by the qualified voters of the City of Lake Dallas.

Section 2. The election will be conducted jointly with other political subdivisions in Denton County on May 4, 2019, 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 22, 2019 and continuing through April 30, 2019 at the times set forth below:

<u>Date</u>	<u>Time</u>
Monday through Saturday April 22 – April 27, 2019	8:00 a.m. – 5:00 p.m.
Monday and Tuesday April 29 – April 30, 2019	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>Date</u>	<u>Time</u>
Monday through Saturday April 22 – April 27, 2019	8:00 a.m. – 5:00 p.m.
Monday and Tuesday April 29 – April 30, 2019	7:00 a.m. – 7:00 p.m.

Section 6. Additional early voting locations are identified and established by 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 23, 2019.

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

Section 9. Should a runoff election be required following the canvass of the results of the May 4, 2019 election, the Council hereby orders that a runoff election be held on Saturday, June __, 2019. The polling place on Election Day for the runoff election shall be held at the Lake Dallas City Hall at 212 Main Street, Lake Dallas, Texas, 75065 and the hours of voting shall be between 7:00 a.m. and 7:00 p.m. The times and dates for early voting by personal appearance for such runoff election shall be as determined by the Denton County Election Administrator.

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 execute a contract for a joint election and election services with Denton County as the authorized representative of the City.

Section 12. 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.

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 24TH DAY OF JANUARY 2019.

APPROVED:

Michael Barnhart, Mayor

ATTEST:

Codi Delcambre, TRMC, City Secretary

APPROVED AS TO FORM:

Kevin B. Laughlin, City Attorney
(kbl:1/7/19:105240)



CITY COUNCIL
AGENDA MEMO

Prepared By: Daniel Carolla, Chief of Police

January 24, 2019

Rifle-Resistant Body Armor Program Grant Application and Acceptance

DESCRIPTION:

Consider and Act on a Resolution authorizing the City Manager to apply for and accept a grant through the Rifle-Resistant Body Armor Grant Program administered by the Office of the Governor and providing an effective date.

BACKGROUND INFORMATION:

The Criminal Justice Division of the Office of the Governor has established a Rifle-Resistant Body Armor Grant Program (Grant #3732501) to provide grant funds to assist Texas law enforcement agencies with the purchase of rifle-resistant body armor.

FINANCIAL CONSIDERATION:

The City commits to providing all applicable matching funds. Matching funds can be either cash or in-kind contributions.

RECOMMENDED MOTIONS:

I move to approve/deny a Resolution authorizing the City Manager to apply for and accept a grant through the Rifle-Resistant Body Armor Grant Program administered by the Office of the Governor's Criminal Justice Division and provide an effective date.

ATTACHMENT(S):

Resolution

**CITY OF LAKE DALLAS, TEXAS
RESOLUTION NO. 01242019-_____**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE DALLAS
AUTHORIZING APPLICATION FOR AND ACCEPTANCE OF A GRANT THROUGH THE
RIFLE-RESISTANT BODY ARMOR GRANT PROGRAM, FY 2020 ADMINISTERED BY
THE OFFICE OF THE GOVERNOR; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Office of the Governor has established a Rifle-Resistant Body Armor Grant Program (“the Grant Program”) (Grant #3732501) to provide grant funds to units of local government and educational institutions that operate law enforcement agencies employing peace officers under Article 2.12, Texas Code of Criminal Procedure for the purpose of assisting Texas local law enforcement agencies to equip its peace officers with rifle-resistant body armor; and

WHEREAS, the City of Lake Dallas (“City”) possesses the legal authority to apply for, accept, or reject, alter, or terminate grant funds through the Grant Program, and make appointments for the conduct of the business relative to the Grant Program; and

WHEREAS, City Administration recommends applying for the Rifle-Resistant Body Armor Grant Program and accepting such grant if awarded to the City; and

WHEREAS, the City Council of the City of Lake Dallas, Texas, finds it in the best interest of the citizens of the City of Lake Dallas to apply for said grant funds and provide for the acceptance of said grant and that the Grant Program be operated for the 2019-2020 Fiscal Year.

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

Section 1. The City Council approves the submission of the grant application for the Grant Project to the Office of the Governor (Grant #3732501).

Section 2. The City Council of the City of Lake Dallas agrees to provide applicable matching funds for the Grant Project as required by the Rifle-Resistant Body Armor Grant Program application.

Section 3. The City Council of the City of Lake Dallas agrees that in the event of loss or misuse of the Office of the Governor funds, the funds will be returned to the Office of the Governor in full.

Section 4. The City Manager of the City of Lake Dallas is designated as the City’s authorized official and is given the power to apply for, accept, reject, alter, or terminate the Grant Project and related agreements on behalf of the City.

Section 5. This Resolution shall be effective immediately upon approval.

PASSED AND APPROVED this the 24th day of January 2019.

City of Lake Dallas, Texas

Michael Barnhart, Mayor

ATTEST:

Codi Delcambre, TRMC, City Secretary

APPROVED AS TO FORM:

Kevin B. Laughlin, City Attorney
(kbl:1/10/19:105238)



CITY COUNCIL
AGENDA MEMO

Prepared By: Devin Shields, Public Works Manager

January 24, 2019

Consent Agenda Item for Willow Grove Park Mower Purchase

DESCRIPTION:

Consider and Act on a Resolution authorizing the purchase of a John Deere Zero Turn Mower for the Public Works Department, specifically for use at Willow Grove Park.

BACKGROUND INFORMATION:

During the FY18-19 Budgetary discussions Staff developed a 5-year C.I.P. vehicle and equipment replacement plan. Two zero turn mowers were scheduled for replacement, one was approved in the FY19.

FINANCIAL CONSIDERATION:

The purchase price of the Zero-Turn Mower through the Sourcewell Cooperative Purchasing Program (Formerly NJPA) is \$10,500 and will be purchased at Lawn Land in Denton.

RECOMMENDED MOTIONS:

I move to approve/deny a Resolution authorizing the purchase of a John Deere Z945M Zero-Turn Mower from Lawn Land for \$10,500.

ATTACHMENT(S):

Resolution

Pricing Quote from Lawn Land (through Sourcewell contract).

**CITY OF LAKE DALLAS, TEXAS
RESOLUTION 01242019-_____**

A RESOLUTION OF THE CITY COUNCIL OF LAKE DALLAS, TEXAS, AUTHORIZING THE PURCHASE OF A ZERO-TURN MOWER FROM LAWN LAND THROUGH THE CITY'S COOPERATIVE PURCHASING AGREEMENT WITH THE SOURCEWELL; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, having reviewed various options available to the City for purchase of zero-turn mower for the Public Works Department, the City Manager recommends the purchase of a zero-turn mower from Lawn Land in the amount not to exceed \$10,500.00 pursuant to the City's cooperative purchasing agreement with Sourcewell; and

WHEREAS, the City Council of the City of Lake Dallas finds it to be in public interest to concur in the foregoing recommendations;

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

SECTION 1. The City Manager is hereby authorized to purchase on behalf of the City a 4zero-turn mower from Lawn Land through the City's cooperative purchasing agreement with the Sourcewell in the amount of \$10,500.00 in accordance with the proposal attached as Exhibit "A" and is further authorized to execute all documents related thereto on behalf of the City of Lake Dallas.

SECTION 2. This Resolution shall be effective immediately upon approval.

PASSED AND APPROVED this the 24th day of January 2019.

City of Lake Dallas, Texas

Michael Barnhart, Mayor

ATTEST:

Codi Delcambre, TRMC, City Secretary

APPROVED AS TO FORM:

Kevin B. Laughlin, City Attorney
(kbl:1/17/19:105464)

Exhibit "A"
to Resolution 01242019-_____

LAWN LAND

714 DALLAS DR.
DENTON, TX 76205
Store Hours: M-F 8:30-5:30 Sat. 8-1
940-367-6377

Best Little Tractor House In Texas

QUOTATION



HONDA
Power
Equipment
Nothing's easier

Name: Devin w/ City of Lake Dallas
Address: cashields@lakedallas.com
City: _____ State: _____ Zip: _____
Phone: (214) 662-7680 ~~(940) 367-6377~~

Date: _____

Quote #: _____

ITEM	DESCRIPTION	QTY	LIST PRICE	SALE PRICE
1	John 2945M EFI	1	13733	10,500.00
2			1	
3	Inclusion - Two Michelin			
4	Flat Free Tires			
5				
6	Deluxe Seat			
7	w/ Suspension			
8	w/ Arm Rest			
9	Adj. Back Rest			
10	Lumbar Support			
11	Adjustable To			
12	Operator's Weight			
13				
14	60" Mulch on			
15	Demond Deck			
16				
17				
18	Additional Discount	2		-200
19	IF 2 UNITS ARE PURCHASED			
20				

NOTE: This quote does not reflect tax

TOTAL COST: 10,300.00 ^{or} EACH

Requested Terms: _____

Requested F.O.B. _____

Date Promised: _____

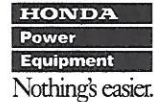
Signed: _____

LAWN LAND

714 DALLAS DR.
DENTON, TX 76205
Store Hours: M-F 8:30-5:30 Sat. 8-1
940-387-8377

Best Little Tractor House In Texas

QUOTATION



Name: Devin w/ City of Lake Dallas

Address: ashields@lakedallas.com

City: Irving State: TX Zip: 75039

Phone: (214) 662-7680 ~~940-387-8377~~

Date: _____

Quote #: _____

ITEM	DESCRIPTION	QTY	LIST PRICE	SALE PRICE
1	JOHN 2945M EFI	1	13733	10,500.00
2			1	
3	Inclusion - Two Michelin			
4	Flat Free Tires			
5				
6	Deluxe Seat			
7	w/ Suspension			
8	w/ Arm Rest			
9	Adj. Back Rest			
10	Lumbar Support		1	
11	Adjustable TO			
12	Operator's Weight			
13				
14	60" Mulch on			
15	Deck			
16				
17				
18	Additional Discount	2		-200
19	IF 2 units are purchased			
20				

NOTE: This quote does not reflect tax

TOTAL COST: 10,300.00 ^{or} ETC

Requested Terms: _____

Requested F.O.B. _____

Date Promised: _____

Signed: _____



CITY COUNCIL
AGENDA MEMO

Prepared By: John Cabrales Jr, City Manager

January 24, 2019

Lake Dallas Community Development Corporation Project

DESCRIPTION:

Second reading and adoption of a resolution approving a project of the Lake Dallas Community Development Corporation for construction of improvements in order to provide public facilities and improvements for the benefit of its residents, and to comply with Section 505.158, Texas Local Government Code.

BACKGROUND INFORMATION:

The Lake Dallas CDC intends to approve a project for acquiring land, buildings, equipment, facilities and improvements generally located in an area East of I-35 East Frontage Road, North of Main Street, South of Hundley Drive and West of Shady Shores Road to promote new or expanded business development, in order to provide public facilities and improvements for the benefit of its residents, and to promote and encourage employment and public welfare and to promote and develop new and expanded business enterprises. This project involves the acquisition of blighted, deteriorated, deteriorating, undeveloped, and inappropriately developed real property in a blighted area in order to attract new business enterprises. The CDC has agreed to spend a maximum amount of up to \$700,000 for this project, subject to obtaining funding from the sale of bonds at a later date. The law authorizing the CDC Bonds for the project requires the City Council to adopt a resolution authorizing the project after giving the resolution two separate readings. The first reading of the resolution was January 11, 2019.

FINANCIAL CONSIDERATION:

The debt services payment on the bonds will come from the CDC Special Revenue Fund. No General Funds will be used for the payment of these bonds.

RECOMMENDED MOTIONS:

None

ATTACHMENT(S):

1. Resolution

CITY OF LAKE DALLAS, TEXAS

RESOLUTION NO. 01242019-____

A RESOLUTION OF THE CITY OF LAKE DALLAS, TEXAS, APPROVING A PROJECT OF THE LAKE DALLAS COMMUNITY DEVELOPMENT CORPORATION FOR CONSTRUCTION OF IMPROVEMENTS IN ORDER TO PROVIDE PUBLIC FACILITIES AND IMPROVEMENTS FOR THE BENEFIT OF ITS RESIDENTS, AND TO PROMOTE AND ENCOURAGE EMPLOYMENT AND PUBLIC WELFARE AND TO PROMOTE AND DEVELOP NEW AND EXPANDED BUSINESS ENTERPRISES; COMPLYING WITH SECTION 505.158, TEXAS LOCAL GOVERNMENT CODE; PROVIDING FOR TWO SEPARATE READINGS; OPEN MEETING READING AND ADOPTION, AND AN EFFECTIVE DATE

WHEREAS, the Lake Dallas Community Development Corporation ("CDC") is a Type B Corporation established pursuant to the Development Corporation Act, Texas Local Government Code, Chapters 501-507, as amended (the "Act"); and

WHEREAS, Section 505.158, Texas Local Government Code, which became effective April 1, 2009, requires that a Type B Corporation authorized by a city with a population of 20,000 or less that approves a project requiring an expenditure of \$10,000 or more may not undertake the project until the governing body of the city adopts a resolution authorizing the project after giving the resolution two separate readings; and

WHEREAS, the Board of Directors of the CDC intends to approve a project for acquiring land, buildings, equipment, facilities and improvements generally located in an area East of I-35 East Frontage Road, North of Main Street, South of Hundley Drive and West of Shady Shores Road as found by the CDC's Board of Directors to promote new or expanded business development, in order to provide public facilities and improvements for the benefit of its residents, and to promote and encourage employment and public welfare and to promote and develop new and expanded business enterprises (the "Project"), as authorized by the Act; and

WHEREAS, the Project involves the acquisition of blighted, deteriorated, deteriorating, undeveloped, and inappropriately developed real property in a blighted area in order to attract new business enterprises; and

WHEREAS, the CDC has agreed to expend a maximum amount of up to \$700,000 for the Project; and

WHEREAS, the City Council finds the Project will promote new or expanded business development and will promote and encourage employment and public welfare and promote and develop new and expanded business enterprises; and

WHEREAS, the action authorized by this Resolution is in furtherance of the public interest, for the good government, peace, order, trade and commerce of the City and necessary and proper for carrying out of the authority granted by law to the City and the CDC;

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

SECTION 1. The City Council hereby finds that the statements set forth in the recitals of this Resolution are true and correct, and the Council hereby incorporates such recitals as a part of this Resolution.

SECTION 2. The project to be approved by the Board of Directors of the LAKE DALLAS CDC, being the expenditure of a maximum amount of \$700,000 for the Project as described above, is hereby in all things approved and authorized.

SECTION 3. This Resolution shall take effect immediately from and after its passage at a second separate reading.

SECTION 4. This Resolution is read and adopted at meetings that were open to the public and notice of the time, place and purpose of said meetings was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

READ AND ADOPTED by the City Council of the City of Lake Dallas, Texas at second reading on the 24th day of January, 2019.

City Secretary
City of Lake Dallas, Texas

Mayor
City of Lake Dallas, Texas

CERTIFICATE FOR RESOLUTION

THE STATE OF TEXAS
DENTON COUNTY
CITY OF LAKE DALLAS

We, the undersign officers of the City of Lake Dallas, Texas (the "City"), hereby certify as follows:

1. The City Council of the City convened in a regular meeting on January 24, 2019, at the designated meeting place, and the roll was called of the duly constituted officers and members of said City Council, to-wit:

Michael Barnhart, Mayor
Kathy Brownlee, Council Member Place 2
Charlie Price, Council Member Place 4

Megan Ray, Council Member Place 1
Cheryl McClain, Council Member Place 3
Andi Nolan, Council Member Place 5

and all of said persons were present except _____ thus constituting a quorum. Whereupon, among other business, the following was transacted at said meeting: a written

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was duly introduced for the consideration of said City Council. It was then duly moved and seconded that said Resolution be adopted and, after due discussion, said motion, carrying with it the adoption of said Resolution, prevailed and carried by the following vote:

AYES: _____ NOES: _____ ABSTENTIONS: _____

2. That a true, full and correct copy of the aforesaid Resolution adopted at the Meeting described in the above and foregoing paragraph is attached to and follows this Certificate; that said Resolution has been duly recorded in said City Council's minutes of said Meeting; that the above and foregoing paragraph is a true, full and correct excerpt from said City Council's minutes of said Meeting pertaining to the adoption of said Resolution; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of said City Council as indicated therein; that each of the officers and members of said City Council was duly and sufficiently notified officially and personally, in advance, of the time, place and purpose of the aforesaid Meeting, and that said Resolution would be introduced and considered for adoption at said Meeting, and each of said officers and members consented, in advance, to the holding of said Meeting for such purpose, and that said Meeting was open to the public and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

3. That the Mayor of said City has approved and hereby approves the aforesaid Resolution; that the Mayor and the City Secretary of said City have duly signed said Resolution; and that the Mayor and the City Secretary of said City hereby declare that their signing of this Certificate shall constitute the signing of the attached and following copy of said Resolution for all purposes.

SIGNED AND SEALED JANUARY 24, 2019.

City Secretary
City of Lake Dallas, Texas

Mayor
City of Lake Dallas, Texas

(CITY SEAL)



**CITY COUNCIL
AGENDA MEMO**

Prepared By: Daniel Rusnak, Code Compliance Officer

January 24, 2018

HARBORAGE AND POOL MAINTENANCE

DESCRIPTION:

Receive a presentation and hold a discussion regarding City of Lake Dallas ordinances for harborage and pool maintenance.

BACKGROUND INFORMATION:

During the October 25th, 2018 Council Meeting, staff was requested to research Lake Dallas Municipal Codes, State Codes and codes from other municipalities relating to harborage.

Several ordinances address insect, rodent and vermin infestation including breeding areas. These ordinances are about vegetation, trash/debris, pool maintenance and stagnant water.

Article II Minimum Housing and Building Standards Code

DIVISION II Minimum Requirements – Section 22-69 Structural requirements

DIVISION II Minimum Requirements – Section 22-85 Interior of structures to be free from insect and rodent harborage

DIVISION II Minimum Requirements - Sec. 22-66 Land areas to be free of insect and rodent harborage.

Article II Weeds Sec. 110-32. Nuisances.

Article III Nuisances Sec. 42-74. Trash and rubbish.

Article IV Public Swimming Pools Sec. 22-282 Duties of owners and persons in control.

ATTACHMENT(S):

1. State and Local Ordinances

HARBORAGE ORDINANCES

LAKE DALLAS

Sec. 22-69. Structural requirements. (INTERIOR – DIVISION II MINIMUM REQUIREMENTS)

Requirements in this division shall pertain to both accessory and primary structures. Accessory structures and fences located on all land areas shall be kept in good repair, free from health, fire and accident hazards and vermin, insect, and rodent harborage. Accessory structures shall be kept structurally sound and in good repair or removed from the premises. Effective rodent proofing or extermination must be done, where necessary, in these structures. The exterior of such structures shall be made weather-resistant through the use of decay-resistant materials or the application of paint or other preservatives. Privies, except as provided in section 22-90, shall be removed from the premises or demolished. (Ordinance 193, part 1, sec. 30, 1985; Code 1989, sec. 15.12.140)

Sec. 22-85. Interior of structures to be free of insect and rodent harborage. (INTERIOR – DIVISION II MINIMUM REQUIREMENTS)

The interior of every structure shall be free from insect, rodent and vermin infestation. Where insect, rodent or vermin infestation, harborage or breeding areas exist, such areas, harborage or infestation shall be eliminated. Articles of value shall be stored in such a manner as not to constitute pestilential harborage. (Ordinance 193, part 1, sec. 46, 1985; Code 1989, sec. 15.12.300)

Sec. 22-66. Land areas to be free of insect and rodent harborage. (EXTERIOR)

All land areas shall be kept reasonably free from sources of insect, vermin and rodent breeding, harborage and infestation. Where insect, rodent or vermin breeding areas, harborage or infestation exist, such areas, harborage or infestation shall be eliminated. (Ordinance 193, part 1, sec. 27, 1985; Code 1989, sec. 15.12.110)

Sec. 110-32. Nuisances. (UNDER ARTICLE II. WEEDS)

Weeds and/or grass, or other uncultivated plants, on any premises in the city which grow in such rank profusion as to harbor reptiles or rodents or create a fire hazard are declared to be weed nuisances in violation of this article and are prohibited. (Ordinance 4, sec. 4, 1965; Code 1989, sec. 8.04.040(A)(1))

STAGNANT WATER ORDINANCE

LAKE DALLAS – NONE

DENTON

Sec. 17-70. - Stagnant water.

(a) It shall be unlawful and considered a public nuisance for any person owning, leasing or occupying real property, within the limits of the City of Denton, to fail to remove the accumulation or ponding of standing, stagnant, or non-maintained water thereon or permit the same to remain, which may harbor or be a breeding ground for mosquitoes, flies, or other pests, or which may cause a foul odor, or adversely impact the public health and safety by any means. Accumulations or ponding of water shall not exceed a forty-eight-hour period under normal rainfall conditions as described by the U.S. Department of Commerce, National Oceanic and Atmospheric Administration National Weather Service (NOAA).

(b) A finding by a code enforcement officer or health inspector of the City of Denton shall constitute prima-facie evidence that standing, stagnant, or non-maintained water is conducive to the breeding or harboring of mosquitoes or other insects. Potential tools to make this finding may include measures of water turbidity, the presence of excessive organic matter in the water, the presence of foul odors, visually apparent algal growth, or the presence of mosquitoes, flies, or other pests. The presence of mosquito larva is not required for standing, stagnant, or non-maintained water to be classified as a public nuisance.

(c) It shall be unlawful for any person, owner, agent, occupant or anyone having supervision or control of any real property within the city to maintain a public nuisance as determined under this section.

(d) It shall be the duty of said persons to abate nuisances described in this article by:

(1) Draining, filling or re-grading any lots, ground, or yards which have standing or stagnant water thereon; or

(2) Treating the area with material, either natural or manmade that will eliminate any offensive odor and render the area harmless to the public health and eliminate the potential breeding ground for mosquitoes, flies, or other pests.

(e) It shall be the duty of said persons to maintain items that are capable of collecting water, including but not limited to birdbaths, fountains, reflecting pools or ponds, private or semi-private swimming pools or other items so that they cannot harbor or be a breeding ground for mosquitoes, flies, or other pests or which may adversely impact the public health and safety or create an odor nuisance.

(Ord. No. 2010-132, § 1, 5-11-10)

POOL MAINTENANCE ORDINANCES

LAKE DALLAS – NONE FOR PRIVATE POOLS. ARTICLE IV PUBLIC SWIMMING POOLS

DEFINITION

Swimming pool or spa means a pool of water 24 inches or greater in depth either indoors or outdoors intended for use for swimming or water related recreation that does not serve only a single-family home or a duplex. The term includes spas and hot tubs.

Sec. 22-282. Duties of owners and persons in control.

It shall be an offense for an owner of property on which a swimming pool or spa is located to cause, allow or permit a violation of this article or state rules to occur. The duties imposed by this article on persons who operate a swimming pool or spa are also imposed on persons who own or are in control or supervision of the property on which a swimming pool or spa is located. (Ordinance 09-12, sec. 1, adopted 8/27/09)

DENTON

Sec. 14-118. - Disinfection and quality of water.

(a) Swimming pools in use shall be continuously disinfected by a chemical which can be easily measured for residual effect. If chlorine or other halogens are used, residuals of equivalent disinfecting strength shall be maintained. A testing kit for measuring the concentration of the disinfectant, accurate within 0.2 ppm, shall be provided at each swimming pool. The health officer may accept other disinfecting materials or methods when they have been adequately demonstrated to provide a satisfactory residual effect which is easily measured and to otherwise be equally as effective under conditions of use as the chlorine concentration required in this section and not be dangerous to public health, create objectionable physiological effects or impart toxic properties to the water.

(b) The swimming pool water shall be maintained in an alkaline condition as indicated by a pH of not less than 7.2 and not over 8.2. A pH testing kit accurate to the nearest 0.2 pH unit shall be provided at each swimming pool. The alkalinity of the water shall be at least 50 ppm as measured by the Methyl Orange test.

(c) All samples shall be collected, dechlorinated and examined in accordance with the procedures outlined in the latest edition of the Standard Methods for the Examination of Water and Wastewater (APHA). Bacteriological water sample results will be made known to the owner or his representative with recommendations, if any. Chemicals used in controlling the quality of water shall be demonstrated as imparting no toxic properties to the water. Chemicals used for algae control shall be approved by the health officer.

(d) The water, at all times when the pool is in use, shall be sufficiently clear to permit a black disc six (6) inches in diameter on a white field, when placed on the bottom of the pool at the deepest point, to be clearly visible from the sidewalks of the pool at all distances up to ten (10) yards, measured from a line drawn across the pool through the disc.

(Code 1966, § 5-184)

TRASH AND DEBRIS ORDINANCES

LAKE DALLAS

Sec. 22-62. Land to be kept free of rubbish and garbage.

All land areas shall be kept free from organic and inorganic material that might become a health, accident or fire hazard as defined in this article. All land areas, improved and unimproved, shall be kept clean at all times. Metal containers with covers shall be provided for the temporary storage of garbage and rubbish. Disposal of rubbish and other refuse by means of incineration shall be done in accordance with all regulations of the city. Materials of a flammable nature shall be safely stored as provided in the fire code or be removed from the premises.

Sec. 42-74. Trash and rubbish.

(a) Nuisance designated. The following acts and things, among others, are declared to be trash and rubbish nuisances in violation of this article; but this enumeration shall not be deemed to be exclusive:

(1) Heaps of rubbish. The keeping of all stacks, heaps or piles of old lumber, refuse, junk, old cars or machinery or parts, garbage, trash, rubbish, scrap material, ruins or demolished or partly demolished structures or buildings, or piles of stones, bricks or broken rock, on any premises bordering any public street in the city, so as to produce an unsightly and ugly appearance, and which may harbor reptiles or rodents, or create a fire hazard, or result in unsanitary conditions; and

(2) Dumping of trash or dead animals. The dumping, placing or depositing of any trash, rubbish, garbage, tin cans, refuse, grass, weeds, scrap material, offal, dead animals or junk in or upon any street, alley, sidewalk, branch, creek, ditch or gutter, or along or upon their sides in the city; or the leaving of the carcasses of any dead animals on any property in such a way that it becomes an unsanitary condition or a danger to public health.

DENTON

Sec. 17-50. - Trash and debris declared a nuisance and prohibited.

(a) It is unlawful and declared a nuisance for any person owning, claiming, occupying or having supervision or control of any real property, occupied or unoccupied, within the corporate limits of the city, to fail to remove any refuse, trash, debris, filth, carrion, junk, or garbage from any such real property, including easements and rights-of-way. It is a violation of this section if the refuse, trash, debris, filth, carrion, junk, or garbage is visible from a right-of-way or an adjacent property.

(b) It is unlawful to maintain premises in a manner that creates unsanitary conditions that are likely to attract or harbor mosquitoes, rodents, vermin, or disease-carrying pests.

HEALTH AND SAFETY CODE
TITLE 5. SANITATION AND ENVIRONMENTAL QUALITY
SUBTITLE A. SANITATION
CHAPTER 343. ABATEMENT OF PUBLIC NUISANCES
SUBCHAPTER A. GENERAL PROVISIONS

(11) "Weeds" means all rank and uncultivated vegetable growth or matter that:

(A) has grown to more than 36 inches in height; or

(B) creates an unsanitary condition likely to attract or harbor mosquitoes, rodents, vermin, or other disease-carrying pests, regardless of the height of the weeds.

SUBCHAPTER B. PUBLIC NUISANCE PROHIBITED

(3) maintaining premises in a manner that creates an unsanitary condition likely to attract or harbor mosquitoes, rodents, vermin, or other disease-carrying pests;