



City of Lake Dallas

City Council

Regular Meeting

City Hall

212 Main Street, Lake Dallas, TX 75065

Thursday, June 27, 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 June 9, 2019.
- B. Approval of Resolution designating a local rabies control authority.
- C. Approval of Resolution authorizing the purchase of a dump trailer for the Public Works Department from North Texas Trailer, LLC, through the City's Cooperative Purchasing Agreement with Texas Local Government Cooperative Purchasing (BUYBOARD).

Section III – Planning & Development:

- 6. Conduct a public hearing to consider and act on application to change the zoning designation of 2.00 acres of land out of the Lowry Cobb Survey. Abst. No. 284, Denton County Texas, from C-1 Retail District to a Planned Development (PD) District with a base zoning of C-1 Retail District with the inclusion of storage yard use. The property is commonly known as 314 Carlisle Drive. The applicant is Shepherds of Carlisle, LLC.

Section IV- General Items

- 7. Consider a Resolution directing publication of notice of intention to issue Certificates of Obligation; and resolving other matters relating to the subject.
- 8. Consider a Resolution creating a Rental Registration Program Ad Hoc Committee.
- 9. Consider and act on a Resolution appointing members to the Rental Registration Program AD Hoc Committee.
- 10. Receive a report and hold a discussion regarding the use of golf carts on public streets in the City of Lake Dallas.
- 11. Receive a report and hold a discussion and give staff direction regarding the Fiscal Year 2019-20 Budget.

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.

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 June 21, 2019 before 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.



CITY COUNCIL
AGENDA MEMO

Prepared By: Devin Shields, Public Works Manager

June 27, 2019

Purchase of Dump Trailer

DESCRIPTION:

Consider and act on a resolution authorizing the purchase of a dump trailer for the Public Works Department.

BACKGROUND INFORMATION:

In the FY18-19 budget there are \$20,000 in the Streets Maintenance Special Revenue Fund for equipment purchases. The Public Works Department is in need of a dump trailer that would replace a damaged flatbed trailer, which has a large hole in the deck. The dump trailer will also perform the functions of the large 1992 GMC Top Kick dump truck, that currently doesn't get much use and is in need of replacement. The dump trailer will be used to haul equipment to and from street and other repair jobs.

FINANCIAL CONSIDERATION:

The trailer requested is listed at \$7,320.70 from North Texas Trailers, an approved Buyboard Dealer, and would be paid for from the Street Maintenance Special Revenue Fund and not from the General Fund. The damaged trailer being replaced, and the 1992 GMC Top Kick dump truck will be brought to council in the future for considering adding them to the auction list.

RECOMMENDED MOTIONS:

I move to **approve/deny** a resolution authorizing the purchase of a dump trailer for the Public Works Department.

ATTACHMENT(S):

1. Buyboard quote
2. Trailer Spec Sheet
3. Resolution

**CITY OF LAKE DALLAS, TEXAS
RESOLUTION 03272019-_____**

A RESOLUTION OF THE CITY COUNCIL OF LAKE DALLAS, TEXAS, AUTHORIZING THE PURCHASE OF A DUMP TRAILER FOR THE PUBLIC WORKS DEPARTMENT FROM NORTH TEXAS TRAILER, LLC, THROUGH THE CITY'S COOPERATIVE PURCHASING AGREEMENT WITH TEXAS LOCAL GOVERNMENT COOPERATIVE PURCHASING (BUYBOARD); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, having reviewed various options available to the City for purchase of a dump trailer for the Public Works Department, the City Manager recommends the purchase of a dump trailer from North Texas Trailer, LLC in the amount of \$7320.70 pursuant to the City's cooperative purchasing agreement with the Texas Local Cooperative Purchasing ("BuyBoard"); 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 take such action as necessary to purchase on behalf of the City a dump trailer from North Texas Trailer, LLC through the City's cooperative purchasing agreement with the BuyBoard in the amount of \$7320.70.

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

PASSED AND APPROVED this the 27TH day of June 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:6/18/19:108941)



Quote Only
North Texas Trailers LLC
 3901 E. Loop 820 South
 Ft. Worth, TX 76119
 (817) 496-3800 Fax: (817) 496-3814

Ref # 17805
Date: Jun 11 2019
 Salesperson: Charlie Stewart
 Email:

Customer: Lake Dallas		
Address: 212 Main St		Phone (h)
Lake Dallas, Tx 75065		(c) (940) 497-2226
E-Mail: ashields@lakedallas.com		(w)
County: DENTON		(f)

Description of Purchase				
New 2019 MAXXD D7X D7X7212				
VIN	Stock #	Mileage	Color	Weight
5R8BD1226KM064968	MX64968		Grau	3400

Optional Equipment & Accessories	
1 D7X7212	\$7,527.05
Buy Bd Discount (	\$376.35)
Sub Total	\$7,150.70
Frt, Prep and E Tag	\$170.00
Total	\$7,320.70
Buy Board Contract 516-16	

Selling Price Summary	
Sales Price	\$7,527.05
Discount	\$376.35
N/A	\$0.00
Trade Allowance(s)	\$0.00
Optional Equipment & Accessories	\$0.00
Net Selling Price	\$7,150.70
Prep Fee	\$165.00
Road & Bridge Fee	\$0.00
Title Certificate	\$0.00
License Fee	\$0.00
Bank Service Fee	\$0.00
e-Tag Fee	\$5.00
Document Fee	\$0.00
Dealer Inventory Tax	\$0.00
Registration Fee	\$0.00
N/A	
N/A	
Sales Tax	\$0.00
Trade Payoff(s)	\$0.00
Total Amount Due	\$7,320.70
Less Down Payment	\$0.00
Less Deposit	\$0.00
Balance or Amount Financed	\$7,320.70

Trade:
VIN #:
Odometer:
Allowance: \$0.00
Payoff: \$0.00

Trade:
VIN #:
Odometer:
Allowance: \$0.00
Payoff: \$0.00

_____ Manager Signature	_____ Date
_____ Buyer Signature	_____ Date
_____ Buyer Signature	_____ Date

Loan Information	
Finance Company:	
Address:	
APR: 0.00%	Monthly Payment
Term: 0 months	\$0.00

Terms & Conditions

9,990 lb

GVWR Rating

D-Rings

1/2" Bull-Nose D-Rings
(4 Outside & 4 Inside Bed)

Sides & Bed

10 Gauge Steel Sides and
Bed (21" High Sides)

Fenders

Double Broke Diamond
Plate Fenders

Ramps

6' Side-Store Ramps

Rear Doors/Gate

Split Barn Doors and
Spreader Gate Combo

Wheels

15" Silver Mod Wheels

Tires

ST225/75R15 (D) Radial Tires

Axle(s)

2-5.2K Electric Brake Dexter Axle

Spare Mount

Spare Tire Mount

Frame

5" x 3" x 3/16" Tube Frame

Tarp Kit

Pull-Back Trap Kit

Crossmembers

3" Channel Crossmembers
on 16" Centers

Hoist

5" - 14K Hydraulic Scissor Hoist

Jack

1 - 7K Drop-Leg Jack

Coupler

2 5/16" Adjustable
Ram/Fulton Coupler

Tongue

5" Channel Wrap Tongue

Toolbox

Formed Steel Toolbox With
Power Up & Power Down
and a KTI Hydraulic Pump

Sizes

10' x 72"

12' x 72"

Popular Color Options (Other colors available)

MAXXD Gray *

Wet Black

Flame Red

Indigo Blue *

Equipment Yellow

Beige *

* Metallic. | The colors shown are for your reference only. Actual colors may vary.

Standard Options

16" Centers

Bed crossmembers
spaced at 16" apart for
maximum support.



5" 14K Scissor Hoist

Better stability and strength with
a scissor hoist compared to
either single or double cylinders.



Tarp Kit

Pull back tarp with
ratchet handle to easily
lock tarp in place.



Tube Frame

5" x 3" tube frame with a
3/16" wall for maximum
strength.



CITY COUNCIL
AGENDA MEMO

Prepared By: Daniel Carolla, Chief of Police

June 27, 2019

Rabies Control Officer Appointment

DESCRIPTION:

Consider and act on a resolution designating a rabies control officer.

BACKGROUND INFORMATION:

The governing body of each municipality shall designate an officer to act as the local rabies control authority for the purposes of chapter 826 of the Texas Health and Safety Code.

Position

Animal Services Manager

Term Expiration

None

RECOMMENDED MOTIONS:

I move to approve/deny the Resolution designating a rabies control officer.

ATTACHMENT(S):

Resolution

CITY OF LAKE DALLAS, TEXAS
RESOLUTION NO. 06272019-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS,
DESIGNATING A LOCAL RABIES CONTROL AUTHORITY; PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City Council of the City of Lake Dallas, Texas, finds it to be in the public interest to designate a City official to serve as the City's Rabies Control Authority in accordance with Texas Health & Safety Code §826.017.

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

SECTION 1. The person employed by the City in the position of Animal Services Manager is hereby designated as the City's Rabies Control Authority pursuant to Texas Health & Safety Code §826.017; provided, however, if the Animal Services Manager is vacant, the Chief of Police shall designate a person who is a certified animal control officer or a peace officer to serve as the City's Rabies Control Authority until such time that the City Manager appoints another person to the position of Animal Services Manager.

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

PASSED AND APPROVED this the 27th day of June 2019.

APPROVED:

Michael Barnhart, Mayor

ATTEST:

Codi Delcambre, TRMC, City Secretary

APPROVED AS TO FORM

Kevin B. Laughlin, City Attorney
(kbl:6/20/19:108943)



**CITY COUNCIL
AGENDA MEMO**

AGENDA ITEM 6

Prepared By: Jeremy Tennant, Director of Development Services

June 27, 2019

Conduct a public hearing, consider and act on an application to change the zoning designation for 2.00 acres of land out of the Lowry Cobb Survey, Abst. No. 284, Denton County, Texas, from C-1 Retail District to a Planned Development (PD) District with base zoning of C-1 Retail District with the inclusion of storage yard use. The property is commonly known as 314 Carlisle Drive. The applicant is Sheperds of Carlisle, LLC. (ZD 06-19)

DESCRIPTION:

Conduct a public hearing, consider and act on an application to change the zoning designation for 2.00 acres of land out of the Lowry Cobb Survey, Abst. No. 284, Denton County, Texas, from C-1 Retail District to a Planned Development (PD) District with base zoning of C-1 Retail District with the inclusion of storage yard use. The property is commonly known as 314 Carlisle Drive. The applicant is Sheperds of Carlisle, LLC. (ZD 06-19)

BACKGROUND INFORMATION:

The property is located on Carlisle Avenue adjacent to the DCTA Trail path. The property owner, Tree Shepherds is a tree service company that services a large portion of Denton County. The applicant is requesting a zoning change from C-1 Retail District to a Planned Development (PD) District with a base zoning of C-1 Retail District with the inclusion of a storage yard use. The applicant proposes to store fleet vehicles and business equipment behind an eight-foot (8') high wooden fence with six-inch (6") cedar pickets and metal posts. The applicant proposes to set the fence back eight feet to allow several trees to be planted along the front of the site. The applicant is also proposing to include an inset sliding wooden gate at the entrance along Carlisle Drive.

According to Sec. 22-246(b) fences in the front yard taller than three feet are prohibited; however, chain link fences up to four feet (4') in height are allowed. The applicant is requesting the Planned Development to request allowance for an opaque fence at a height of eight feet (8') within the front of the property to screen and secure a large section of useable property.

The office building is roughly two-thousand one, hundred and eighty-four square feet (2,184 sq. ft.) The Comprehensive Zoning Ordinance requires one (1) off-street parking space for each two-hundred (200 sq. ft.) square feet off-street parking space, requiring eleven (11) off-street parking spaces. The applicant is proposing seven (7) off-street parking spaces. Due to the nature of the business a waiver of the four off-street parking spaces is understandable. The applicant is proposing to park their fleet vehicles and equipment on the gravel parking site.

The applicant is proposing to utilize the existing gravel driveway and provide additional gravel for on the site. The Comprehensive Zoning Ordinance (CZO) Sec. 122-771 requires that all parking areas and loading areas be paved with concrete or asphalt. Since the property will be screened,

the Planning and Zoning Commission is amenable to the existing gravel driveway. The applicant is proposing to pave the proposed seven (7) off-street parking spaces. Currently the applicant is not proposing a handicap parking space. One handicap parking space is required for lots with 1 to 25 parking spaces.

According to Sec. 86-33 it is the duty of owners, occupants to provide and maintain containers, maintain premises. The applicant proposes to use polycart service to dispose of waste and recyclables.

Access and Parking:

1. The gravel driveway must be paved with a decomposed gravel or course gravel surface with a minimum depth of six-inches (6") spread across a compacted and stabilized sub base as approved by the City Engineer, or designee, with such approval to be secured in writing prior to the issuance of a certificate of occupancy. The driveway must also be maintained free of holes, dust, weeds and debris.
2. The off-street parking spaces shall be clearly delineated and one (1) handicap parking space must be provided.

Screening and Fencing:

1. The screening shall be opaque and properly maintained; at a minimum of eight feet (8') in height.
2. A minimum of five (5) thirty (30) gallon-trees shall be planted along the front of the site at least every five (5') feet.
3. All required screening materials shall be maintained in a neat and orderly manner at all times. This shall include but not be limited to pruning, fertilizing, watering, mowing, weeding and other such activities common to the maintenance of landscaping.
4. Appropriate facilities for watering any plant material shall be installed at time of planting.
5. Screening areas shall be kept free of trash, litter, weeds and other such materials or plants not a part of the screening or landscaping.
6. All plant material shall be maintained in a healthy and growing condition as is appropriate for the season of the year.

ADJACENT ZONING AND LAND USE:

DIRECTION	ZONING	EXISTING USE
<i>Subject Property</i>	<i>C-1 Retail District</i>	<i>Predominantly vacant with a primary structure w/ 3 accessory structures</i>
North	<i>C-1 Retail District / C-3 Commercial District</i>	Children's Daycare / Vacant land
South	<i>C-1 Commercial District / Downtown Overlay</i>	Single-Family Dwellings (Hickory Creek residents)
West	R-1-6000 Single Family	Denton County Transportation Authority Trail and Rail
East	R-1-7200 Single Family	Single-Family Residential

FINANCIAL CONSIDERATION:

N/A

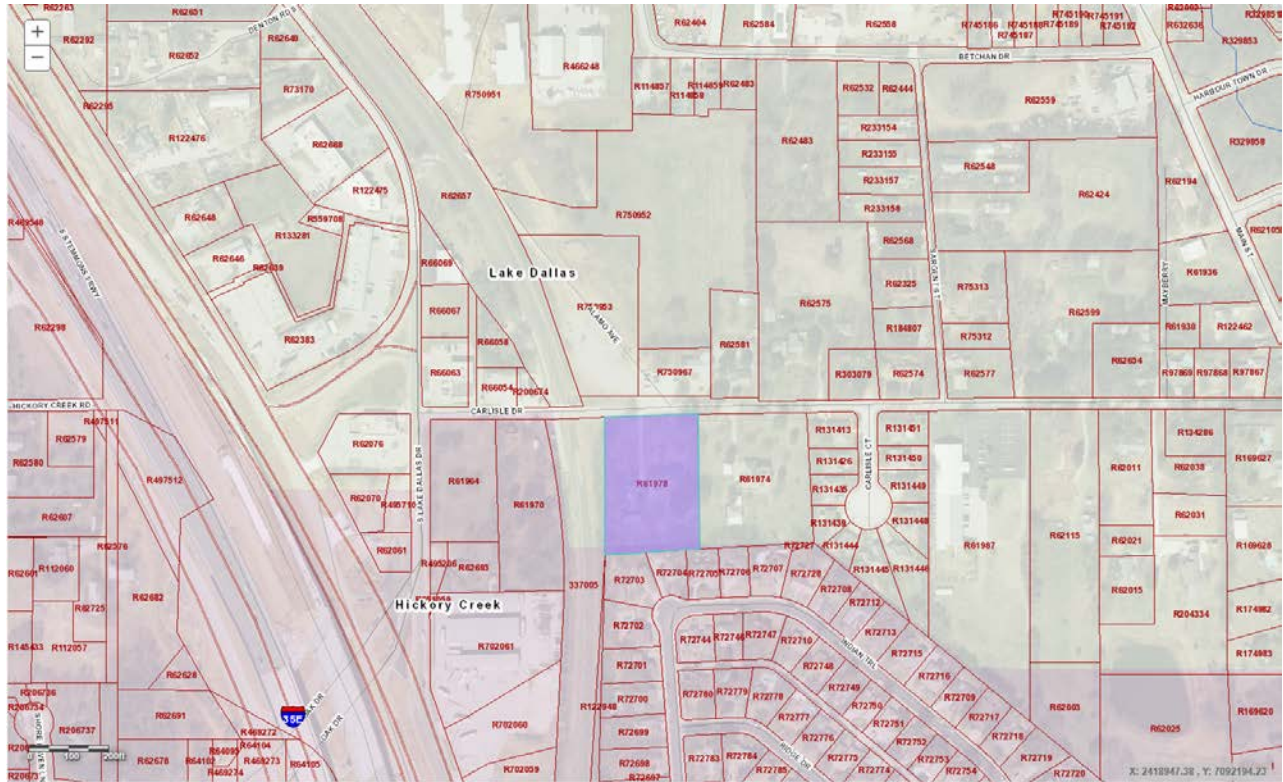
PLANNING AND ZONING COMMISSION MEETING:

On June 20, 2019, the Planned Development request went before the Planning and Zoning Commission. Originally, this request was scheduled to go before the Planning and Zoning Commission on May 16, 2019; however, was rescheduled due to a notification error. The Planning and Zoning Commission unanimously recommended approval of the request.

RECOMMENDED MOTION:

I move to **DENY/APPROVE** the Ordinance changing the zoning designation for 2.00 acres of land out of the Lowry Cobb Survey, Abst. No. 284, Denton County, Texas,, from C-1 Retail District to a Planned Development (PD) District with base zoning of C-1 Retail District with the inclusion of storage yard use.

VICINITY MAP:

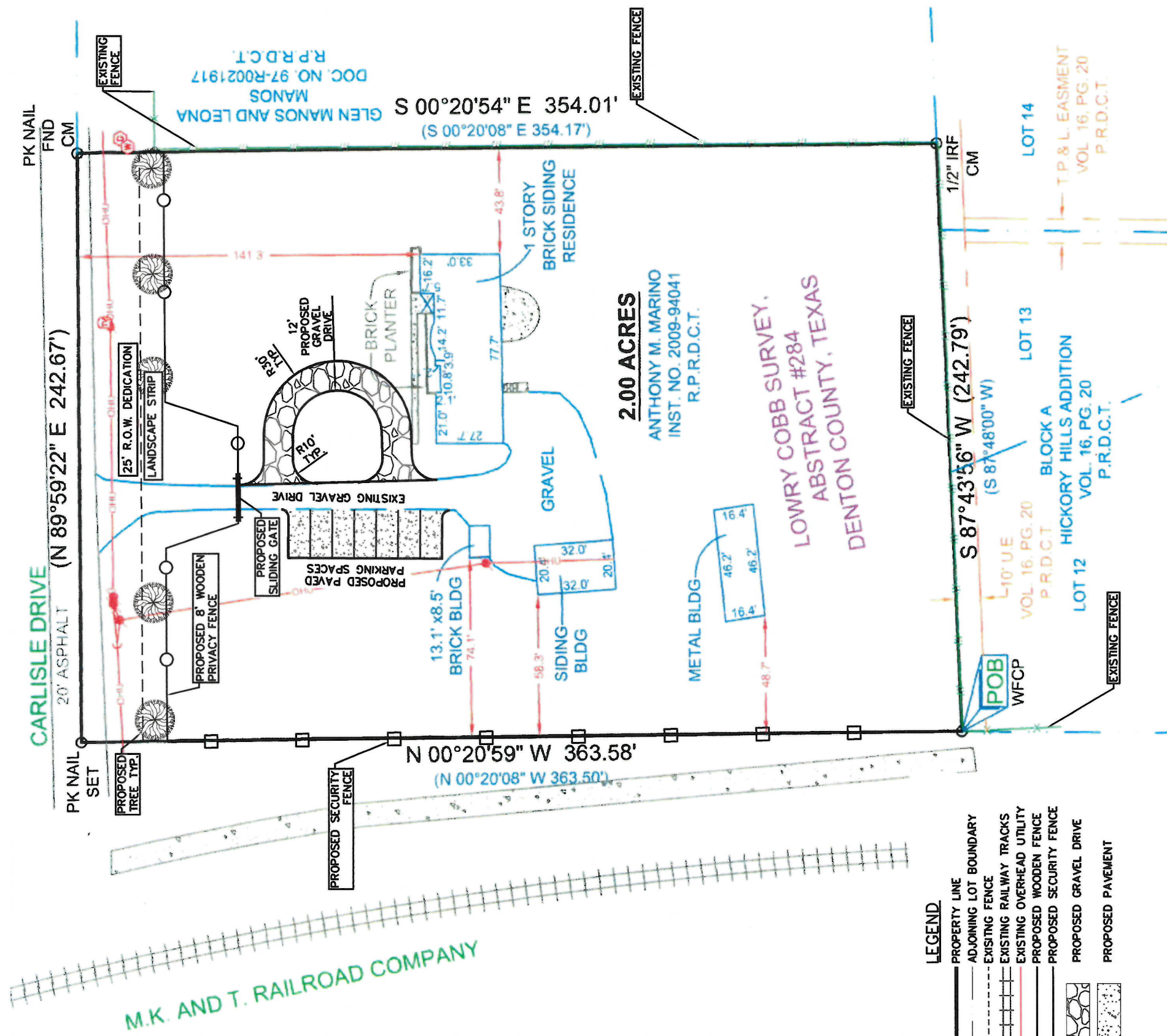


ATTACHMENTS:

ATTACHMENT 1 – Site Plan

ATTACHMENT 2 – Proposed Fence Concept

ATTACHMENT 3 – Ordinance





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

AN ORDINANCE OF THE CITY OF LAKE DALLAS, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF LAKE DALLAS, TEXAS, AS HERETOFORE AMENDED, BY CHANGING THE ZONING REGULATIONS GOVERNING THE DEVELOPMENT AND USE OF 2.0± ACRES OUT OF THE LOWRY COBB SURVEY, ABSTRACT NO. 284 (MORE COMMONLY KNOWN AS 314 CARLISLE DRIVE) DESCRIBED IN EXHIBIT "A" HERETO FROM C-1 COMMERCIAL RETAIL DISTRICT TO PLANNED DEVELOPMENT (PD) FOR C-1 COMMERCIAL RETAIL DISTRICT; APPROVING DEVELOPMENT REGULATIONS AND SITE PLAN PROVIDING A CONFLICTS RESOLUTION CLAUSE, PROVIDING A SEVERABILITY CLAUSE, PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Lake Dallas and the governing body of the City of Lake Dallas, in compliance with the laws of the State of Texas and the ordinances of the City of Lake Dallas, have given requisite notice by publication and otherwise, and after holding due public hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, and in the exercise of its legislative discretion have concluded that the Comprehensive Zoning Ordinance and Map should be amended.

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

SECTION 1. CHANGE OF ZONING CLASSIFICATION

The Comprehensive Zoning Ordinance and Map of the City of Lake Dallas, Texas (collectively, the Zoning Ordinance"), heretofore duly passed by the governing body of the City of Lake Dallas, as previously amended, be, and the same are hereby amended by amending the zoning regulations governing the use and development of 2.0± acres out of the Lowry Cobb Survey, Abstract No. 284, more specifically described in Exhibit "A", attached hereto and incorporated herein by reference ("the Property"), from C-1 Commercial Retail District to PD Planned Development for C-1 Commercial Retail, subject to Section 2 of this Ordinance.

SECTION 2. LAND USE AND DEVELOPMENT STANDARDS

The Property shall be developed and used in accordance with the applicable provisions of the Zoning Ordinance, as amended, subject to the following modifications:

- A. Base Zoning.** The Property shall be used and developed in accordance with the use and development regulations of the C-1 Commercial Retail District, except as modified by this

Ordinance.

- B. **Additional Permitted Use.** In addition to the uses permitted in the C-1 Commercial Retail District, the Property may be used and developed for a storage yard use subject to the following conditions:

- (1) Prior to commencement of the Property for storage yard use:
 - (a) An eight foot (8.0') tall cedar wood screening fence, with an eight-foot (8.0) tall sliding cedar wood gate is constructed on the boundaries of the Property as shown on the Site Plan;
 - (b) Trees shall be planted along the street side of the screening fence not less than twenty feet (20.0') on center;
 - (c) The landscaping required by paragraph (b), above, shall be irrigated by an automatic irrigation system installed at the time of original planting of the landscaping.
- (2) All required plant materials installed for screening shall be maintained in accordance with Lake Dallas Municipal Code Section 122-1226, as amended or replaced.

- C. **Site Plan.** The Property shall be developed substantially as set forth in Exhibit "B," attached hereto and incorporated herein by reference ("the Site Plan").

- D. **Access and Parking**

- (1) The gravel driveway shown on the Site Plan must be paved with a decomposed gravel or coarse gravel surface with a minimum depth of six-inches (6") spread across a compacted and stabilized sub base as approved by the City Engineer, or designee, with such approval to be secured in writing prior to the issuance of a certificate of occupancy for use as a storage yard. The driveway must also be maintained free of holes, dust, weeds and debris.
- (2) No fewer than seven (7) off-street parking spaces, at least one (1) of which must be a handicap parking space, shall be constructed in accordance with Lake Dallas Municipal Code Section 122-771 at approximately the location shown on the Site Plan. The individual off-street parking spaces must be clearly delineated on the ground by appropriate striping and, with respect to the handicap parking stall, signage and pavement markings.
- (3) The sliding gate entry from Carlisle Street must be not less than twenty feet (20') wide to allow a fire apparatus to access site.

SECTION 3. In the event of an irreconcilable conflict between the provisions of another previously adopted ordinance of the City of Lake Dallas and the provisions of this ordinance as applicable to the use and development of the Property, the provisions of this Ordinance shall be controlling.

SECTION 4. Should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 5. An offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Comprehensive Zoning Ordinance, as amended in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 6. Any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Lake Dallas, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand (\$2,000.00) Dollars for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 7. This ordinance shall take effect immediately from and after its passage and the publication of the caption as the law and charter in such cases provides.

PASSED AND APPROVED this 27th day of June 2019.

Michael Barnhart, Mayor

ATTEST:

Codi Delcambre, TRMC, City Secretary

APPROVED AS TO FORM:

Kevin B. Laughlin, City Attorney

(kbl:6/17/19:108841)

ORDINANCE NO. 2019-____
EXHIBIT "A"
Property Description

Being all that certain tract of land lying in the Lowry Cobb Survey, Abstract Number 284, Denton County, Texas; and being all of a tract of land described in a deed to Anthony M. Marino, recorded in Instrument Number 2009--94041, Real Property Records, Denton County, Texas, and, being more particularly described by metes and bounds as follows:

BEGINNING at a: wood fence corner post for the Southwest corner of said Marino tract, same-being the Northwest corner Lot 12, Block A, Hickory Hills Addition recording in Volume 16, Page 20, Plat of Records, Denton County, Texas, same being on the East line of the M. K. and T. Railroad Company Right-of-Way;

THENCE North 00 Degrees 20 Minutes 59 Seconds West with said East line, 363.58 feet to a pk nail set in Carlisle Drive, being the Northwest corner of said Marino tract;

THENCE North 89 Degrees 59 Minutes 22 Seconds East with the North line of said Marino tract and along said Carlisle Drive 242.67 feet to a pk nail found, being the Northeast corner of said Marino tract and the Northwest corner of a tract of land described in a deed to Glen Manos and Leona Mano, recorded in Document Number 97-R0021917, Real Property Records, Denton County, Texas;

THENCE South 00 Degrees 20 Minutes 54 Seconds East with the West line of said Leona tract and East line of said Marino tract, 354.01 feet to a ½ inch iron rod found, being the Southwest corner of said Marino tract, being in the North line of Lot 14 of said Block A;

THENCE South 87 Degrees 43 Minutes 56 Seconds West with the North line of Block A, 242.79 feet to the PLACE OF BEGINNING, containing 2.00 acres of land more or less.

[illegible]



**CITY COUNCIL
AGENDA MEMO**

Prepared By: John Cabrales Jr, Manager

June 27, 2019

Notice to Issue Certificates of Obligation

DESCRIPTION:

Consider and act on a resolution directing the publication of notice of intention to issue Certificates of Obligation; and resolving other matters relating to the subject.

BACKGROUND INFORMATION:

Pursuant to authority conferred by, and in conformity with, the Constitution and laws of the State of Texas, including Texas Local Government Code, Subchapter C of Chapter 271, as amended, the Lake Dallas City Council has the authority to issue debt, including the issuance of Certificates of Obligation (CO). CO's initially were authorized by Texas' Certificate of Obligation Act of 1971. Cities can use them to fund the construction, demolition or restoration of structures; purchase materials, supplies, equipment, machinery, buildings, land and rights of way; and pay for related professional services. CO's can be issued for terms of up to 40 years and usually are supported by property taxes or other local revenues.

If the City Council opts to issue CO's, then there must be a posting of a description of the projects to be financed in local newspapers at least twice, first more than 30 days before the council vote on the CO issuance, and again a week after the initial posting. These postings must describe the general purpose and amount of the debt to be issued, name the method of repayment and list the time and place of the governing body's vote.

On June 13, 2019, the city council received a staff briefing on several capital project needs. Staff was directed to bring back a resolution directing the publication of notice of intention to issue Certificates of Obligation for the following projects.

Shady Shores Road Bridges Project: **Estimated Cost: \$800,000**

The scope of this project is to raise Shady Shores Road at the three low points north of Silktree in order to mitigate flooding issues on the road. The project is currently estimated 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 (\$10 million) will come from the North Central Texas Council of Governments (NCTCOG) as pass through federal funding. There is a required local match, which Denton

County has pledged to fund \$4 million towards the project. There is also the cost for pre-construction work (pre-engineering to devise final plans), which is estimated at \$1.4 million that the City of Lake Dallas and Town of Shady Shores will be responsible for.

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 May 16, 2019, representatives from the City of Lake Dallas, Town of Shady Shores and Denton County met to discuss this project. We agreed that Denton County will oversee this project and will be responsible for the bidding, awarding and management of the construction contract. Denton County is preparing an Interlocal Agreement (ILA) for Lake Dallas and Shady Shores to consider. Once approved by both councils, the County Commissioners will consider the ILA and if approved, our portion of the pre-construction cost (\$700,000) must be submitted to the county. Staff is recommending an additional \$100,000 to cover contingencies and overages.

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.

Main Street Lights Project: Estimated Cost: \$80,000

In FY 2018-19 the Lake Dallas Community Development Corporation (CDC) funded the purchase and installation of seven of the seventeen street lights as part of phase II of the Main Street Project. The remaining ten street lights are needed in order to complete this project. Included in this cost is the additional banner arms, banners and installation of the lights.

City Hall Foundation Repair Project: Estimated Cost: \$135,000

The foundation of City Hall has a large north/south crack that runs the length of the building on the east side. Back in 2012 The City contracted with Power Lift Foundation Repair to install some beams under the foundation. Apparently, not all of the recommended beams were installed at the time. Also, a moisture barrier was quoted but not installed to help address the tree roots on the east side of the building. Power Lift was contacted and they re-assessed the foundation. Their recommendation was for the installation of the additional piers. Unfortunately, none of the damage is covered under the warranty so the estimated cost for the installation of the additional piers, and adjustment of the existing piers is an estimated \$135,000.

Public Works Yard Project:**Estimated Cost: \$365,000**

The Public Works Yard is in dire need of updating and improvements. We have recently had the site platted and a zoning request has been made to move from R-1-6000 to M-1. Staff has been working with Halff and Associates on concept drawings and a new site plan for the yard. The yard office and workshop need to be replaced as soon as possible. Also included are such improvements as; creating a concrete drive surface through the yard, 8' privacy fencing as well as adding an egress only gate and creating a new storage bin area for more material storage, as well as some aesthetic improvements. These improvements will see the removal of the old building and removal of structures that interfere with a utility easement containing main fiber lines owned by CenturyLink. Once completed, the improvements will create a cleaner and more professional environment for staff to work in and for neighbors to reside next to, it will also provide more protection for heavy equipment from the elements.

City Hall/City Park/Library Parking Lot Refurbish Project:**Estimated Cost: \$100,000**

The parking areas at City Hall and City Park need to be re-sealed and re-striped, we had the re-sealing quoted earlier in 2019 for about \$53,000. The striping would be roughly \$12,000. The parking area at the library and Community Park are also in need of some attention. The parking area behind the library is a compacted milled asphalt material that would be converted to asphalt and striped. This would also be made ADA compliant.

Police Covered Parking Project:**Estimated Cost: \$40,000**

The Police Department is in need of covered parking for their vehicles, this would provide shelter for both six (6) personal and six (6) police vehicles. This would protect from any inclement weather damage and possibly extend the life of the vehicles.

Staff will publish a notice (attached) in the Denton Record Chronicle, on approximately July 2 and July 9, that at the August 8, 2019, meeting, the Lake Dallas City Council will consider the passage of an ordinance authorizing the issuance of one or more series of interest bearing certificates of obligation in an amount not to exceed \$1,565,000, for paying all or a portion of the City's contractual obligations to be incurred in connection with (i) constructing and improving streets and roads and making related drainage, lighting, signage, sidewalk and streetscape improvements; (ii) constructing structural repairs to City Hall; (iii) constructing improvements to the Public Works Yard including office and workshop space, new drive surfaces, fencing and gating, and removal of abandoned or dilapidated structures; (iv) parking improvements including resurfacing existing lots at City Hall, City Library and City Park and constructing covered parking for the police department; and (v) paying legal, fiscal, engineering and architectural fees in connection with these projects.

FINANCIAL CONSIDERATION:

Below are the amounts for each of the capital projects, but the total amount does not include the cost of the issuance of the certificates of obligation.

\$800,000	Shady Shores
\$80,000	Main Street Lights
\$135,000	City Hall Foundation
\$365,000	Public Works Yard
\$100,000	Parking Lots
\$40,000	Police Covered Parking
\$1,520,000	TOTAL

The certificates of obligation will be paid from ad valorem taxes, and such payment will be included in the Debt Service Fund schedule beginning in Fiscal Year 2019-20. The city currently has capacity on the Interest and Sinking, or debt service tax rate, for the payment of this debt issuance without requiring any tax rate increase.

RECOMMENDED MOTIONS:

I move to approve/deny a resolution directing the publication of notice of intention to issue Certificates of Obligation; and resolving other matters relating to the subject.

ATTACHMENT(S):

1. Notice to be published in the newspaper
2. Resolution

CERTIFICATE REGARDING ADOPTION OF RESOLUTION

THE STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

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

1. The City Council of the City convened in regular meeting on June 27, 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
Brian Bailey, 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

RESOLUTION DIRECTING PUBLICATION OF NOTICE OF INTENTION TO ISSUE
COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION

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 with all members present voting "AYE" except the following:

NAY: ____ ABSTAIN: ____

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 ON JUNE 27, 2019.

City Secretary
City of Lake Dallas

Mayor
City of Lake Dallas, Texas

{SEAL}

*City of Lake Dallas - Certificate Regarding Adoption of a Resolution Directing Publication of Notice of
Intention to Issue Combination Tax and Revenue Certificates of Obligation*

RESOLUTION NO. _____ DIRECTING PUBLICATION OF NOTICE OF INTENTION TO
ISSUE COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION

THE STATE OF TEXAS
COUNTY OF DENTON
CITY OF LAKE DALLAS

WHEREAS, the City of Lake Dallas (the "**City**") deems it advisable to give notice of intention to issue one or more series of Certificates of Obligation in the maximum principal amount of \$1,565,000, for paying all or a portion of the City's contractual obligations to be incurred in connection with (i) constructing and improving streets and roads and making related drainage, lighting, signage, sidewalk and streetscape improvements; (ii) constructing structural repairs to City Hall; (iii) constructing improvements to the Public Works Yard including office and workshop space, new drive surfaces, fencing and gating, and removal of abandoned or dilapidated structures; (iv) parking improvements including resurfacing existing lots at City Hall, City Library and City Park and constructing covered parking for the police department; and (v) paying legal, fiscal, engineering and architectural fees in connection with these projects; and

WHEREAS, the City Council hereby finds, considers and declares that the reimbursement of the payment by the City of such expenditures will be appropriate and consistent with the lawful objectives of the City and, as such, chooses to declare its intention, in accordance with the provisions of Section 1.150-2 of the U.S. Treasury Regulations, to reimburse itself for such payments at such time as it issues the hereinafter described Certificates of Obligation; and

WHEREAS, it is hereby officially found and determined that the meeting at which this Resolution was passed 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.

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

Section 1. Attached hereto as **Exhibit A** is a form of the "Notice of Intention to Issue Combination Tax and Revenue Certificates of Obligation for the City of Lake Dallas, Texas" (the "**Notice**"), the form and substance of which is hereby adopted and approved.

Section 2. The City Secretary shall cause the Notice to be published in substantially the form attached hereto, in a newspaper of general circulation in the City of Lake Dallas, once a week for two consecutive weeks, the date of the first publication thereof to be at least thirty days prior to August 8, 2019, which is the date set for the adoption of the ordinance authorizing the issuance of such Certificates of Obligation as shown in the Notice.

Section 3. The facilities and improvements to be financed with proceeds from the proposed Certificates of Obligation are to be used for the purposes described in the Notice.

Section 4. All costs to be reimbursed pursuant to this Resolution will be capital expenditures; the proposed Certificates of Obligation shall be issued within 18 months of the later of (i) the date the expenditures are paid or (ii) the date on which the property, with respect to which such expenditures were made, is placed in service; and the foregoing notwithstanding, the Certificates of Obligation will not be issued pursuant to this Resolution on a date that is more than three years after the date any expenditure which is to be reimbursed is paid.

Section 5. This Resolution shall become effective immediately upon adoption.

EXHIBIT A

NOTICE OF INTENTION TO ISSUE COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION FOR THE CITY OF LAKE DALLAS, TEXAS

TAKE NOTICE that the City Council of the City of Lake Dallas, Texas, shall convene a special meeting at 7:00 P.M. on August 8, 2019, at its regular meeting place at City Council Chambers; 212 Main Street; Lake Dallas, Texas 75065 and during such meeting, the City Council will consider the passage of an ordinance or ordinances authorizing the issuance of one or more series of interest bearing certificates of obligation in an amount not to exceed \$1,565,000, for paying all or a portion of the City's contractual obligations to be incurred in connection with (i) constructing and improving streets and roads and making related drainage, lighting, signage, sidewalk and streetscape improvements; (ii) constructing structural repairs to City Hall; (iii) constructing improvements to the Public Works Yard including office and workshop space, new drive surfaces, fencing and gating, and removal of abandoned or dilapidated structures; (iv) parking improvements including resurfacing existing lots at City Hall, City Library and City Park and constructing covered parking for the police department; and (v) paying legal, fiscal, engineering and architectural fees in connection with these projects. Such certificates are to be made payable from ad valorem taxes and a lien on and limited pledge of surplus revenues of the City's park system, remaining after payment of all operation and maintenance expenses there-of, and all debt service, reserve, and other requirements in connection with all of the City's revenue bonds or other obligations (now or hereafter outstanding), which are payable from all or any part of the net revenues of the City's park system. The certificates are to be issued, and this notice is given, under and pursuant to the provisions of Texas Local Government Code, Chapter 271, Subchapter C.

CITY OF LAKE DALLAS, TEXAS

NOTICE OF INTENTION TO ISSUE COMBINATION TAX AND REVENUE
CERTIFICATES OF OBLIGATION FOR THE CITY OF LAKE DALLAS, TEXAS

TAKE NOTICE that the City Council of the City of Lake Dallas, Texas, shall convene a special meeting at 7:00 P.M. on August 8, 2019, at its regular meeting place at City Council Chambers; 212 Main Street; Lake Dallas, Texas 75065 and during such meeting, the City Council will consider the passage of an ordinance or ordinances authorizing the issuance of one or more series of interest bearing certificates of obligation in an amount not to exceed \$1,565,000, for paying all or a portion of the City's contractual obligations to be incurred in connection with (i) constructing and improving streets and roads and making related drainage, lighting, signage, sidewalk and streetscape improvements; (ii) constructing structural repairs to City Hall; (iii) constructing improvements to the Public Works Yard including office and workshop space, new drive surfaces, fencing and gating, and removal of abandoned or dilapidated structures; (iv) parking improvements including resurfacing existing lots at City Hall, City Library and City Park and constructing covered parking for the police department; and (v) paying legal, fiscal, engineering and architectural fees in connection with these projects. Such certificates are to be made payable from ad valorem taxes and a lien on and limited pledge of surplus revenues of the City's park system, remaining after payment of all operation and maintenance expenses there-of, and all debt service, reserve, and other requirements in connection with all of the City's revenue bonds or other obligations (now or hereafter outstanding), which are payable from all or any part of the net revenues of the City's park system. The certificates are to be issued, and this notice is given, under and pursuant to the provisions of Texas Local Government Code, Chapter 271, Subchapter C.

CITY OF LAKE DALLAS, TEXAS



**CITY COUNCIL
AGENDA MEMO**

Prepared By: Jeremy Tennant, Director of Development Services

June 27, 2019

City of Lake Dallas Rental Registration Program Committee Creation

DESCRIPTION:

Consider and act on a Resolution creating a Rental Registration Program Committee, assigning the purpose, setting the make-up, and giving a timeline; and providing an effective date.

BACKGROUND INFORMATION:

Staff has had several discussions with the City Council on the feasibility of a Rental Registration Program and needed revisions to our ordinance regarding property maintenance. Staff was directed to work with a Rental Registration Program Committee made up of stakeholders. At the April 25, 2019, staff recommended a purpose, make up and timeline for the committee. The information below reflects the recommendation, along with some modifications requested by council.

Purpose

The purpose of the Rental Registration Program Committee shall be to review current city ordinances regarding property maintenance, draft language for a Property Maintenance Code, and work with city staff on drafting a Rental Registration Program concept that makes sense for Lake Dallas.

Make-Up

The Rental Registration Program Committee will need input from various stakeholders in order to consider all impacts of a Property Maintenance Code and a Rental Registration Program. However, the committee should consist of a reasonable number of members so as not to impede its ability to get work done. The committee will consist of any needed city staff members and the following stakeholder slots.

- Landlord of Residential Property– 4
- Homeowners - 2
- Tenant of Residential Property– 2
- Residential Multifamily Property Manager– 1
- Licensed Texas Realtor – 2
- HOA Representative – 2

Timeline

The Rental Registration Program Committee will start meeting shortly after appointed and will not take longer than one year to present their findings and recommendations to the City Council.

Staff recommends approval of the resolution to create the Rental Registration Program Committee with the above stated purpose, make up and timeline. If approved, staff will bring forward the applications submitted by residents to be on the committee.

FINANCIAL CONSIDERATION:

None

RECOMMENDED MOTIONS:

I move to **approve/deny** a Resolution creating a Rental Registration Program Committee, assigning the purpose, setting the make-up, and giving a timeline.

ATTACHMENT(S):

1. Resolution

**CITY OF LAKE DALLAS, TEXAS
RESOLUTION NO. 06272019-_____**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS,
CREATING A RENTAL REGISTRATION PROGRAM AD HOC COMMITTEE; AND
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the City Council of the City of Lake Dallas, Texas, finds it to be in the public interest to establish an ad hoc committee to provide the City Council advice on the feasibility of the establishment of a Rental Registration Program and needed revisions to the City's ordinance regulating the maintenance of privately-owned real property within the City.

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

SECTION 1. The City Council does hereby establish an ad hoc committee to be known as the "Rental Registration Ad Hoc Program Committee" (the "Committee"). The Committee shall have no more than thirteen (13) members who have been qualified voters of the City of Lake Dallas for six months prior to their date of appointment and have the following qualifications:

- A. Four members who own property within the City developed with a single-family residence that is actively being leased to the occupants of the residence;
- B. Two members who are owner-occupants of single-family residential properties within the City;
- C. Two members are tenants of a single-family or multi-family residential property within the City;
- D. One member who manages a multi-family residential property within the City which has more than two dwelling units;
- E. Two members who are licensed Texas Real Estate brokers and/or agents; and
- F. Two members who are members of the board of a residential homeowner's association ("HOA") of a residential development located within the City; provided, however, both members representing HOA's may not be from serving on the same HOA board.

In addition to the Committee members described above, the Director of Development Services and such other City employees as may be designated by the City Manager shall serve as non-voting ex-officio members of the Committee.

SECTION 2. The purpose and charge of the Committee is as follows:

- A. Review current city ordinances regarding the maintenance of residential properties within the City and recommend possible amendments thereto;
- B. Propose language for a Property Maintenance Code which may include, but not be limited to, review the provisions of the 2018 Edition of the International Property Maintenance Code and the model local amendments adopted by the North Central Texas Council of Governments make recommendations regarding adoption of same;
- C. Work with city staff regarding the preparation of ordinances adopting a Rental Registration Program reflecting the character and culture of the City of Lake Dallas; and
- D. Consider such other matters as may be assigned by the City Council from time to time.

SECTION 3. The Committee members shall serve from their date of appointment and swearing in through June 25, 2020, at which time the Committee shall dissolve. No dissolving resolution shall be necessary.

SECTION 4. The Committee shall report its activities to the City Council on not less than a quarterly basis until presentation of its final report. The Committee shall present its final written report on or before June 25, 2020.

SECTION 5. The Committee shall establish its rules of procedures and a schedule for regular meetings subject to the following:

- A. The quorum for the Committee shall be seven (7), inclusive of the Chairperson;
- B. Approval of any matter by the Committee shall require the affirmative vote of a majority of the voting members present;
- C. All ex-officio members shall have the right to participate in deliberations of the Committee, but shall not be entitled to vote;
- D. The Committee shall have two officers, a Chair and Vice-Chair. The Chair shall preside at the meetings of the Committee, and the Vice-Chair shall assume this role in absence of the Chair. The officers shall be elected at the first meeting of the Committee by majority vote of the voting members and shall serve until the date of dissolution of the Committee.; and
- E. The Committee shall comply with the provisions of the Texas Open Meetings Act to the same extent as the City's standing committees.

SECTION 6. The City, through the City Manager, shall provide such clerical and staffing support to the Committee as the City Manager deems reasonable and necessary to allow the Committee to perform its purposes or as otherwise determined by the City Council.

SECTION 7. This Resolution shall take effect immediately upon its passage.

PASSED AND APPROVED this the 27th day of June 2019.

APPROVED:

Michael Barnhart, Mayor

ATTEST:

Codi Delcambre, TRMC, City Secretary

APPROVED AS TO FORM

Kevin B. Laughlin, City Attorney
(kbl:6/20/19:108944)



**CITY COUNCIL
AGENDA MEMO**

Prepared By: Jeremy Tennant, Director of Development Services

June 27, 2019

Appointments to the Rental Registration Program Committee

DESCRIPTION:

Consider and act on a Resolution appointing members to the various positions of the Rental Registration Program Committee; and providing an effective date.

BACKGROUND INFORMATION:

The City Council passed a resolution earlier this evening creating a Rental Registration Program Committee. The item is for the appointment of members to the committee that has thirteen (13) specific stakeholder slots, as shown below. The committee will also consist of any needed city staff members to assist the committee.

Current Openings:

<u>Name</u>	<u>Position</u>
_____	(1) Landlord of Residential Property
_____	(2) Landlord of Residential Property
_____	(3) Landlord of Residential Property
_____	Landlord of Residential Property
_____	Homeowner
_____	Homeowner
_____	Tenant of Residential Property
_____	Tenant of Residential Property
_____	Residential Multifamily Property Manager
_____	Licensed Texas Realtor
_____	Licensed Texas Realtor
_____	HOA Representative
_____	HOA Representative

Staff created an application, that was approved by city council, and was made available to the public from May 2 – 31, 2019. The application was emailed out to individuals who had attended the January 2019 stakeholder meetings and had given us an email address. Hard copies of the application were placed in the City Hall Lobby, and the application was placed on the website and push out on social media. Below are the names of the individuals that submitted an application, along with the specific stakeholder slot they checked on their form. Their applications are attached.

Applications received:

Linda Barnard	(Landlord of Residential Property)
W.E. Tisdale “Gene”	(Landlord of Residential Property)
Keith E. Kellermeyer	(Homeowner)
Ivan Alvarez	(Tenant of Residential Property)
Linda Morone	(Tenant of Residential Property)
William Houston Jones	(Residential Multifamily Property Manager)
Laird Lind	(Licensed Texas Realtor)
Derina Malone	(Licensed Texas Realtor)
Margaret McCarty	(HOA Representative)

FINANCIAL CONSIDERATION:

None

RECOMMENDED MOTIONS:

I move to **approve/deny** the slate of individuals appointed by the city council to serve on the Rental Registration Program Committee.

ATTACHMENT(S):

1. Resolution
2. Applications

CITY OF LAKE DALLAS, TEXAS
RESOLUTION NO. 06272019-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS APPOINTING MEMBERS TO THE RENTAL REGISTRATION PROGRAM AD HOC COMMITTEE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Lake Dallas, Texas, finds it to be in the public interest to make appointments to appoint the members of the Rental Registration Program Ad Hoc Committee;

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 Rental Registration Program Ad Hoc Committee with terms ending as follows:

<u>Name</u>	<u>Position</u>
Linda Barnard	Residential Property Landlord – Place 1
W.E. “Gene” Tisdale	Residential Property Landlord – Place 2
	Residential Property Landlord – Place 3
	Residential Property Landlord – Place 4
Keith E. Kellermeyer	Residential Owner-Occupant -Place 1
	Residential Owner-Occupant -Place 2
Ivan Alvarez	Residential Property Tenant – Place 1
Linda Morone	Residential Property Tenant – Place 2
William Houston Jones	Residential Multifamily Property Manager
Laird Lind	Licensed Texas Realtor – Place 1
Derina Malone	Licensed Texas Realtor– Place 2r
Margaret MCarty	HOA Representative – Place 1
	HOA Representative – Place 2

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

PASSED AND APPROVED this the 27th day of June 2019.

APPROVED:

Michael Barnhart, Mayor

ATTEST:

Codi Delcambre, TRMC, City Secretary

APPROVED AS TO FORM

Kevin B. Laughlin, City Attorney

(kbl:12/6/17:93820)



CITY COUNCIL
AGENDA MEMO

Prepared By: Daniel Carolla, Chief of Police

June 27, 2019

Golf Cart Use on Public Streets

DESCRIPTION:

Receive a report and hold a discussion regarding the use of golf carts on public streets in the City of Lake Dallas.

BACKGROUND INFORMATION:

Mr. Collin Sanders has asked the governing body of the City of Lake Dallas for a discussion about operating golf carts on public streets in the City limits. The Texas Transportation Code Sec. 551.403 allows for limited operation of a golf cart:

- 1) In a master planned community that has in place a uniform set of restrictive covenants; and for which a county or municipality has approved a plat;
- 2) on a public or private beach; or
- 3) on a public highway for which the posted speed limit is not more than 35 miles per hour, if the golf cart is operated: during the daytime; and not more than two miles from the location where the golf cart is usually parked and for transportation to or from a golf course.

The Texas Department of Transportation or a county or municipality may prohibit the operation of a golf cart on a public highway if the department or the governing body of the county or municipality determines that the prohibition is necessary in the interest of safety.

Sec. 551.404 allows for operation in municipalities. In addition to the operation authorized by Sec. 551.403, the governing body of a municipality may allow an operator to operate a golf cart on all or part of a public highway that: is in the corporate boundaries of the municipality; and has a posted speed limit of not more than 35 miles per hour. Vehicles authorized under this section must have headlamps, taillamps, reflectors, parking brake, and mirrors.

Staff has attached ordinances from other jurisdictions to give council an idea on how they regulate the operation of golf carts on public streets.

Neighborhood electric vehicles and all-terrain vehicles are governed under different laws and are not part of this discussion.

FINANCIAL CONSIDERATION:

None, discussion only

RECOMMENDED MOTIONS:

None, discussion only.

ATTACHMENT(S):

1. Texas Transportation Code Sec. 551.401-405
2. Ordinances from other cities

SUBCHAPTER F. GOLF CARTS AND UTILITY VEHICLES

Sec. 551.401. DEFINITIONS. In this subchapter:

(1) "Golf cart" and "public highway" have the meanings assigned by Section [502.001](#).

(2) "Utility vehicle" means a motor vehicle that is not a golf cart or lawn mower and is:

(A) equipped with side-by-side seating for the use of the operator and a passenger;

(B) designed to propel itself with at least four tires in contact with the ground;

(C) designed by the manufacturer for off-highway use only; and

(D) designed by the manufacturer primarily for utility work and not for recreational purposes.

Added by Acts 2009, 81st Leg., R.S., Ch. 1136 (H.B. [2553](#)), Sec. 10, eff. September 1, 2009.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 1296 (H.B. [2357](#)), Sec. 239, eff. January 1, 2012.

Sec. 551.402. REGISTRATION NOT AUTHORIZED. (a) The Texas Department of Motor Vehicles may not register a golf cart for operation on a public highway regardless of whether any alteration has been made to the golf cart.

(b) The Texas Department of Motor Vehicles may issue license plates for a golf cart as authorized by Subsection (c).

(c) The Texas Department of Motor Vehicles shall by rule establish a procedure to issue the license plates to be used for operation in accordance with Sections [551.403](#) and [551.404](#).

(d) The Texas Department of Motor Vehicles may charge a fee not to exceed \$10 for the cost of the license plate.

Added by Acts 2009, 81st Leg., R.S., Ch. 1136 (H.B. [2553](#)), Sec. 10, eff. September 1, 2009.

Amended by:

Acts 2013, 83rd Leg., R.S., Ch. 877 (H.B. [719](#)), Sec. 1, eff. June 14, 2013.

Acts 2013, 83rd Leg., R.S., Ch. 1135 (H.B. [2741](#)), Sec. 95, eff. September 1, 2013.

Sec. 551.403. LIMITED OPERATION. (a) An operator may operate a golf cart:

(1) in a master planned community:

(A) that has in place a uniform set of restrictive covenants; and

(B) for which a county or municipality has approved a plat;

(2) on a public or private beach; or

(3) on a public highway for which the posted speed limit is not more than 35 miles per hour, if the golf cart is operated:

(A) during the daytime; and

(B) not more than two miles from the location where the golf cart is usually parked and for transportation to or from a golf course.

(b) The Texas Department of Transportation or a county or municipality may prohibit the operation of a golf cart on a public highway if the department or the governing body of the county or municipality determines that the prohibition is necessary in the interest of safety.

Added by Acts 2009, 81st Leg., R.S., Ch. 1136 (H.B. [2553](#)), Sec. 10, eff. September 1, 2009.

Sec. 551.404. OPERATION IN MUNICIPALITIES AND CERTAIN COUNTIES. (a) In addition to the operation authorized by Section [551.403](#), the governing body of a municipality may allow an operator to operate a golf cart on all or part of a public highway that:

(1) is in the corporate boundaries of the municipality; and

(2) has a posted speed limit of not more than 35 miles per hour.

(a-1) In addition to the operation authorized by Section [551.403](#), the commissioners court of a county described by Subsection (a-2) may allow an operator to operate a golf cart or utility vehicle on all or part of a public highway that:

(1) is located in the unincorporated area of the county; and

(2) has a speed limit of not more than 35 miles per hour.

(a-2) Subsection (a-1) applies only to a county that:

(1) borders or contains a portion of the Red River;

(2) borders or contains a portion of the Guadalupe River and contains a part of a barrier island that borders the Gulf of Mexico; or

(3) is adjacent to a county described by Subdivision (2) and:

(A) has a population of less than 30,000; and

(B) contains a part of a barrier island that borders the Gulf of Mexico.

(b) A golf cart or utility vehicle operated under this section must have the following equipment:

(1) headlamps;

(2) taillamps;

(3) reflectors;

(4) parking brake; and

(5) mirrors.

Added by Acts 2009, 81st Leg., R.S., Ch. 1136 (H.B. [2553](#)), Sec. 10, eff. September 1, 2009.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 1296 (H.B. [2357](#)), Sec. 240, eff. January 1, 2012.

Acts 2011, 82nd Leg., R.S., Ch. 1296 (H.B. [2357](#)), Sec. 241, eff. January 1, 2012.

Acts 2013, 83rd Leg., R.S., Ch. 877 (H.B. [719](#)), Sec. 2, eff. June 14, 2013.

Sec. 551.405. CROSSING CERTAIN ROADWAYS. A golf cart may cross intersections, including a road or street that has a posted speed limit of more than 35 miles per hour.

Added by Acts 2009, 81st Leg., R.S., Ch. 1136 (H.B. [2553](#)), Sec. 10, eff. September 1, 2009.

Roanoke City Ordinance

ARTICLE 10.1100 - MOTORIZED GOLF CARTS

Sec. 10.1101. - Applicability.

The provisions of this article shall apply to all motorized carts operated upon a public street or public cart path within the city except:

- (a) The operation of motorized carts are not subject to the provisions of this article under the following circumstances:
 - (1) the operation of motorized golf carts at golf courses, private clubs or on private property, with the consent of the owner, or the operation of motorized carts within gated or limited access communities unless the streets of the community are dedicated for public use and maintained by the city, or the use of a motorized cart in connection with a parade, a festival or other special event provided the consent of the sponsor is obtained and provided such vehicle is only used during such event.
 - (2) The use of motorized carts by the city on official police business or the use of motorized carts by city personnel for official business on city owned property and city leased property.

([Ord. No. 2015-102, § 2, 2/10/2015](#))

Sec. 10.1102. - Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this article, except where the context clearly indicates a different meaning.

Driver means the person driving and having physical control over the motorized cart.

Driver's license means an authorization issued by a state for the operation of a motor vehicle. The term includes:

- (1) A temporary license or instruction permit; and
- (2) An occupational license.

Motorized cart means those electric and gasoline powered carts, commonly referred to as golf carts, but which must have a minimum of four (4) wheels and which have an attainable top speed not greater than twenty-five (25) miles per hour on a paved level surface and which is manufactured in compliance with those federal motor vehicle safety standards for low-speed vehicles. Specifically excluded from this definition are those motorized conveyances commonly referred to as ATVs, four-wheelers, mules, and gators.

Owner means the person holding title to the motorized cart.

Parking area means those areas accessible to the public by motor vehicular traffic and which are designated for temporary parking of motor vehicles, usually in places referred to as parking lots.

Permit means a certificate/decal of authorization issued to the applicant authorizing the operation of the motorized cart for which the permit was issued. The decal will display the month and year of expiration.

Permit holder means the person to whom a motorized cart permit has been issued.

Public cart path means an improved path designed for the sole movement of a golf cart which is available for use by the general public.

Sidewalk means the portion of a street that is between a curb or lateral line of a roadway and the adjacent property line and intended for pedestrian use.

Roanoke City Ordinance

Slow-moving-vehicle-emblem means a triangular emblem that conforms to standards and specifications adopted by the director under Section 547.104 of the Texas Transportation Code and displayed in accordance with Section 547.703 of the Texas Transportation Code.

Street means the public roadways of the city that have a posted speed limit of thirty-five (35) miles per hour or less; and is not designated as part of either the state or federal highway system.

Trafficway is any land way open to the public as a matter of right or custom for moving persons or property from one (1) place to another. The trafficway includes all property, both improved and unimproved, between the property lines of a roadway system.

Working days shall mean Monday through Friday excluding city holidays.

([Ord. No. 2015-102, § 2, 2/10/2015](#))

Sec. 10.1103. - Electric and gasoline motorized cart required equipment.

- (a) In accordance with section 551.404(b) of the Texas Transportation Code, every motorized cart required to be permitted under section must be equipped with the following equipment:
 - (1) Operational headlamps (two (2) required);
 - (2) Operational tail lamps (two (2) required);
 - (3) Side reflectors (two (2) front: amber in color and two (2) rear: red in color);
 - (4) Operational parking brake;
 - (5) Rearview mirror(s) (capable of a clear unobstructed view of at least two hundred (200) feet to the rear); and
 - (6) Slow-moving vehicle emblem.
- (b) All required equipment shall meet Texas and Federal Motor Vehicle Safety Standards.

([Ord. No. 2015-102, § 2, 2/10/2015](#) ; Ord. No. [2018-104](#), § 2, 2/13/2018)

Sec. 10.1104. - Gasoline carts.

Every motorized cart powered by gasoline shall at all times be equipped with an exhaust system in good working order and in constant operation and meeting the following specifications:

- (a) The exhaust system shall include the piping leading from the flange of the exhaust manifold to and including the muffler and exhaust pipes or including any and all parts specified by the manufacturer.
- (b) The exhaust system and its elements shall be securely fastened with brackets or hangers, which are designed for the particular purpose of fastening motorized cart exhaust systems.
- (c) The engine and powered mechanism of every motorized cart shall be so equipped, adjusted and tuned so that the exhaust is in good working order.
- (d) It shall be unlawful for the owner of any motorized cart to operate or permit the operation of such cart on which any device controlling or abating atmospheric emissions which is placed on a cart by the manufacturer is rendered unserviceable by removal, alteration or which interferes with its operation.

([Ord. No. 2015-102, § 2, 2/10/2015](#))

Sec. 10.1105. - Operational regulations.

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- (a) A driver with a valid permit from the City of Roanoke or Town of Trophy Club may operate a motorized cart on the streets of the city with a posted speed limit of not more than thirty-five (35) miles per hour.
- (b) All drivers of motorized carts shall hold a valid driver's license and shall abide by all traffic regulations applicable to vehicular traffic when using the authorized streets and parking areas of the city.
- (c) All drivers must carry evidence of financial responsibility consistent with Section 601.051 of the Texas Transportation Code, as amended, for operation of motor vehicles.
- (d) Motorized carts shall not be operated on any sidewalk, pedestrian walkway, jogging path, park trail, or any location normally used for pedestrian traffic except for official police business or by city personnel conducting a required job function directly related to their assigned duties.
- (e) No person may operate a motorized cart upon any street or portion of a street or trafficway having a posted speed greater than thirty-five (35) miles per hour, except when crossing said roadway in accordance with this article.
- (f) All motorized carts are entitled to a full use of a lane on the authorized streets and parking areas of the city and no motor vehicle shall be driven in such a manner as to deprive any motorized cart of the full use of a lane.
- (g) The driver of a motorized cart shall not overtake and pass in the same lane occupied by the motor vehicle being overtaken.
- (h) No driver shall operate a motorized cart between lanes of traffic or between adjacent lines or rows of vehicles.
- (i) The driver of a motorized cart with a current and valid Texas driver's license operating the cart on a street (as defined herein) may cross a multi-lane or a federal, county or state route only at an intersection controlled by an official traffic control device which stops traffic from all directions.
- (j) The number of occupants in a motorized cart shall be limited to the number of persons for whom factory seating is installed and provided on the motorized cart. The operator and all occupants shall be seated upon the seat of the motorized cart and no part of the body of the operator or occupant shall extend outside the perimeter of the motorized cart while the motorized cart is being operated. The operator shall not permit any occupant of the cart to ride in the lap of any occupant while the cart is in motion.
- (k) Children must be properly seated while a cart is in motion and may not be transported in a reckless or negligent manner. No person younger than six (6) years of age may be transported in a motorized cart unless restrained by a safety belt restraint.
- (l) Motorized carts may only be parked in the same manner and at the same places designated for the parking of motor vehicles. The stopping, standing or parking of motorized carts in areas where parking is not allowed or in any place that impedes the flow of traffic, pedestrian walkways or a passageway is prohibited. Motorized carts shall not park within any space designated for disabled persons unless a current disabled parking placard is displayed and the person to whom the placard was issued is operating or being transported by said cart.
- (m) Motorized carts may not be used for the purpose of towing another cart, trailer or vehicle of any kind including a person on roller skates, skateboard or bicycle.

([Ord. No. 2015-102, § 2, 2/10/2015](#))

Sec. 10.1106. - Liability.

- (a) Nothing in this section shall be construed as an assumption of liability by the city for any injuries to persons, pets or property which may result from the operation of a motorized cart by a driver.

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- (b) Owners are fully liable and accountable for the actions of any individual that they provide permission to operate and drive said motorized cart, both on personal and/or city and public properties. This described liability responsibility includes personal injuries or property damage resulting from motorized cart drivers who are minors under the age of twenty-one (21) with or without a current and valid Texas driver's license.

([Ord. No. 2015-102, § 2, 2/10/2015](#))

Sec. 10.1107. - Permit required.

- (a) No person shall operate, cause to be operated, or allow the operation of a motorized cart on a street unless a valid permit has been issued for that motorized cart by the City of Roanoke or by the Town of Trophy Club, Texas, unless otherwise allowed by law.
- (b) Application for a permit authorizing the operation of a motorized cart shall be made by a person who owns, leases, or otherwise uses a motorized cart. Such application shall be made in writing to the chief of police or his designee on a form designated for that purpose. On such application shall be set forth the following:
 - (1) The application shall include the name, address, telephone number and state driver's license number, if applicable, of the permit holder.
 - (2) The application shall include the street address where the motorized cart is kept, including the particular suite or apartment number if applicable.
 - (3) The application shall include any business name used for the premises where the motorized cart is kept.
 - (4) The application shall include year, make, model, color, vehicle identification number (VIN) or serial number if no VIN has been issued to the motorized cart.
 - (5) The application shall include evidence of financial responsibility consistent with Section 601.051 of the Texas Transportation Code, as amended, for operation of motor vehicles.
 - (6) The motorized cart shall be inspected by a person(s) and at a location designated by the chief of police to ensure compliance with requirements of this article before the issuance of a permit.
 - (7) The permit shall be permanently affixed on the left side of the cart in such a manner that it is clearly visible from fifty (50) feet. The permit must not be damaged, altered, obstructed, or otherwise made illegible. The permit holder shall apply for replacement permit and pay all applicable cost associated with the issuance and inspection of the cart.
 - (8) The permit shall only be placed upon the motorized cart for which it was issued.
 - (9) A permit issued to a motorized cart shall become invalid if the motorized cart is altered in any manner that fails to comply with any requirement of this article.
- (c) Permits/stickers are valid for a period of two (2) years. The following fees shall apply:
 - (1) Inspection by police department: Twenty-five dollars (\$25.00) (includes permit/sticker).
 - (2) Re-inspection by police department: Ten dollars (\$10.00) (if a cart fails the initial inspection).
- (d) The permit holder shall notify the police department within ten (10) working days if the motorized cart transfers ownership, or the address of the normal storage location has changed. The information shall be submitted on a form designated by the chief of police.
- (e) Lost or stolen permit/stickers are the responsibility of the owner. A police report must be filed in the event of a lost or stolen permit/sticker. If no record can be found of a previous application, or the receipt of a permit/sticker, the chief of police may direct the applicant to reapply, and also resubmit any and all fees necessary, before a replacement permit/sticker is issued.

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- (f) Any person who operates a cart and fails to receive and properly display a city permit/sticker will be subject to all applicable state laws, in addition to being in violation of this article.
- (g) A permit may be revoked at any time by the chief of police or designee if there is evidence that the permit holder cannot safely operate a motorized cart on the roadway of streets within the city or the motorized cart fails to comply with the requirement of this article. For purposes of this section, the commission of any of the violations described in section 10.1105 constitutes evidence that the permit holder cannot safely operate a motorized cart on the street within the city.

([Ord. No. 2015-102, § 2, 2/10/2015](#))

Sec. 10.1108. - Penalty for violations.

Violation of this article shall be a misdemeanor and punished by a fine as provided for in the general penalty provision found in section 1.106. Each day of violation shall constitute a separate offense.

([Ord. No. 2015-102, § 2, 2/10/2015](#))

Golf Cart Use in the City of McKinney

Learn What's Legal

The City of McKinney follows the [state regulations](#) regarding golf carts. Golf carts are allowed on public roads in McKinney when certain criteria are met.

- **A golf cart may not be operated on a sidewalk.**
- **A golf cart is allowed on a public roadway when:**
 - Operated in compliance within a master planned community, such as Stonebridge Ranch, Eldorado, Craig Ranch and Custer West.
 - Or, operated for traveling to and from a golf course during daytime within two miles of the location where the golf cart is kept, usually the owner's residence.
- **A golf cart may only be operated on roadways:**
 - Where the posted speed limit of the street is 35 mph or less. There are two exceptions to this rule. First, the posted speed limit does not apply when the golf cart is operated in compliance within a master planned community. Second, a golf cart may cross intersections that include a street with a posted speed limit of more than 35 mph.
- **A golf cart must have:**
 - A slow-moving vehicle emblem affixed to the rear and be built in compliance with applicable federal regulations. **Registration, inspection and insurance are specifically waived under state law.**
- **A driver of a golf cart must:**
 - Possess a valid driver license.
 - Follow the same traffic laws as cars, including regulatory signs and the use of directional or hand signals when making turns and stops.

Enforcement

The McKinney Police Department may issue a traffic citation against any person the officer has probable cause to believe has violated these or other regulations, whether the offending person is a juvenile or adult.

AN ORDINANCE OF THE CITY OF FRISCO, TEXAS, AMENDING CHAPTER 90 (TRAFFIC AND VEHICLES) OF THE FRISCO CODE OF ORDINANCES BY ADDING A NEW ARTICLE X (OPERATION OF GOLF CARTS ON PUBLIC STREETS); REGULATING THE OPERATION OF GOLF CARTS ON PUBLIC STREETS; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the Legislature of the State of Texas has recently amended the Transportation Code to allow for the operation of golf carts within municipalities under certain conditions; and

WHEREAS, the Texas Transportation Code grants to municipalities the authority to control the operations of motor vehicles using its streets and to prescribe reasonable and safe restrictions related to the stopping, standing and parking of vehicles; and

WHEREAS, the Legislature also permitted municipalities to prohibit the operation of golf carts on a public highway if the governing body of the municipality determines that the prohibition is necessary in the interest of safety; and

WHEREAS, the City Council of the City of Frisco, Texas (the "City Council") has investigated and determined that the prohibitions set forth in this ordinance are necessary in the interest of safety; and

WHEREAS, the City Council has further investigated and determined that it would be advantageous and beneficial to the citizens of the City of Frisco, Texas ("Frisco") and in the best interest of the public health, safety and welfare of the citizens and the public to establish regulations for the operation of golf carts as set forth below.

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

SECTION 1. Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2. Amendment to Chapter 90 (Traffic and Vehicles) of the Frisco Code of Ordinances. Chapter 90 (Traffic and Vehicles) of the Frisco Code of Ordinances is amended to add a new Article X to read as follows:

"ARTICLE X. OPERATION OF GOLF CARTS ON PUBLIC STREETS

Sec. 90-255 Definitions.

The following words, terms, and phrases, when used in this article shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Golf Cart means a motor vehicle designed by the manufacturer primarily for transporting persons on a golf course.

Public Safety Personnel means any employee or officer of a governmental law enforcement agency or the Frisco Fire Department.

Public Street means a publicly-owned or dedicated road, street, drive, or other right-of-way for the use of vehicles within the corporate boundaries of the City of Frisco.

Sec. 90-256 Golf Carts Permitted and Restricted.

A person, other than Public Safety Personnel, may operate a golf cart on a public street if:

- (a) the maximum speed limit on the public street is thirty-five (35) miles per hour or less;
- (b) the person has a valid drivers license;
- (c) the person maintains current financial responsibility for the golf cart, as required of other passenger vehicles in the Texas Transportation Code Section 601.051;
- (d) the person complies with all applicable federal, state, and local laws and ordinances;
- (e) the golf cart has the following equipment:
 - (1) headlamps;
 - (2) tail lamps;
 - (3) reflectors;
 - (4) parking brake;
 - (5) mirrors; and
 - (6) a slow-moving vehicle emblem; and
- (f) while the golf cart is in motion, the driver and every passenger in a golf cart is seated in a seat designed to hold passengers. No person may stand or ride in the lap of the driver and/or other passenger of a golf cart while it is moving.

Sec. 90-257 Public Safety Personnel.

Public Safety Personnel may operate a golf cart on any public street without any further restrictions when the golf cart is used in the performance of his/her duties."

SECTION 3. Penalty Provision. Any person, firm, entity or corporation who violates any provision of this Ordinance, as it exists or may be amended, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined a sum not exceeding Five Hundred Dollars (\$500.00). Each continuing day's violation under this Ordinance shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude Frisco from filing suit to enjoin the violation. Frisco retains all legal rights and remedies available to it pursuant to local, state, and federal law.

SECTION 4. Savings/Repealing Clause. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 5. Severability. Should any section, subsection, clause or phrase of this Ordinance be declared unconstitutional or invalid by any court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Frisco hereby declares that it would have passed this Ordinance, and each section, subsection, clauses and phrases be declared unconstitutional or invalid.

SECTION 6. Effective Date. This Ordinance shall be effective immediately upon its passage and publication as required by law.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS on this 19th day of October, 2010.



Maher Maso

Maher Maso, Mayor

**ATTESTED AND CORRECTLY
RECORDED**

Jenny Page

Jenny Page, City Secretary

APPROVED AS TO FORM:

Claire E. Swann

Abernathy, Roeder, Boyd & Joplin, PC
Claire E. Swann, City Attorneys

Date(s) of publication: October 22 & 29, 2010 *Frisco Enterprise*



**CITY COUNCIL
AGENDA MEMO**

Prepared By: John Cabrales Jr., City Manager

June 27, 2019

Budget Workshop

DESCRIPTION:

Receive a report and hold a discussion regarding the Fiscal Year (FY) 2018-19 and the proposed Budget and Tax Rate for FY 2019-20, including impacts from anticipated changes in law by the Texas Legislature.

BACKGROUND INFORMATION:

The purpose of this item is to provide the City Council with revenue and expenditure trending for fiscal year (FY) 2018-19 and discuss capital improvement program needs.

Section 7.02 of the City Charter requires the City Manager to submit the proposed budget to the City Council and the City Secretary on or before the fifth day of August, unless the City Council has granted an extension. Below is the proposed calendar of dates that staff is planning to hold budget workshops, public hearings and adoption of the budget.

May 23	Budget Workshop
June 13	Budget Workshop
June 27	Budget Workshop
July 11	Budget Workshop
July 25	Budget Workshop
August 8	Budget Workshop
August 8	First Public Hearing on Tax Rate
August 22	Budget Workshop with City Council
August 22	Second Public Hearing on Tax Rate and Budget Hearing
Sept. 12	Adoption of Tax Rate and Budget

Sept. 26	Back up date for Adoption of Tax Rate and Budget
Sept. 30	Last day to adopt a Tax Rate and Budget (Tax Code 26.05 & Local Govt. Code 102.009)

FINANCIAL CONSIDERATION:

FY 2019-20 Proposed Budget will contain the projected revenues and expenses for the City.

RECOMMENDED MOTIONS:

None, discussion only

ATTACHMENT(S):

1. Fleet Replacement Schedule
2. Facilities CIP
3. Parks CIP
4. Technology CIP