



City of Lake Dallas

City Council

Special Called Meeting

City Hall

212 Main Street, Lake Dallas, TX 75065

Thursday, October 3, 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 later on this agenda. 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: None**

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.

### **Section III – Planning & Development: None**

### **Section IV- General Items**

5. Consider and Act on a Resolution authorizing the purchase for the Police Department of a new vehicle from Holiday Chevrolet and equipped through Defender Supply, Inc. through the City's Cooperative Purchasing Agreement with the Tarrant County Purchasing Cooperative.
6. Consider and Act on an Ordinance amending the Lake Dallas Municipal Code, Chapter 102 "Traffic and Vehicle" by adding Article VIII "Golf Carts".
7. Consider and Act on an Ordinance amending the City's Master Fee Schedule by adopting a Golf Cart permit fee.
8. Receive a report and hold a discussion regarding the City's Compensatory Time for exempt employees.

### **Section V – Elected Official Requested Items**

9. 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**

10. Conduct a closed meeting pursuant to Texas Government Code Section 551.074 to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: City Manager.

### **Section VII – Return to Open Session**

11. 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 September 30, 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.

**Anyone wishing to address the City Council on any item posted on the City Council agenda for possible action, including matters placed on the Consent Agenda or posted as a Public Hearing, must complete a Speakers' Request Form available at the entrance to the City Council Chambers and present it to the City Secretary prior to the item being called up on the agenda. Speakers may be limited to five (5) minutes and given only one opportunity to speak on an item.**

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

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Prepared By: Daniel Carolla, Chief of Police

October 3, 2019

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**Purchase of Police Department Fleet Vehicle**

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**DESCRIPTION:**

Consider and Act on a Resolution authorizing the purchase for the Police Department of a new vehicle from Holiday Chevrolet and equipped through Defender Supply, Inc. through the City's Cooperative Purchasing Agreement with the Tarrant County Purchasing Cooperative.

**BACKGROUND INFORMATION:**

The Lake Dallas Police Department requires a fleet of 12 vehicles to further the public safety mission. The fleet consists of five marked patrol vehicles, three administrative vehicles capable of 24 hour a day response in an on-call capacity, school resource officer vehicle, two investigator vehicles, and a command van. For the proper operation of the department, the Police Department needs an additional fleet vehicle to bring the total number of investigator vehicles to two.

**FINANCIAL CONSIDERATION:**

The cost for new Chevrolet Tahoe and related police outfitting totals \$43,048.00

**RECOMMENDED MOTIONS:**

I move to approve a Resolution authorizing the purchase of a new police fleet vehicle from Holiday Chevrolet and related equipment from Defender Supply, Inc.

**ATTACHMENT(S):**

Resolution

Quote #25060 from Defender Supply

**CITY OF LAKE DALLAS, TEXAS  
RESOLUTION NO. 10032019-\_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS,  
AUTHORIZING THE PURCHASE OF A NEW VEHICLE FOR THE POLICE DEPARTMENT  
FROM HOLIDAY CHEVROLET AND EQUIPPED THROUGH DEFENDER SUPPLY, INC.  
THROUGH THE CITY'S COOPERATIVE PURCHASING AGREEMENT WITH THE TARRANT  
COUNTY PURCHASING COOPERATIVE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, City administration, in determining the vehicle needs related to proper operation of the Police Department requires recommends that one additional vehicle to be assigned by use by the Criminal Investigations Division be purchased; and

**WHEREAS**, City staff prepared specifications and requested a quotation from the Tarrant County Purchasing Cooperative for the purchase and equipping of a new police vehicle; and

**WHEREAS**, having evaluated the quotation received and determining a vehicle meeting specification can be purchased from Holiday Chevrolet and equipped by Defender Supply, Inc. through the City's cooperative purchasing agreement with Tarrant County Purchasing Cooperative for the amount of \$43,048.00, City administration recommends such purchase; and

**WHEREAS**, the City Council of the City of Lake Dallas, finds it to be in the public interest to authorize the recommenced purchase.

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

**SECTION 1.** The City Manager is hereby authorized to purchase, on behalf of the City, one (1) police vehicle from Holiday Chevrolet to be equipped by Defender Supply, Inc. through the City's cooperative purchasing agreement with Tarrant County Purchasing Cooperative for \$43,048.00.

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

**PASSED AND APPROVED** this the 3<sup>rd</sup> day of October 2019.

**City of Lake Dallas, Texas**

\_\_\_\_\_  
Michael Barnhart, Mayor

**ATTEST:**

\_\_\_\_\_  
Codi Delcambre, TRMC, City Secretary

**APPROVED AS TO FORM:**

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Kevin B. Laughlin, City Attorney

(kbl:9/16/19:110919)



# DEFENDER SUPPLY

845 West FM 407  
Argyle, TX 76226

|             |                                                              |
|-------------|--------------------------------------------------------------|
| Date        | 4/23/2019                                                    |
| Estimate By | George Severe<br>george@defendersupply.com<br>(903) 564-5641 |



| Bill To                                                                                                           |
|-------------------------------------------------------------------------------------------------------------------|
| Lake Dallas Police Department<br>Chief Daniel Carolla<br>212 Main Street<br>Lake Dallas, TX 75065<br>940-497-2228 |

|                  |                       |
|------------------|-----------------------|
| Customer Contact | Daniel Carolla        |
| Customer Phone   | Finance 940-497-22... |
| Customer E-mail  | dcarolla@lakedalla... |
| Estimate #       | 25060                 |

## 2020 Chevrolet Tahoe 9C1

Vehicle Base Color - White

| Description                                                                                                                                                                                                                                                                                          | Location | Qty. | Cost      | Total     |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|------|-----------|-----------|
| 2020 Chevrolet Tahoe RWD 9C1 Police Pursuit Vehicle with EcoTec3 5.3-liter, Dual Batteries, Heavy Duty Locking Differential, OnStar with Bluetooth Connectivity, Cloth Rear Seat & Front (No Spotlight) (Purchased Through Holiday Chevrolet on the Tarrant County Cooperative Contract # 2016-006). |          | 1    | 33,949.77 | 33,949.77 |
| Options on Vehicle:<br>Color - White<br>Cloth Rear Seat<br>Upgraded Interior Package A95<br>Recovery Tow Hooks V76<br>Aluminum Wheels Q5U<br>Keyless Entry AMF<br>Remote Start BTX<br>Additional Keys 5HP<br>No Spotlight                                                                            |          |      |           |           |
| GM Order #                                                                                                                                                                                                                                                                                           |          |      |           |           |
| Vin #                                                                                                                                                                                                                                                                                                |          |      |           |           |
| Customer PO #                                                                                                                                                                                                                                                                                        |          |      |           |           |
| Vehicle Titled as:<br>City of Lake Dallas<br>212 Main Street<br>Lake Dallas, TX 75065                                                                                                                                                                                                                |          |      |           |           |
| 2 Year Texas State Inspection Certificate                                                                                                                                                                                                                                                            |          | 1    | 7.00      | 7.00      |
| Whelen Inner Edge for 2015+ Chevy Tahoe 9C1, Suburban, 2014+ Chevy Silverado-1500/2500/3500, Twelve 6-LED DUO™ Lamps, Upper Front Unit, Two Piece, Individual Driver and Passenger Side Units                                                                                                        |          | 1    | 1,006.52  | 1,006.52  |
| Whelen HHS3200 Hand Held Siren/Light Controller                                                                                                                                                                                                                                                      |          | 1    | 395.00    | 395.00    |
| Whelen 100 Watt Speaker                                                                                                                                                                                                                                                                              |          | 1    | 108.90    | 108.90    |
| Whelen Behind the Grill Siren Speaker Bracket - 2017+ Tahoe, Driver Side                                                                                                                                                                                                                             |          |      | 23.82     | 23.82     |
| Whelen Solid State Chevrolet Tahoe Headlight/Taillight Flasher                                                                                                                                                                                                                                       |          | 1    | 63.56     | 63.56     |
| Whelen ION™ Series LED, Red with Universal Clip Mounts - Mounted in Front Grill                                                                                                                                                                                                                      |          | 2    | 82.50     | 165.00    |
| Whelen ION™ Series LED, Blue with Universal Clip Mounts - Mounted in Front Grill                                                                                                                                                                                                                     |          | 2    | 82.50     | 165.00    |

### Vehicle and Emergency Equipment Total

Final sale amount may be subject to state and local sales tax. PLEASE NOTE: Once this estimate has been approved, either by signature on this form, written approval referencing the estimate number or the issuance of purchase order, any changes or cancellations of parts made by the customer are subject to a 25% restocking fee. Any additional customer-requested parts/services will be added to the total amount of the sale.

Quantity Ordered

1

**Total Vehicle Order Cost**

**\$43,048.00**



# DEFENDER SUPPLY

845 West FM 407  
Argyle, TX 76226

|             |                                                              |
|-------------|--------------------------------------------------------------|
| Date        | 4/23/2019                                                    |
| Estimate By | George Severe<br>george@defendersupply.com<br>(903) 564-5641 |



| Bill To                                                                                                           |
|-------------------------------------------------------------------------------------------------------------------|
| Lake Dallas Police Department<br>Chief Daniel Carolla<br>212 Main Street<br>Lake Dallas, TX 75065<br>940-497-2228 |

|                  |                       |
|------------------|-----------------------|
| Customer Contact | Daniel Carolla        |
| Customer Phone   | Finance 940-497-22... |
| Customer E-mail  | dcarolla@lakedalla... |
| Estimate #       | 25060                 |

## 2020 Chevrolet Tahoe 9C1

Vehicle Base Color - White

| Description                                                                                                                                                                 | Location | Qty. | Cost    | Total  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|------|---------|--------|
| Whelen ION™ Grille Mount Brackets for (2) Two ION's Mounted Side by Side for 2015+ Chevy Tahoe 9C1                                                                          |          | 2    | 17.225  | 34.45  |
| Whelen ION™ Surface Mount LED Lighting – Red/Blue Split Head - Mounted on Running Boards                                                                                    |          | 4    | 71.1475 | 284.59 |
| Whelen Dual Avenger II Solo Combination Linear/TIR Super-LED® Series in Red/Blue - Mounted in Rear Side Glass                                                               |          | 2    | 162.215 | 324.43 |
| Whelen 8 Lamp Tray, Low Current, Choose 8 Solo Lighthead and Vehicle Specific Housing                                                                                       |          | 1    | 755.04  | 755.04 |
| Whelen Solo Light Head, RED, for FST and RST Series. No Charge when ordered with Inner Edge Tray                                                                            |          | 4    | 0.00    | 0.00   |
| Whelen Solo Light Head, Blue, for FST and RST Series. No Charge when ordered with Inner Edge Tray.                                                                          |          | 4    | 0.00    | 0.00   |
| Whelen InnerEdge RST 8/10-LT for 2015+ Chevrolet Tahoe                                                                                                                      |          | 1    | 0.00    | 0.00   |
| Whelen Vertex Hide-away LED, Red/Blue Split - Mounted in Rear Reverse Lights                                                                                                |          | 2    | 67.10   | 134.20 |
| Whelen ION red (1) and ION blue (1) mounted on rear license plate bracket                                                                                                   |          | 1    | 183.71  | 183.71 |
| Motorola APX 4500 - One Piece Radio - 800Mhz - Mounted in Console                                                                                                           |          |      |         |        |
| Two Way 800 MHZ Radio Antenna & Coax Cable - Roof Mount                                                                                                                     |          | 1    | 74.49   | 74.49  |
| Window Tint - For Two Front Windows                                                                                                                                         |          | 1    | 80.00   | 80.00  |
| Compartment Light, Split Red/White - Mounted on Rear Liftgate                                                                                                               |          | 2    | 48.71   | 97.42  |
| Whelen ION™ T-Series™ Linear Super-LED® Surface Mount in Red/Blue Split Head Lights - Mounted on Bottom of Rear Liftgate                                                    |          | 2    | 80.19   | 160.38 |
| Bayco NightStick Xtreme Lumens Metal Multi-Function Rechargeable Police Duty LED Dual-Light with Report Writing Light & Vehicle Charger Sleeve - Mounted in Rear Cargo Area |          | 1    | 109.00  | 109.00 |
| Go Industries Single Level Law Enforcement Storage System Constructed of Black Powder Coat 16 Gauge Steel for Chevrolet Tahoe 9C1, PPV & SSV- 43" W X 32" D X 12" H         |          | 1    | 800.00  | 800.00 |

### Vehicle and Emergency Equipment Total

Quantity Ordered

1

**Total Vehicle Order Cost**

**\$43,048.00**

Final sale amount may be subject to state and local sales tax. PLEASE NOTE: Once this estimate has been approved, either by signature on this form, written approval referencing the estimate number or the issuance of purchase order, any changes or cancellations of parts made by the customer are subject to a 25% restocking fee. Any additional customer-requested parts/services will be added to the total amount of the sale.



|                        |                           |
|------------------------|---------------------------|
| <b>Date</b>            | 4/23/2019                 |
| <b>Estimate<br/>By</b> | George Severe             |
|                        | george@defendersupply.com |
|                        | (903) 564-5641            |



| Bill To                                                                                                           |
|-------------------------------------------------------------------------------------------------------------------|
| Lake Dallas Police Department<br>Chief Daniel Carolla<br>212 Main Street<br>Lake Dallas, TX 75065<br>940-497-2228 |

|                         |                       |
|-------------------------|-----------------------|
| <b>Customer Contact</b> | Daniel Carolla        |
| <b>Customer Phone</b>   | Finance 940-497-22... |
| <b>Customer E-mail</b>  | dcarolla@lakedalla... |
| <b>Estimate #</b>       | 25060                 |

## 2020 Chevrolet Tahoe 9C1

Vehicle Base Color - White

[illegible]

|                                              |                    |
|----------------------------------------------|--------------------|
| <b>Vehicle and Emergency Equipment Total</b> | <b>\$43,048.00</b> |
|----------------------------------------------|--------------------|

|                  |   |
|------------------|---|
| Quantity Ordered | 1 |
|------------------|---|

**Total Vehicle Order Cost** **\$43,048.00**

Page 3

SIGNATURE \_\_\_\_\_



CITY COUNCIL  
AGENDA MEMO

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Prepared By: Daniel Carolla, Chief of Police

October 3, 2019

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**Golf Cart Ordinance**

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**DESCRIPTION:**

Consider and Act on an Ordinance amending the Lake Dallas Municipal Code, Chapter 102 "Traffic and Vehicle" by adding Article VIII "Golf Carts"..

**BACKGROUND INFORMATION:**

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.

**FINANCIAL CONSIDERATION:**

The fee for each golf cart permit will be \$25.00. A golf cart permit is valid for two years.

**RECOMMENDED MOTIONS:**

I move to approve/deny an Ordinance authorizing golf cart permits to be issued and permitted golf carts to be allowed to operate on certain City streets.

**ATTACHMENT(S):**

1. Ordinance

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS AMENDING THE LAKE DALLAS MUNICIPAL CODE, CHAPTER 102 "TRAFFIC AND VEHICLE" BY ADDING ARTICLE VIII "GOLF CARTS"; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED \$500.00 PER OFFENSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council finds it to be necessary for the protection of public safety to prohibit the operation of golf carts on public streets within the City in the absence of regulations that promote the safe use and operation of such vehicles on public streets; and

**WHEREAS**, the City Council of the City of Lake Dallas, Texas, finds it to be in the public interest to amend the Lake Dallas Municipal Code to provide for the regulation of golf carts operating on public streets within the City;

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

**SECTION 1.** The Lake Dallas Municipal Code Chapter 102 "Traffic and Vehicles" is amended by adding Article VIII titled "Golf Carts" to read as follows:

**ARTICLE VIII  
GOLF CARTS**

**102-401. Definitions**

When used in this Article, the following words and phrases shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

Daytime. Means the period beginning one-half hour before sunrise and ending one-half hour after sunset.

Driver. The person driving and having physical control over a golf cart.

Driver's license. An authorization issued by a state for the operation of a motor vehicle.

Golf cart. A motor vehicle designed by the manufacturer primarily for use on a golf course.

Owner. The person holding title to the golf cart.

Parking area. 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. A certificate/decal of authorization issued to the applicant/owner by the City's police department authorizing the operation of the golf cart for which the permit was issued. The decal will display the month and year of expiration.

Permit holder. The person to whom a golf cart permit has been issued.

Public safety personnel. Any employee or officer of a governmental law enforcement agency or the City's fire department, or people serving as volunteers with the City's police department auxiliary.

Public way or public property. Real property owned, leased or controlled by a political subdivision of the state, a governmental entity or agency, or similar entity, or any property that is publicly owned or maintained or dedicated to public use, including but not limited to a path, trail, sidewalk, alley, street or highway, and a public park facility.

Public street. A publicly owned or dedicated road, street, drive, alley or other right-of-way for the use of vehicles within the City's corporate boundaries.

Sidewalk. 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.

Slow-moving vehicle emblem. A triangular emblem that conforms to standards and specifications adopted by the director of the Texas Department of Transportation pursuant to Texas Transportation Code Section 547.104 and is displayed in compliance with of the Texas Transportation Code Section 547.703.

Texas Transportation Code. The code as it currently exists or may be amended.

## **Sec. 102-402 Permitted and restricted**

No person, other than public safety personnel, may operate a golf cart on a public street and/or public parking area unless the person first obtains a permit in accordance with this Article and complies with the following:

- (1) The maximum speed limit on the public street on which the golf cart is operated is thirty-five (35) miles per hour or less;
- (2) The person has been issued and possesses a valid driver's license;

(3) The person maintains current financial responsibility relating to operation of the golf cart as required for the operation of passenger vehicles in accordance with Texas Transportation Code Section 601.051 or other liability insurance relating to operation of a golf cart that provides substantially the same coverage and with limits not less than those required by Texas Transportation Code Section 601.051;

(4) The person complies with all applicable federal, state and local laws and ordinances applicable to the operating and equipping a golf cart including displaying a license plate issued under Texas Transportation Code Section 551.402.

(5) The golf cart being operated by the person is equipped with the following equipment, which must continuously remain in good working and operational order:

(A) Two (2) headlamps;

(B) Two (2) tail lamps;

(C) Turn signals visible from both the front and the rear of the vehicle;

(D) Side reflectors (two (2) front, amber in color and two (2) rear, red in color);

(E) Parking brake;

(F) Rearview mirror(s) capable of a clear, unobstructed view of at least two hundred feet (200') to the rear;

(G) Slow-moving vehicle emblem located on the rear of the vehicle;

(H) Seat belts in numbers equal to the number of passengers for which the vehicle is rated by the vehicle's manufacturer; and

(6) The golf cart being operated otherwise complies with all applicable state and federal motor vehicle safety standards, as they exist or may be amended;

(7) The golf cart is being operated on a public street only during daytime hours;

(8) While the golf cart is in motion, the driver and every passenger are seated, with a seat belt dedicated and designed to hold passengers. No person may stand or ride in the lap of the driver and/or another passenger of a golf cart while it is being operated on a public street; and

(9) The person is not operating the golf cart on any portion of E. Swisher Road or W Swisher Road, except to cross at the intersection of Swisher Road and N Shady Shores Road.

**Sec. 102-403 Additional operational regulations for all golf carts**

(a) Except for public safety personnel or as provided by other ordinances, no person shall operate a golf cart on or within any public park, public sidewalk, public pedestrian walkway, public jogging path, public park trail or any other location on publicly owned or controlled property normally used for pedestrian traffic.

(b) The driver shall move the golf cart to the right of the public street and yield the right-of-way to faster-moving vehicles.

(c) The driver shall not overtake and pass in the same lane occupied by the vehicle being overtaken.

(d) No driver shall operate a golf cart between lanes of traffic or between adjacent lines or rows of vehicles.

(e) A driver operating a golf cart on a public street shall cross a multi-lane federal, county or state route only at an intersection controlled by an official traffic-control device which stops traffic from all directions.

(f) No driver shall operate a golf cart if the number of occupants in the golf cart, including the driver, exceeds the number of seat belts installed and provided on the golf cart.

(g) The driver and all passengers in a golf cart must be wearing a seat belt while the golf cart is in motion.

(h) Golf carts may not be used for the purpose of towing another golf cart, trailer or vehicle of any kind including, without limitation, a person on roller skates, skateboard or bicycle.

**Sec. 102-404 Liability**

(a) Nothing in this Article shall be construed as an assumption of liability by the City for any injuries (including death) to persons, pets or property which may result from the operation of a golf cart by an authorized driver.

(b) An owner of a golf cart is liable for the intentional or negligent actions of any person to whom the owner grants permission to operate the owner's golf cart whether such operation occurs on private property and/or any authorized public street or public

parking area, and includes, but is not limited to liability for personal injuries (including death) or property damage resulting from the acts of a person under the age of twenty-one (21) who operates the owner's golf cart whether or not possessing a current and valid driver's license.

**Sec. 102-405 Permit required**

(a) No person shall operate, cause to be operated, or allow the operation of a golf cart on any authorized public street or public parking area unless a valid permit has been issued for the golf cart pursuant to this Section. It shall be a defense to a violation of this Section that operation is otherwise allowed by federal or state law or other City ordinance exempting such operation from the regulations of this Article.

(b) Application for a permit authorizing the operation of a golf cart shall be made by a person who owns, leases or otherwise uses the golf cart for which the permit is sought. Such application shall be made in writing to the City's police department on a form designated for that purpose. An application for a permit required by this Section shall contain at least the following:

(1) The name, address, telephone number and state driver's license number of the owner of the golf cart for which the permit is requested;

(2) The street address where the golf cart is kept, including the particular suite or apartment number, if applicable;

(3) The name of the residents residing at and/or business name used for the premises where the golf cart is kept, if applicable;

(4) The year, make, model, color, vehicle identification number and/or serial number of the golf cart;

(5) Whether the golf cart is powered by an electric or gasoline engine;

(6) A copy of an insurance declaration showing liability insurance has been obtained with respect to the golf cart as required by Sec. 102-402(3); and

(7) An affidavit whereby the applicant under oath swears and affirms that the golf cart for which the permit is sought is fully equipped as required by Sec. 102-402.

(c) The permit shall be permanently affixed on the left side of the golf cart in such a manner that it is clearly visible from fifty feet (50'). The permit must not be damaged, altered, obstructed or otherwise made illegible. The permit holder shall apply for a

replacement permit and pay all applicable cost associated with the issuance and inspection of the golf cart.

(d) The permit shall only be placed upon the golf cart for which it was issued.

(e) A permit issued to the owner of a golf cart shall become invalid if the golf cart is altered in a manner that fails to comply with any requirement of this Article.

(f) Permits are valid for a period of (2) two years from the date issued.

(g) No permit shall be issued pursuant to this Section until the applicant has paid the permit fee established by ordinance or resolution of the City Council and made a part of the City's master fee schedule. No fee shall be required to obtain a permit pursuant this Section until the City Council has adopted a resolution adopting such fee.

(h) Not later than ten (10) days after:

(1) An owner transfers title to the golf cart to another owner; or

(2) The address of the normal storage location for the golf cart has changed;

the permit holder shall notify the City in writing of the changes in ownership or storage location submitted on a form designated by the City's police department.

(i) Lost or stolen permits are the responsibility of the owner. A police report must be filed in the event of a lost or stolen permit. If no record can be found of a previous application for a permit, or the receipt of a permit, the chief of police or his designee, may direct the applicant to reapply, and also resubmit any and all fees necessary before a replacement permit is issued.

(j) Any person who operates a golf cart and fails to receive and properly display a permit required by and issued in accordance with this Section will be subject to all applicable state laws, in addition to being in violation of this Article.

(k) A permit may be revoked at any time by the chief of police, or his designee, if there is any evidence that the permit holder:

(1) Cannot safely operate, a permitted golf cart on any authorized public street or public parking area in compliance with this Article;

(2) Has failed to operate a permitted golf cart on any authorized public street or parking area in compliance with this Article; or

(3) Has authorized a person who has failed to operate a permitted golf cart on any authorized public street or parking area in compliance with this Article.

(l) A person commits an offense when making a false statement in the application for a permit under this Section, including, but not limited to, any factual statement regarding the condition of the golf cart for which a permit is sought and the manner in which such golf cart is equipped.

**Sec. 102-406 License to be carried and exhibited on demand**

(a) A driver shall:

(1) Have in the driver's possession while operating a golf cart on a public street, the driver's license issued to the driver pursuant to Chapter 521 of the Texas Transportation Code; and

(2) Display the license on the demand of a magistrate, court officer, or peace officer.

(b) A peace officer may stop and detain a driver while operating a golf cart on a public street to determine if the driver has a driver's license issued to the driver as required by this Section.

(c) A person who violates this Section commits an offense.

(d) It is a defense to prosecution under this Section if the person charged produces in court a driver's license:

(1) Issued to that person; and

(2) Valid at the time of the offense.

(e) The court may assess a defendant an administrative fee not to exceed \$10.00 if a charge under this Section is dismissed because of the defense listed under Subsection (d) of this Section.

**Sec. 102-407 Evidence of financial responsibility**

(a) As a condition of operating a golf cart to which this Article applies, the driver of the golf cart on request shall provide to a peace officer, as defined by Article 2.12, Code of Criminal Procedure, or a person involved in an accident with the operator evidence of financial responsibility by exhibiting proof that the driver has obtained the insurance required by Sec. 102-402(3).

(b) Except as provided by Subsection (c), below, an operator who does not exhibit evidence of financial responsibility under Subsection (a) is presumed to have operated the vehicle in violation of Sec. 102-402.

(c) It is a defense to prosecution under this Section if the person charged produces in court proof of the required insurance:

(1) Issued to that person; and

(2) Was in effect at the time of the offense.

(d) The court may assess a defendant an administrative fee not to exceed \$10.00 if a charge under this Section is dismissed because of the defense listed under Subsection (c) of this Section.

#### **Sec. 102-408 Exception: City employees**

Except as may otherwise be prohibited by state law, operation of a golf cart by an employee of the City on any public street or public parking area while acting within the course and scope of the person's employment with the City is exempt from the provisions of this Article.

#### **Sec. 102-409 Reciprocity**

A resident of the Town of Hickory Creek, the Town of Shady Shores, or the City of Corinth who has received from the person's city of residence a permit to operate a golf cart on a public street within the city in which the person resides may operate a golf cart on the public streets within the City in accordance with the provisions of this Article without having first obtained a permit in accordance with Section 102-405 if:

(a) The city issuing the permit to said person has adopted an ordinance regulating the equipping of a golf cart being operated on a public street that is the same as Section 102-402, subsections (4), (5), and (6); and

(b) The other city where the person resides has adopted an ordinance exempting a resident of the City who has received a permit pursuant to Section 102-405 from any requirement to obtain a permit to operate a golf cart on the public streets within such other city to the same extent as provided in this Section 102-409.

#### **Sec. 102-410 Exception: parades**

This Article shall not apply to a golf cart that is operated on an approved parade route and participating in a parade conducted within the City.

**SECTION 2.** Should any section, paragraph, sentence, subdivision, clause, phrase or provision 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 hereof other than the part so decided to be unconstitutional, illegal, or invalid and shall not affect the validity of the remainder of this ordinance or any other provision of the Code of Ordinances of the City of Lake Dallas.

**SECTION 3.** An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

**SECTION 4.** Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and subject to a penalty as provided for in this ordinance, and upon conviction shall be punished by fine not to exceed the sum of Five Hundred Dollars (\$500.00) for each offense.

**SECTION 5.** 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 provide.

**DULY ADOPTED AND APPROVED** by the City Council of the City of Lake Dallas, Texas, on this the 3<sup>rd</sup> day of October 2019.

APPROVED:

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Michael Barnhart, Mayor

ATTEST:

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Codi Delcambre, TRMC, City Secretary

APPROVED AS TO FORM:

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Kevin B. Laughlin, City Attorney  
(kbl:9/27/19:111076)



CITY COUNCIL  
AGENDA MEMO

Prepared By: Daniel Carolla, Chief of Police

October 3, 2019

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**Master Fee Schedule Amendment-Golf Cart Inspections**

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**DESCRIPTION:**

Consider and Act on an Ordinance amending the City's Master Fee Schedule by adopting a golf cart permit fee.

**BACKGROUND INFORMATION:**

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.

In order to ensure that golf carts are properly equipped and operating according to the state law and city ordinance regarding golf carts, an inspection by the police department is necessary and a permit will be issued to golf carts that pass the inspection.

**FINANCIAL CONSIDERATION:**

The cost for a golf cart permit is \$25.00 and is valid for two years.

**RECOMMENDED MOTIONS:**

I move to approve/deny a Resolution authorizing the addition of a golf cart inspection fee to the City's Master Fee Schedule.

**ATTACHMENT(S):**

Resolution

**CITY OF LAKE DALLAS, TEXAS**  
**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF LAKE DALLAS, TEXAS AMENDING THE CITY'S MASTER FEE SCHEDULE BY ADOPTING A GOLF CART PERMIT FEE; CONTAINING A CONFLICTS RESOLUTION CLAUSE; CONTAINING A SAVINGS CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council has enacted Article VIII of Chapter 102 of the Lake Dallas Municipal Code regarding the regulation of the operation of golf carts on public streets; and

**WHEREAS**, said Lake Dallas Municipal Code §102-405 requires a person to obtain a permit from the City relating to the registration of a golf cart that will be operated on public streets within the City and the payment of a fee for such permit; and

**WHEREAS**, the City Council of the City of Lake Dallas, Texas, finds it to be in the public interest to adopt an ordinance amending the City's Master Fee Schedule to adopt such permit fee.

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

**SECTION 1.** The City' Master Fee Schedule is amended by adding a Golf Cart Permit Fee under the Police Department as follows

| <b>Fee</b>       | <b>Fee Amount</b> | <b>Code Reference</b> |
|------------------|-------------------|-----------------------|
| Golf Cart Permit | \$25              | 102-405(g)            |

**SECTION 2.** In the event of a conflict between a fee set out in the Master Fee Schedule and the provisions of any other City ordinance, the provisions of the Master Fee Schedule shall prevail; however, this ordinance shall not amend, abolish or change any fee heretofore established that is not listed in the Master Fee Schedule and such fees shall continue in effect for all purposes until amended by ordinance or by ordinance or resolution transferred to the Master Fee Schedule.

**SECTION 3.** Should any article, paragraph, subdivision, clause or provision of this ordinance or the Lake Dallas Municipal Code as amended hereby be adjudged or held to be invalid, unenforceable or unconstitutional for any reason, such judgment or holding shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part so declared to be invalid, unenforceable or unconstitutional.

**SECTION 4.** This Ordinance shall take effect immediately from and after its passage and the publication of the caption as the law in such cases provide.

**DULY ADOPTED AND APPROVED** by the City Council of the City of Lake Dallas, Texas, on this the 3<sup>rd</sup> day of October 2019.

APPROVED:

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Michael Barnhart, Mayor

ATTEST:

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Codi Delcambre, TRMC, City Secretary

APPROVED AS TO FORM:

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Kevin B. Laughlin, City Attorney  
(kbl:9/25/19:111131)



CITY COUNCIL  
AGENDA MEMO

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Prepared By: John Cabrales Jr, City Manager

October 3, 2019

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**City's Flex Time**

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**DESCRIPTION:**

Receive a report and hold a discussion regarding the City's Flex Time for exempt employees.

**BACKGROUND INFORMATION:**

A comp time system for exempt employees was implemented by former City Manager Matt Shaffstall sometime prior to 2017. Unfortunately, staff has not been able to locate a memo or directive outlining this system, and/or a discussion with the City Council before implementing. Under the current practice, exempt employees can claim flex hours for any work completed over a 40-hour work week. This flex time can be used, hour for hour, at the employee's discretion.

We currently have nine (9) exempt employees that qualify for flex time. Exempt employees are employees who, because of their positional duties and responsibilities and level of decision-making authority, are exempt from the overtime provisions of the Fair Labor Standards Act (FLSA). Whether an employee is exempt or non exempt depends on how much money the employee is paid, how the employee is paid, and the nature and responsibilities of the work they do. For Fiscal Year 2018-19, a total of 1,251.75 flex hours were earned, and 627 flex hours were taken. When you at the balance of flex hours (702.25) carried over from the prior year, then there is a balance of 1,327 flex hours. However, unlike sick and vacation hours, these hours are not paid to the employee upon separation from employment, and are lost if not used.

There is currently no formal policy for when flex hours can be earned and how they can be used. So recommended policy items could include the following.

**Flex Hours Earned**

1. Flex hours can only be earned for attendance at City Council meetings, City board or commission meetings, attendance at a neighborhood or other public meeting, work on special events, or being called into work for any reason.
2. The City Manager may authorize other situations for the earning of flex time, but the authorization must be made prior to the earning of any flex time.
3. Flex hours can only be earned in 15-minute increments (0.25 hrs.).

**Flex Hours Used**

1. You are only allowed to use a maximum of 16 hours of flex time per pay period.
2. The City Manager may authorize the use of more flex time during a pay period, but the request must be in writing and authorize prior to the use.
3. Flex hours can be used when you will be away from work for any reason.
4. Flex hours can only be used in 15-minute increments (0.25 hrs.).
5. Flex hours can only be used if the absence of the employee from work does not negatively affect work productivity or completion of tasks.

**Flex Hour Balance and Carry Over**

1. No more than eighty (80) hours of flex time can be banked at any given time.
2. Employees will not be allowed to add any earned flex time unless there is less than eighty hours in the flex time bank, and the amount added cannot exceed a total of eighty (80) hours.
3. No more that eighty (80) hours of flex time can be carried over from the prior year by an employee.

There is also the option of eliminating the flex time option for exempt employees.

**FINANCIAL CONSIDERATION:**

None

**RECOMMENDED MOTIONS:**

None, discussion only

**ATTACHMENT(S):**

None