



City of Rowlett

Action Minutes

City Council

4000 Main Street
Rowlett, TX 75088
www.rowlett.com

City of Rowlett City Council meetings are available to all persons regardless of disability. If you require special assistance, please contact the City Secretary at 972-412-6115 or write 4000 Main Street, Rowlett, Texas, 75088, at least 48 hours in advance of the meeting.

Tuesday, August 20, 2013

5:45 P.M.

Municipal Building – 4000 Main Street

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 herein.

The City of Rowlett reserves the right to reconvene, recess or realign the Regular Session or called Executive Session or order of business at any time prior to adjournment.

Present: Mayor Gottel, Mayor Pro Tem Kilgore, Deputy Mayor Pro Tem Gallops, Councilmember Phillips, Councilmember Dana-Bashian, Councilmember Pankratz and Councilmember Bobbitt

1. CALL TO ORDER

Mayor Gottel called the meeting to order at 5:45 p.m.

2. EXECUTIVE SESSION (5:45 P.M.)

- 2A.** The City Council shall convene into Executive Session pursuant to the Texas Government Code, §551.087 (Economic Development) and §551.071 (Consultation with Attorney) to receive legal advice from the City Attorney and to discuss and deliberate the offer of financial or other incentives in the Northshore District. (60 minutes)

Upon close of Executive Session, Council reconvened in open session at 6:43 p.m.

3. WORK SESSION ITEMS (6:45 P.M.)

- 3A.** Review Waterview Golf Course Clubhouse Design and Recommendations from Golf Advisory Board. (30 minutes)

4. DISCUSS CONSENT AGENDA ITEMS

No items were removed from the Consent Agenda to be considered individually.

CONVENE INTO THE COUNCIL CHAMBERS (7:30 P.M.)

Convened into the Council Chambers at 7:30 p.m.

INVOCATION

The invocation was led by Pastor Darrell Fincher, Logos Fellowship Church.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the City Council.

TEXAS PLEDGE OF ALLEGIANCE

The Texas Pledge of Allegiance was led by the City Council.

5. PRESENTATIONS AND PROCLAMATIONS

5A. Hear Third Quarter Investment Report for June 30, 2013.

Alan Guard, Director of Financial and Information Services, stated the portfolio continues to have a strong emphasis on liquid investments and all securities held by the City are of high credit quality. Spoke regarding the economy in general. Stated the domestic economy continues to show signs of improvement, but the potential for cessation of the Fed's quantitative easing programs has increased volatility within the markets. Stated staff will continue to follow the prudent investment strategies that have safely provided the City with favorable long-term performance and preservation of principal, while seeking opportunities to add value by remaining flexible and responding to changes in interest rates, economic data, market outlook or specific opportunities that arise.

5B. Update from the City Council and Management: Financial Position, Major Projects, Operational Issues, Upcoming Dates of Interest and Items of Community Interest.

Mayor Gottel gave a brief update to the Council on the various activities in the City including: the next City Council meetings will be held on Tuesday, September 3rd and 17th and the next City Council Work Sessions will be held on Tuesday, August 27th, September 10th and 24th; the next Planning and Zoning Commission meeting will be held on Tuesday, August 27th; the City Secretary's Office is accepting Boards and Commissions applications through Friday, August

23rd for appointments on Tuesday, September 17th; Stage 3 watering restrictions began June 1st; mosquito testing will occur on Wednesdays of each week; the Animal Shelter will host a Low Cost Animal Vaccination Clinics on Saturday, August 24th beginning at 2:00 p.m., and don't forget to find your new best friend at the Animal Shelter; the next the Citizens Fire Academy begins on September 26th, register now at 972-412-6230; the Citizens Police Academy begins on September 5th, register at 972-412-6242 by August 26th; the Rowlett Library Tech Ed will feature eBooks at the Library on Friday, August 23rd at 10:30 a.m., and come Celebrate Doctor Who on Saturday, August 31st beginning at 2:00 p.m.; and the Parks and Recreation Department new Fall 2013 Lakeside Leisure is now available online and at the Community Centre, and numerous upcoming events include Movies on Main on Fridays, September 6th, 13th and 20th at dusk and the AAA Travel Fair will be held on Tuesday, September 3rd beginning at 10:00 a.m.

6. CITIZENS' INPUT

No one spoke during Citizens' Input.

7. CONSENT AGENDA

No items were removed from the Consent Agenda to be considered individually.

The City Secretary read the items into the record.

- 7A.** Consider approving minutes from the August 3, 2013, City Council Special Work Session, and the August 6, 2013, City Council Regular Meeting.

This item was approved on the Consent Agenda.

- 7B.** Consider a resolution approving a request for alternative exterior building materials to allow stucco and stone for a proposed new construction single family home located at 2210 Stone Hollow Drive. (DP13-671).

This item was approved as RES-072-13 on the Consent Agenda.

- 7C.** Consider action to approve a resolution authorizing the purchase of wastewater pumps and a control panel for the Westside Lift Station from Xylem Water Solutions USA, Incorporated in the amount of \$384,806.03.

This item was approved as RES-073-13 on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Deputy Mayor Pro Tem Gallops, seconded by Councilmember Phillips, including all the preceding items marked as having been approved on the Consent Agenda. The motion carried with a unanimous vote of those members present.

8. ITEMS FOR INDIVIDUAL CONSIDERATION

- 8A.** Conduct a public hearing and consider an ordinance approving the division of the Take Area adjacent to the Water's Edge Subdivision, generally located east of Dalrock Road and south of Liberty Grove Road.

Mayor Gottel read the item into the record.

Erin Jones, Director of Development Services, gave a brief presentation regarding this item. Stated in 2001, the City of Rowlett entered into an agreement with the City of Dallas to allow individual homeowners backing to Lake Ray Hubbard to lease the take area from the City of Rowlett for limited personal use. Subsequently, the City of Rowlett, in conjunction with the City of Dallas, approved a resolution outlining how the take area would be delineated amongst individual property owners. However, the City only delineated the take area for subdivisions that were in existence at that time. While those subdivisions encompassed the majority of the lake's frontage, there is a limited amount of remaining residentially zoned property abutting the lake that has been approved for development since the original take area delineations. The Water's Edge Subdivision is one such property. The Water's Edge subdivision was originally approved as Planned Development (PD) 1-5-99B. The PD was later revised as PD 048-06 (Attachment 3). PD 048-06 clearly states under the heading of *"Additional Permitted Uses"* that *"Individual Waterfront Lots [to have] optional lease of a minimum sixty foot (60') wide strip within the "Take Area" to allow for improvements that conform to the Take Area Ordinance No. 3-19-02D."* While it is clear that the PD intended to allow for take area leases, the adjacent take area property was never officially delineated. Upon researching the history of the take area, staff concluded that only the take area adjacent to subdivisions platted prior to 2001 was delineated. The PD for Water's Edge was approved in 2001, but not platted, thus the take area was not delineated at that time.

Through the Realize Rowlett 2020 Initiative, the City determined that we as a community have turned our back to the lake. To that end, the City Council made the decision that all remaining take area should be fronted on to the greatest extent possible in order to maximize enjoyment and development potential. Staff stands by that decision; however, in the case of Water's Edge and a handful of previously approved subdivisions, they are vested and will build homes that back to the lake regardless of whether City allows take area leases or not. It is staff's opinion, based on the PD, that the lakefront homeowners have a reasonable expectation of being able to lease the take area adjacent to their properties. Staff has reviewed the applicant's request with the City Attorney and the City of Dallas to ensure compliance. Per direction from the City Attorney and confirmation from the City of Dallas, since the subject take area is part of the area

leased by Rowlett from Dallas, then the City can establish take area leases per the regulations in the take area ordinances adopted by the City of Rowlett and City of Dallas.

The public hearing opened with one person speaking.

1. Charles Strain, 8614 McCleery, Rowlett – spoke regarding how this item will affect his property.

Ms. Jones answered Mr. Strain's concerns that were voiced during the public hearing.

A motion was made by Deputy Mayor Pro Tem Gallops, seconded by Councilmember Bobbitt, to approve the item as presented. The motion carried with a unanimous vote of those members present. This item was adopted as ORD-023-13.

- 8B.** Conduct a public hearing on the ad valorem tax rate for Fiscal Year 2013-2014.

Mayor Gottel read the item into the record.

Alan Guard, Director of Financial and Information Services, gave a brief presentation on this item. The calculated 2014 Rollback Tax Rate is 0.797155 and the 2014 Effective Tax Rate is 0.749631. The City proposes to keep the same tax rate of 0.747173.

The public hearing opened and closed with no one speaking.

The second public hearing will occur on Tuesday, September 3, 2013.

- 8C.** Conduct a public hearing (1st) on the proposed budget for Fiscal Year 2013-2014.

Mayor Gottel read the item into the record.

Alan Guard, Director of Financial and Information Services, gave a brief presentation on this item. Stated the Interim City Manager presented the proposed budget for Fiscal Year 2013-2014 on August 6, 2013, and the City Council held Budget Work Sessions on August 15 and 16, 2013.

Mayor Pro Tem Kilgore requested a copy of the budget and the budget presentation be included in the September 3, 2013, Council packet for the public to view.

The public hearing opened and closed with no one speaking.

The second public hearing will occur on Tuesday, September 3, 2013.

TAKE ANY NECESSARY OR APPROPRIATE ACTION ON CLOSED/EXECUTIVE SESSION MATTERS

No action followed the Executive Session item.

9. ADJOURNMENT

Mayor Gottel adjourned the meeting at 8:03 p.m.