



# CITY OF ROWLETT CITY COUNCIL MEETING MINUTES

*Our Vision: A well-planned lakeside community of quality neighborhoods, distinctive amenities, diverse employment, and cultural charm. Rowlett: THE place to live, work and play.*

Tuesday, February 1, 2022

5:30 P.M.

Municipal Building

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 Dana-Bashian, Mayor Pro Tem Grubisich, Deputy Mayor Pro Tem Sherrill, Councilmember Margolis, Councilmember Laning, Councilmember Bell and Councilmember Brown**

- 1. **CALL TO ORDER (5:30 P.M.)\*** Times listed are approximate.  
(Immediately upon conclusion of the TIRZ No. 2/TIRZ No. 3 Annual meetings)

Mayor Dana-Bashian called the meeting to order at 5:21p.m.

- 2. **EXECUTIVE SESSION (5:30 P.M.)\***

- 2A. The City Council shall convene into Executive Session pursuant to Texas Government Code, Sec. 551.071 (Consultation with City Attorney), to consult with and receive legal advice from the City Attorney regarding the Sapphire Bay Marina and an amended Sapphire Bay Marina Development Agreement. (30 minutes)

In Executive Session at 5:22 p.m. Out at 5:49 p.m.

- 3. **WORK SESSION (6:00 P.M.)\*** Times listed are approximate.

City Council may receive public input on the following items:

- 3A. Discuss the candidates for a Stakeholder Engagement Group to guide, solicit and review public input for the update of the Rowlett Development Code and Form-Based Code. (30 minutes)

Alex Koenig, Planning Manager, and Munal Mauladad, Managing Director of Community Development and Engineering, presented a list of names compiled from those submitted by Councilmembers and staff. After further discussion, staff will recommend final list of names for developer/business/Planning and Zoning Commission members and Councilmembers will

respond to staff with their selections for resident members. Appointment to the Group will be on a future meeting agenda.

- 3B.** Discuss and receive direction regarding an amendment to the Take Area Regulations. (30 minutes)

In person comments from the following:

1. Tamra Williams, Rowlett
2. Debra Shinder, Rowlett
3. Stephanie Higgins, Rowlett

Dale Jackson, Building Official, and Ms. Mauladad presented the information for this item. After further discussion, staff will review the variance fee and review administrative options (i.e. minor/major warrants) and bring back to Council for further review.

- 3C.** Discuss right-of-way concerns regarding commercial property located at Paddle Point Park and Miller Road. (30 minutes)

After a short break at 6:34 p.m., Council reconvened at 6:38 p.m.

In person comments from the following:

1. Debra Shinder, Rowlett
2. Stephanie Higgins, Rowlett

Dave Holl, property owner – Kayak Crossing, presented information for this item. Ms. Mauladad and Jeff Cohen, Assistant Director of Engineering, provided additional information. After further discussion, staff will speak with Oncor and design engineers to investigate options.

**4. DISCUSS CONSENT AGENDA ITEMS**

After a short break at 7:41 p.m., Council reconvened at 7:46 p.m.

**INVOCATION** – Councilmember Martha Brown

**PLEDGES OF ALLEGIANCE**

**CONVENE REGULAR SESSION (7:30 P.M.)\*** Times listed are approximate.

**5. PRESENTATIONS AND PROCLAMATIONS**

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

Deputy Mayor Pro Tem Sherrill made the following announcements:

There's still time to giddy up and gallop over to our Little Sweethearts Dance 2022. Tickets are still available for this year's Diamonds and Denim event. This favorite is an excellent way to spend time with your little ones, and lasso together some good ol' memories! This Saturday, February 5th at the Rowlett Community Centre from 7-9 p.m.

The Residential Safe Room Rebate Program helps homeowners who wish to mitigate risk to tornadoes, straight-line winds and hail by installing a residential safe room. Applications being accepted through April 1, 2022. Rebates are considered on a first-come, first-served selection process. This program is not retroactive and applies to qualifying costs up to \$3,000 or 50% – whichever is less.

Have you been pondering what it's like on this side of the dais? The upcoming City Council General Election is May 7th. Positions on the ballot will be Mayor and Councilmember Places 2, 4 and 6. You may request a City Council Candidate Guide from the City Secretary's Office on the City's website. Filing period runs through Friday, February 18th and write-in candidate deadline is Tuesday, February 22nd.

Notify Me is an email subscription to all things City of Rowlett – meeting agendas, minutes, newsletters and special events. You can specify which notifications you wish to receive or sign up for all of them. You could ensure you receive the Friday @ 5, which is chock full of City-related information.

Please stay tuned to local weather reports regarding anticipated winter storm events beginning tomorrow night into Thursday. Remember the 3 P's: people, pets and plants. The below-freezing temperatures and accompanying precipitation make for a dangerous combination – if you do not have to be out on the roads, just don't.

The City's Office of Emergency Management has provided a page with helpful information ahead of the event and will be updated as it goes along. Visit [Rowlett.com](http://Rowlett.com) and the link is under NewsFlash or type "winter weather" in the search bar.

For more information on these and all other City-related events, please visit [Rowlett.com](http://Rowlett.com) or call the Action Center at 972-412-6100.

City Manager, Brian Funderburk, provided additional information regarding the upcoming winter weather.

Councilmember Bell announced the following:

- February 8<sup>th</sup> at 1:00 p.m., Senior Seminar – Alzheimers. Speaker is Elizabeth – Iris Memory Care. The Senior Seminar series is sponsored by the Senior Advisory Board and is held the second Tuesday of each month at the Rowlett Community Centre.
- Rowlett Professional Women presents their "Wear Red Tea" on Friday, February 11<sup>th</sup> from 11 a.m. to 1:00 p.m. at Main Street Events. Contact the Rowlett Chamber for more information at 972-475-3200.

Mayor Dana-Bashian read the following statement:

*Over the past several months, a small group of citizens have raised concerns over the Planned Development zoning ordinances for the Villas at Long Branch and the Lakeshore Village developments as well as the process by which these planned developments were approved. This group claimed that the ordinances were invalid as spot zoning, and that the process of their adoption was illegal since the city's comprehensive plan was not followed. These citizens also filed a lawsuit seeking to declare the planned development ordinances void.*

*City staff, the planning and zoning commission and the city council held numerous public hearings and open meetings to hear citizen concerns and provide information regarding the process. Additionally, staff and City Councilmembers thoroughly addressed the concerns presented by this group with factual information through numerous phone calls, e-mails, and in-person meetings.*

*We respect our citizens rights to challenge the decisions made by their elected officials, as debate and constructive criticism are the foundations of democracy. On January 14th, the 95th District Court of Dallas County entered an order that dismissed the lawsuit and all of the claims, including the spot zoning and comprehensive plan issues.*

## **6. CITIZENS' INPUT**

1. Stanley Pollard, Rowlett; P&Z meeting and North Shore development
2. Debra Shinder, Rowlett; P&Z meeting and calling elections
3. Steven Horwitz, Rowlett; invocation and take area lease
4. Tamra Williams, Rowlett; thank Council and Kayak Crossing

## **7. CONSENT AGENDA**

### **7A. Consider approving the minutes.**

Consider action to approve minutes from the following City Council meeting(s): January 4, 2022 Regular Meeting and January 25, 2022 Special Meeting.

**This item was approved on the Consent Agenda.**

### **7B. Consider an ordinance calling a General Election.**

Consider approving an ordinance calling the General Election for Saturday, May 7, 2022 to elect a Mayor and Councilmembers for Places Two, Four and Six and any possible resulting run-off election to be held on Saturday, June 18, 2022.

**This item was approved on the Consent Agenda as ORD-003-22.**

**7C. Consider action accepting resignation of Councilmember Place 1.**

Consider action to officially accept the resignation of Councilmember Blake Margolis.

**This item was approved on the Consent Agenda.**

**7D. Consider an ordinance calling a Special Election.**

Consider action to approve an ordinance ordering a Special Election to Fill Vacancy for the remainder of the unexpired term of office of Councilmember Place One. Such election will be held in conjunction with the General Election on May 7, 2022 and any possible resulting run-off election to be held on Saturday, June 18, 2022.

**This item was approved on the Consent Agenda as ORD-004-22.**

**7E. Consider a resolution amending the marina development agreement.**

Consider action to approve a resolution approving an Amended Marina Development Agreement with Sapphire Bay Marina, LLC, and authorizing the Mayor to execute the amended agreement on the City's behalf.

**This item was approved on the Consent Agenda as RES-008-22.**

**Passed the Consent Agenda**

**A motion was made by Councilmember Margolis, seconded by Councilmember Brown, including all the preceding item(s) marked as having been approved on the Consent Agenda. The motion carried with a unanimous vote of those members present.**

**8. INDIVIDUAL CONSIDERATION**

**8A. Conduct a public hearing and take action on a request by Brian Abbott, Abbott Consulting & Engineering, LLC, on behalf of property owners Sapphire Bay Marina, LLC, for Major Warrants to Article 2.4, Article 3.1.3.a.2 and Appendix 1.1 to allow a commercial parking lot and Article 2.8.6 to amend landscaping requirements. The approximately 1.787-acre site is located northeast of the intersection of Marina Vista and East Access Drive, situated on lot 1, Block I of the Sapphire Bay Addition, in the City of Rowlett, Rockwall County, Texas.**

Ms. Mauladad presented the information for this item. Tony Dieste and Karl Crawley – Applicants, presented additional information. The public hearing opened and closed with no speakers.

**A motion was made by Councilmember Brown, seconded by Councilmember Margolis, to approve the item as presented. The motion passed with a unanimous vote of those members present. This item was approved as ORD-005-22.**

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

There was no action taken.

Mayor Dana-Bashian announced that she would be tendering her resignation at the next meeting to be effective February 28, 2022. As of March 1<sup>st</sup>, she will no longer meet the residence requirements for holding the position.

**9. ADJOURNMENT**

The meeting adjourned at 8:46 p.m.

  
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Tammy Dana-Bashian, Mayor

  
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Laura Hallmark, City Secretary

Approved on: February 15, 2022