



CITY OF DALWORTHINGTON GARDENS

**NOTICE OF A MEETING
CITY COUNCIL**

MARCH 20, 2023

**WORK SESSION AT 6:00 P.M.
REGULAR SESSION AT 7:00 P.M.**

CITY HALL COUNCIL CHAMBERS, 2600 ROOSEVELT DRIVE, DALWORTHINGTON GARDENS, TEXAS

WORK SESSION– 6:00 P.M.

1. CALL TO ORDER

2. WORK SESSION

- a. Receive FY 2021-2022 audit presentation from BrooksWatson & Co., PLLC. Action to accept the audit by resolution will be taken in the 7:00 Regular Session.
- b. Receive presentation from City Engineer on paving and drainage solutions for Broadacres Lane.
- c. Work Session on other listed agenda items, if time permits.

REGULAR SESSION – 7:00 P.M.

1. CALL TO ORDER

2. INVOCATION, AND PLEDGES OF ALLEGIANCE

3. PRESENTATIONS AND PROCLAMATIONS

- a. Presentation of Hero Award to Dillon and Kara Kinney for life saving events performed on February 19, 2023.

4. ITEMS OF COMMUNITY INTEREST

- a. Easter Bunny Event, Sunday, April 2
- b. Plant Swap on Earth Day, Saturday, April 22
- c. Park Workday, Saturday, May 13
- d. Free Fishing Day, Saturday, June 3
- e. Park Workday, Saturday, July 8
- f. Ice Cream Social, Saturday, July 15
- g. Park Workday, Saturday, September 15
- h. National Night Out, Tuesday, October 3
- i. Trunk-or-Treat, Saturday, October 21
- j. Park Workday, Saturday, November 11
- k. Pictures with Santa, Sunday, December 3

5. CITIZEN COMMENTS

Citizens who wish to speak to the City Council will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter of the presentation is on the agenda, the City staff and City Council members are prevented from discussing the subject and may respond only with statements of factual information or existing policy.

6. MAYOR AND COUNCIL COMMENTS

Pursuant to Texas Government Code § 551.0415, City Council Members and City staff may make a report about items of community interest during a meeting of the governing body without having given notice of the subject of the report. Items of community interest include:

- Expressions of thanks, congratulations, or condolence;
- Information regarding holiday schedules;
- An honorary or salutory recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutory recognition for purposes of this subdivision;
- A reminder about an upcoming event organized or sponsored by the governing body;
- Information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and
- Announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

7. DEPARTMENTAL REPORTS

Informational reports only; no action to be taken.

- a. DPS Report
- b. Financial Reports
- c. City Administrator Report
- d. Public Works Report

8. CONSENT AGENDA

- a. Approval of Ordinance No. 2023-05 canceling the May 6, 2023 general election and declaring unopposed candidates elected.
- b. Consider approval of Resolution No. 2023-04 accepting the FY 2021-2022 annual financial audit.
- c. Ratification of an ordinance approved at the February 16, 2023 Council Meeting; Ordinance No. 2023-06 amending the City of Dalworthington Gardens Code of Ordinances, Chapter 11, Taxation, Article 11.04, Hotel Occupancy Tax, by amending the delinquent penalty provision to provide a method of calculating the interest rate charged on delinquent taxes.
- d. Approval of Resolution No. 2023-03 correcting and replacing an appointment to the Zoning Board of Adjustment initially made at the February 16, 2023 Council Meeting.
- e. Approval of December 15, 2022 regular meeting minutes.
- f. Approval of January 19, 2023 regular meeting minutes.

9. REGULAR AGENDA

- a. Discussion and possible action on paving and drainage solutions for Broadacres Lane.
- b. Discussion and possible action on proposed changes to the City Park Reservation Form and any associated city ordinances, subject to city attorney approval.
- c. Discussion and possible action to approve Ordinance No. 2023-07 amending the City of Dalworthington Gardens Code of Ordinances, Chapter 14, Zoning, Section 14.02.031, Special Exception, to allow special exceptions for fence height.
 - i. Conduct public hearing

ii. Discussion and action

- d. Discussion and possible action regarding replacement of street lighting on Ambassador Row, and addition of lighting on Arkansas Lane.
- e. Discussion and possible action entering into an agreement for professional services with Teague Nall and Perkins for a Topographical Survey for the DPS Building.
- f. Discussion and possible action to provide direction to staff regarding changes to the City of Dalworthington Gardens Code of Ordinances, Chapter 14, Zoning, Section 14.02.224, B-3 Business District, regarding the permitted use of smoking establishments.
- g. Discussion and possible action regarding changes to the City Investment Policy.
- h. Discussion and possible action to set work session date for Department Head Work Plans.
- i. Discussion and possible action to set a work session date for the Comprehensive Plan.
- j. Discussion and possible action regarding amendments to the FY 2021-2022 budget in amounts not to exceed \$10,000.00.

10. TABLED ITEMS

- a. Discussion and possible action regarding consideration of bond requirements for oil and gas drilling.

11. FUTURE AGENDA ITEMS

In compliance with the Texas Open Meetings Act, Council Members may request that matters of public concern be placed on a future agenda. Council Members may not discuss non-agenda items among themselves. In compliance with the Texas Open Meetings Act, city staff members may respond to questions from Council members only with statements of factual information or existing city policy.

12. EXECUTIVE SESSION

- a. Recess into Executive Session for the following:
 - i. Pursuant to Texas Government Code, Section 551.071, Attorney Consultation, regarding a Settlement Agreement and Mutual Release with Spectrum Gulf Coast, LLC settling a dispute over franchise fees and PEG fees in the case styled City of Allen, Texas et al., v. Time Warner Cable Texas, LLC d/b/a Spectrum and Charter Communications, Case No. 6:10-cv-345-ADA-DTG.
 - ii. Pursuant to Texas Government Code, Section 551.071, Attorney Consultation, regarding trademark registration for the City's logo(s).
 - iii. Pursuant to Texas Government Code, Section 551.074, Personnel Matters, regarding the City Building Official.
 - iv. Pursuant to Texas Government Code, Section 551.071, Attorney Consultation, and Section 551.074, Personnel Matters, regarding fringe benefits for the Public Works Director.
- b. Reconvene into Regular Session for discussion and possible action on the following:
 - i. A Settlement Agreement and Mutual Release with Spectrum Gulf Coast, LLC settling a dispute over franchise fees and PEG fees in the case styled City of Allen, Texas et al., v. Time Warner Cable Texas, LLC d/b/a Spectrum and Charter Communications, Case No. 6:10-cv-345-ADA-DTG.
 - ii. Trademark registration for the City's logo(s).
 - iii. The City Building Official.
 - iv. Fringe benefits for the Public Works Director.

13. ADJOURN

The City Council reserves the right to adjourn into closed session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.087 (Economic Development Negotiations).

Pursuant to Texas Government Code, Section 551.127, on a regular, non-emergency basis, members may attend and participate in the meeting remotely by video conference. Should that occur, a quorum of the members will be physically present at the location noted above on this agenda.

CERTIFICATION

This is to certify that a copy of the **March 20, 2023** City Council Agenda was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website, www.cityofdwg.net, in compliance with Chapter 551, Texas Government Code.

DATE OF POSTING: _____ TIME OF POSTING: _____ TAKEN DOWN: _____

Lola Smith, City Administrator