

LEWISVILLE CITY COUNCIL

REGULAR SESSION

JANUARY 8, 2007

Present:

Gene Carey, Mayor

Council Members:

Greg Tierney

David Thornhill

Mike Nowels (not present)

Dean Ueckert, Deputy Mayor Pro Tem

Rudy Durham, Mayor Pro Tem

City Staff:

Claude King, City Manager

Donna Barron, Assistant City Manager

Steve Bacchus, Assistant City Manager

Julie Heinze, City Secretary

Ronald J. Neiman, City Attorney

WORKSHOP SESSION – 5:30 P.M.

With a quorum of the Council Members present, the workshop session of the Lewisville City Council was called to order by Mayor Carey at 5:36 p.m. on Monday, January 8, 2007, in the City Council Conference Room of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas. All City Department Heads were in attendance.

Restaurant Smoking Options

(Agenda Item A)

City Manager King advised that Community Relations and Tourism Director James Kunke would be presenting a PowerPoint Presentation regarding restaurant smoking options per the City Council's direction in September of 2006. Mr. Kunke stated that he would be reviewing what had been discussed for incentives during the September meeting and additional options City staff had developed. Mr. Kunke then began his PowerPoint Presentation as follows:

Restaurant Smoking (Council Workshop on September 11, 2006)

- Looking for incentives that would encourage restaurants to voluntarily go non-smoking
- No council momentum toward a smoking ban

- Discussion included inspection fee waiver, food handler permit fee waiver, recognition plaques, website publicity
- Staff directed to research other opportunities.

Restaurant Smoking Options

- I. Non-Smoking Incentives
- II. Smoking Disincentives
- III. Anti-Smoking Ordinances
- IV. Anti-Smoking Elections
- V. Citywide Health Initiative

I. Non-Smoking Incentive Options

- Waive annual health inspection fee
- Positive impact on health inspection score
- Waive food handler permit fees
- Recognition signage or plaque
- Non-smoking designation on website
- Semi-annual listing in city newsletter

I. Non-Smoking Incentive Options

- Waive annual health inspection fee
 - Value to restaurant would be \$250 to \$450 per year
 - Potential loss of up to \$88,000 in city reserves
 - Post-waiver enforcement would be difficult

I. Non-Smoking Incentive Options

- Positive impact on health inspection score
 - Difficult to make link to food safety
 - No obvious benefit to “clean” restaurants
 - No public benefit unless scores are posted
 - Could give public an artificial sense of food safety

I. Non-Smoking Incentive Options

- Recognition signage or plaque
 - City would provide wood plaque
 - Designation as “Lewisville for Life” restaurant
 - No direct economic benefit to restaurants

I. Non-Smoking Incentive Options

- Non-smoking designation on website
 - New category added to LCBV dining list

- Current listings marked with special logo
 - No added cost to the city
 - Would require a registration process
- I. Non-Smoking Incentive Options
- Semi-annual listing in city newsletter
 - No added cost to the city
 - Would require a registration process
 - Other restaurants might object to “advertising”

Mr. Kunke then moved on to the portion of his PowerPoint Presentation regarding disincentives as follows:

- II. Smoking Disincentive Options
- “Smoking permitted” signage (Lubbock)
 - Negative impact on health inspection score
 - Most “non-smoking incentives” also apply
- II. Smoking Disincentive Options
- “Smoking permitted” signage (Lubbock)
 - “Signs must be displayed at all public and employee entrances to all public places or places of employment where smoking is allowed...”
 - All signs shall have dimensions of at least 9 inches by 15 inches and shall contain the following language: WARNING, SMOKING ALLOWED IN THIS FACILITY. THE CITY OF LUBBOVCK HEALTH BOARD HAS DETERMINED THAT SECOND HAND SMOKE IS UNSAFE.”
- II. Smoking Disincentive Options
- Negative impact on health inspection score
 - Difficult to make link to food safety
 - No obvious benefit to “clean” restaurants
 - No public impact unless scores are posted
 - Preferable to “bonus points” incentive option
- II. Smoking Disincentive Options
- Most “non-smoking incentives” also apply
 - e.g. not receiving extra marketing, recognition

Mr. Kunke then moved on to the portion of his PowerPoint Presentation regarding anti-smoking ordinances as follows:

III. Anti-Smoking Ordinances

- 47 Texas cities have acted, ranging from relatively minor restriction to near-total ban on smoking in public places, according to ACS
- Most restrictive (total ban in public places): Austin, El Paso, Beaumont, Laredo, Copperas Cove (Austin and Copperas Cove established theirs through public elections)
- Informal case studies seem to show no negative economic impact in most communities
- Legislative action also being considered

III. Anti-Smoking Ordinances – Recent Newspaper Headlines

11/09/06	Frisco now non-smoking
11/19/06	Socorro to weigh ban on public smoking
11/22/06	Wichita Falls: Vote to ban tabled
11/29/06	Bellaire: Where there's smoke, there's debate
11/30/06	Angleton to tweak rules on smoking
11/30/06	Baytown: 'Wait-and-see' approach on smoking ban
12/03/06	Beaumont: Anti-ban petition organizer moves on
12/05/06	Pasadena says 'no' to smoking
12/07/06	Georgetown: Changes afoot for smokers
12/11/06	League City considering smoking ban in restaurants
12/14/06	Conroe: City Council sets public hearing on smoking
12/16/06	Irving: Council approves smoking restrictions
12/19/06	Abilene: Smoking ordinance hearing set
12/21/06	Wharton: City considers smoking ban
12/31/06	Midland: Ordinance has had little impact on restaurants
01/01/07	Baytown: Grace period over for smoking ban
01/03/07	Abilene lights up 'no smoking' sign
01/03/07	Laredo: Bars get smoking break

IV. Anti-Smoking Elections

- Eight Texas cities have held public elections on an anti-smoking ordinances (either creating a new measure or upholding a council-initiated measure)
- All eight were approve/upheld by voters
- Elections held in Abilene, Austin, Baytown, Copperas Cove, Corpus Christi, Vernon, Victoria, Wichita Falls
- Two elections were forced by petitions opposing a council-enacted ban, one by a petition seeking a ban, and five elections were initiated by council
- Several cities (Baytown, Victoria, Austin) followed election results with direct council action

- One (Abilene) was a non-binding referendum

IV. Anti-Smoking Elections

Wichita Falls (1994) – passed

- 65 percent in favor vs. 35 percent opposed
- (creating an ordinance severely restricting smoking in restaurants)

Copperas Cove (Nov. 2004) – passed

- 61 percent in favor vs. 39 percent opposed
- (upholding ordinance to ban smoking in all public buildings)

Austin (May 2005) – passed

- 52 percent in favor vs. 48 percent opposed (passed by about 1,000 votes)
- (creating an ordinance banning smoking in all public buildings)

Corpus Christi (Sept. 2005) – passed

- 16,466 in favor (70 percent) vs. 6,737 opposed (29 percent)
- (upholding ordinance to ban smoking in all public buildings)

Victoria (May 2006) – passed

- 4,830 in favor (70 percent) vs. 2,098 opposed (30 percent)
- (creating an ordinance banning smoking in all public buildings)

Vernon (May 2006) – passed

- 471 in favor (82 percent) vs. 105 opposed (18 percent)
- (creating an ordinance banning smoking in all public buildings)

Abilene (Nov. 2006) – passed

- 15,326 in favor (69 percent) vs. 7,007 opposed (31 percent)
- (non-binding vote to ban smoking in all public buildings)

Baytown (Nov. 2006) – passed

- 5,306 in favor (57 percent) vs. 4,004 opposed (43 percent)
- (creating an ordinance banning smoking in all public buildings)

V. Citywide Health Initiative

- Free non-smoking classes (Victoria)
- Community health fairs, related events
- Health-focused city publication
- Health marketing campaign
- American Heart Association advocacy
- American Cancer Society advocacy

V. Citywide Health Initiative

Possible Partners

- Medical Center of Lewisville

- Nearby hospitals and clinics
- Physician offices
- Health insurers
- Major employers
- Health advocacy groups
- Community advocacy groups
- Lewisville ISD
- Denton County

Discussion was held regarding how waiving the fees would impact the City and if this could be done. Mayor Pro Tem Durham advised he was opposed to an ordinance for a smoking ban as he felt that was an issue the business owner should be allowed to decide. He indicated that it is up to the business owner and customer if they want to eat/operate at a smoking or non-smoking establishment. Discussion was held regarding if this was the responsibility of the elected official because of public health issues. Deputy Mayor Pro Tem Ueckert stated he does not have a problem with incentive programs.

Discussion was held regarding where smoking is currently regulated. Mr. Kunke advised that a number of the fast food chains do not allow smoking.

Mayor Pro Tem Durham stated he felt this was a property rights issue. Councilman Tierney stated that he liked the concept of the Citywide Health Incentive. Deputy Mayor Pro Tem Ueckert agreed that he also liked this concept. Discussion was held regarding health groups and support systems.

Councilman Tierney questioned Mayor Pro Tem Durham if he was also opposed to the recognition concept. Mayor Pro Tem Durham advised he did not have a problem with that concept as it would just be another category on a website.

City Manager King reminded the City Council that there was an action item on the regular agenda for them if they wanted to direct City staff how to proceed on this item. Deputy Mayor Pro Tem Ueckert questioned Mayor Pro Tem Durham if he had any problem with the signage concept. Mayor Pro Tem Durham advised he did not; however, he did have a problem if the City was paying for the signage. Mayor Pro Tem Durham further advised that he did not like the approach that Lubbock had taken.

Discussion was held where the City Council wanted to start on the non-smoking approach. City Manager King advised they could start with recognition on the City's tourism website and see how it goes from there. Deputy Mayor Pro Tem Ueckert stated he was in favor of the incentives; however, he was not sure about the fees, especially the health inspection fees

being waived. He further stated that he would like to see a nice sign outside of a restaurant, in a positive sense stating something similar to “Lewisville For Life” – or “Lewisville Life Facility.”

**Discussion of Regular Agenda Items and
Consent Agenda Items**

(Agenda Item B)

Councilman Tierney was not present in the City Council Conference Room.)

Mayor Carey reviewed Agenda Item A, Invocation. There was no discussion on this item.

Mayor Carey reviewed Agenda Item B, Pledge to the Flag. There was no discussion on this item.

Mayor Carey reviewed Agenda Item C, Visitors/Citizens Forum. There was no discussion on this item.

Mayor Carey reviewed Agenda Item D-1, Approval of Minutes: City Council Minutes of the December 18, 2006, Workshop Session and Regular Session. There was no discussion on this item.

Mayor Carey reviewed Agenda Item D-2, Approval of a Bid Award for the Purchase of 130 Communication Headsets for the Fire Department to Quala-Tel Enterprises, San Diego, California, in the Amount of \$32,000. There was no discussion on this item.

Mayor Carey reviewed Agenda Item D-3, Approval of Bid Award and Associated Agreement for Meter Reading Services to AMS Utiliserv, Monroe, Louisiana, in the Amount of \$220,080; and Authorization for the City Manager to Execute the Agreement. There was no discussion on this item.

Mayor Carey reviewed Agenda Item D-4, Approval of a Supplemental Budget Appropriation in the Amount of \$70,000 to the FY 2006/07 Police Forfeiture Fund for the Purchase of Rifles and Digital Cameras. There was no discussion on this item.

Mayor Carey reviewed Agenda Item D-5, Approval of a Supplemental Budget Appropriation for Prior Year Encumbrances in the Following Amounts: General Fund - \$202,494; Hotel/Motel Fund - \$57,363; Public Improvement District Fund - \$2,805; Grant Fund - \$1,299,720; Water and Sewer Fund - \$448,601; Vehicle and Equipment Replacement Fund - \$270,465; Insurance Fund - \$15,610 and Parks and Library Development Fund - \$31,336. There was no discussion on this item.

Mayor Carey reviewed Agenda Item D-6, Approval of an Interlocal Agreement Between the City of Lewisville and the North Central Texas Council of Governments (NCTCOG) Implementing the Clean Vehicle Program; and Approval of a Supplemental Appropriation to the Grant Fund in the Amount of \$29,600; and Authorization for the City Manager to Execute the Agreement. City Manager King reviewed this item for the City Council and advised this was a grant program offered by the COG to reduce emissions from older vehicles. There was no further discussion on this item.

(Councilman Tierney returned to the City Council conference room.)

Mayor Carey reviewed Agenda Item D-7, Approval of a Professional Services Agreement With Halff Associates, Inc., in the Amount of \$308,200 for Services Relating to the Railroad Street and Bennett Lane Project; Approval of a Total Project Design Amount of \$317,400, Which Includes \$9,200 for Contingencies; and Authorization for the City Manager to Execute the Agreement. There was no discussion on this item.

Mayor Carey reviewed Agenda Item D-8, Approval of Modifications to Administrative Policy 1.7.0, Benevolent Activity Fund. There was no discussion on this item.

Mayor Carey reviewed Agenda Item E-9, Consideration of Design Options for Roadway Improvements in the Westwood Estates Subdivisions, Related to the 2003 G.O. Bond Program. City Manager King reviewed the streets in this project and advised and that they are substandard compared to today's standards. City Manager King reviewed the six streets in Westwood Estates I and II that City staff felt might be eligible for a 30 foot pavement width as opposed to the 26 foot width. Discussion was held regarding how the sewer and waterlines would be affected. Further discussion was held regarding if the residents in the Westwood Estates I and II had received notice regarding the proposed street width. Council indicated that if only some of the streets were widened they would like to hold a public hearing to notify these residents. Deputy Mayor Pro Tem Ueckert advised he would like to at least notify these residents in some means. Discussion was held regarding tabling this item to allow time for the residents to be notified. Deputy Mayor Pro Tem Ueckert advised he did not want to hold this project up for any longer than necessary. Further discussion held regarding tabling this item to allow time to do a survey of the residents. There was no further discussion on this item.

Mayor Carey reviewed Agenda Item E-10, Consideration of an Ordinance Adopting Provisions for Pre-payment for Gasoline and Diesel Fuel at Retail Fuel Businesses. Mayor Pro Tem Durham advised that he was opposed to this as he felt the gas stations were able to take steps to stop drive offs today. City Manager King stated that they can stop it today, but they won't and it costs the City when they do not because the Police Department has to respond to their complaint that someone drove off. Police Chief Steve McFadden advised that a meeting had been held with the gas stations and while some had mixed feelings there were none that were

strongly opposed. Discussion was held regarding how many gas stations require pre-pay at the pump with credit cards. There was no further discussion on this item.

Mayor Carey reviewed Agenda Item E-11, Consideration of Smoking Options in Restaurants. There was no discussion on this item.

Mayor Carey reviewed Agenda Item E-12, Consideration of Declaring a Vacancy in Place No. 5 on the Community Development Block Grant Advisory Committee; and Consideration of an Appointment to Fill the Vacancy on the Community Development Block Grant Advisory Committee. There was no discussion on this item.

Mayor Carey reviewed Agenda Item F, Reports. There was no discussion on this item.

Mayor Carey reviewed Agenda Item G, Executive Session. There was no discussion on this item.

Items of Interest to the Council

(Agenda Item C)

There were no items of interest discussed by the City Council at this time.

With no further discussion, the workshop session of the Lewisville City Council was adjourned at 6:55 p.m. on Monday, January 8, 2007.

REGULAR SESSION - 7:00 P.M.

With a quorum of the Council Members present, the regular session of the Lewisville City Council was called to order by Mayor Carey at 7:00 p.m. on Monday, January 8, 2007, in the Council Chambers of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas.

Invocation

(Agenda Item A)

At the request of Mayor Carey, Councilman Tierney gave the invocation.

Pledge to the Flag

(Agenda Item B)

At the request of Mayor Carey, Mayor Pro Tem Durham gave the pledge to the flag.

Visitors/Citizens Forum

(Agenda Item C)

Sandy Thurman thanked the Lewisville Fire Department for recently responding to a call at her home. She advised that both the Fire Department and Police Departments were very

professional. She stated that the Fire Department came back about an hour after they left to check on the carbon monoxide levels in her home. Ms. Thurman stated she just wanted the City Council to know how much she appreciated the Fire Department and all they did for her.

No one else appeared to speak at this time.

CONSENT AGENDA

(Agenda Item D)

MOTION: Upon a motion made by Mayor Pro Tem Durham and seconded by Councilman Thornhill, the Council voted four (4) “ayes” and no (0) “nays” to approve and adopt all items on the Consent Agenda, as recommended and as follows:

1. APPROVAL OF MINUTES: City Council Minutes of the December 18, 2006, Workshop Session and Regular Session.
2. Approval of a Bid Award for the Purchase of 130 Communication Headsets for the Fire Department to Quala-Tel Enterprises, San Diego, California, in the Amount of \$32,000.
3. Approval of Bid Award and Associated Agreement for Meter Reading Services to AMS Utiliserv, Monroe, Louisiana, in the Amount of \$220,080; and Authorization for the City Manager to Execute the Agreement.
4. Approval of a Supplemental Budget Appropriation in the Amount of \$70,000 to the FY 2006/07 Police Forfeiture Fund for the Purchase of Rifles and Digital Cameras.
5. Approval of a Supplemental Budget Appropriation for Prior Year Encumbrances in the Following Amounts: General Fund - \$202,494; Hotel/Motel Fund - \$57,363; Public Improvement District Fund - \$2,805; Grant Fund - \$1,299,720; Water and Sewer Fund - \$448,601; Vehicle and Equipment Replacement Fund - \$270,465; Insurance Fund - \$15,610 and Parks and Library Development Fund - \$31,336.
6. Approval of an Interlocal Agreement Between the City of Lewisville and the North Central Texas Council of Governments (NCTCOG) Implementing the Clean Vehicle Program; and Approval of a Supplemental Appropriation to the Grant Fund in the Amount of \$29,600; and Authorization for the City Manager to Execute the Agreement.

7. Approval of a Professional Services Agreement With Halff Associates, Inc. in the Amount of \$308,200 for Services Relating to the Railroad Street and Bennett Lane Project; Approval of a Total Project Design Amount of \$317,400, Which Includes \$9,200 for Contingencies; and Authorization for the City Manager to Execute the Agreement.
8. Approval of Modifications to Administrative Policy 1.7.0, Benevolent Activity Fund.

The motion carried.

END OF CONSENT AGENDA

**Consideration of Design Options for
Roadway Improvements in the Westwood
Estates Subdivisions, Related to the 2003
G.O. Bond Program**

(Agenda Item E-9)

Mayor Carey advised that the Westwood Estates I and II projects are 2003 G.O. Bond projects relating to paving, drainage, water, and sewer improvements. Staff has completed the project details and limits of construction. Due to an increased interest and discussion regarding pavement widths in these older neighborhoods, staff is seeking the City Council direction regarding pavement width options.

Mayor Carey stated the City staff's recommendation was that the City Council approve the 30-foot pavement width design options for roadway improvements to Kingston Drive, Briarwood Drive, Ashwood Drive, Springwood Drive, Cedarwood Drive and Elmwood Drive in the Westwood Estates Subdivisions related to the 2003 G.O. Bond Program.

T.S. Kumar, City Engineer, was present to respond to any questions posed by the City Council.

City Manager King reviewed this agenda item at the request of Mayor Carey.

Deputy Mayor Pro Tem Ueckert stated that he did not want to delay this project for any longer. He further stated that he did not feel that there would be any way to please everyone and after thinking about the consistency of the streets and not wanting to increase traffic more on one street than another, he felt it would be better to remain with the 26 foot width throughout the entire project.

MOTION: Upon a motion made by Deputy Mayor Pro Tem Ueckert and seconded by Mayor Pro Tem Durham, the Council voted four (4) “ayes” and no (0) “nays” to approve 26-foot pavement width design options for roadway improvements in the Westwood Estates I and II projects related to the 2003 G.O. Bond Program. The motion carried.

**Consideration of Ordinance No. 3405-01-
2007 Adopting Provisions for Pre-payment
for Gasoline and Diesel Fuel at Retail Fuel
Businesses**

(Agenda Item E-10)

Staff conducted research into a new trend by municipalities to enact ordinances preventing gas “drive-off” thefts at retail fuel businesses. An ordinance has been prepared which requires retail fuel businesses to receive payment in full prior to activating a gasoline or diesel fuel pump.

The City staff’s recommendation was that the City Council adopt the ordinance providing provisions for pre-payment for gasoline and diesel fuel at retail fuel businesses.

City Manager King reviewed this agenda item at the request of Mayor Carey.

Mayor Pro Tem Durham advised that he was against approval of this ordinance as he felt the business owner can do this today. Discussion was held regarding who would pay for the signage. Police Chief Steve McFadden advised that it would be a minimal cost compared to the cost involved in responding to drive-off thefts.

City Attorney Ron Neiman read the ordinance caption into the record as follows:

“An Ordinance of the City Council of the City of Lewisville, Texas, Adopting Provisions for Pre-Payment For Gasoline and Diesel Fuel at Retail Fuel Businesses; Providing a Repealer; Providing for Severability; Providing a Penalty; Providing an Effective Date; and Declaring an Emergency.”

MOTION: Upon a motion made by Councilman Tierney and seconded by Councilman Thornhill, the Council voted three (3) “ayes” and one (1) “nays” to approve an Ordinance Adopting Provisions for Pre-payment for Gasoline and Diesel Fuel at Retail Fuel Businesses. The motion carried.

Due to the lack of a 4/5’s vote by the Council to adopt the ordinance on an emergency basis, the ordinance will have to be read on three separate days to meet the City Charter requirements

**Consideration of Smoking Options in
Restaurants**

(Agenda Item E-11)

Staff presented various options related to incentives and disincentives for restaurants that ban or do not ban smoking. Staff is requesting City Council direction related to any required ordinance amendments needed to implement these incentives or disincentives.

The City staff's recommendation was that the City Council direct staff regarding smoking options in restaurants.

Deputy Mayor Pro Tem Ueckert advised he was in favor of advertisement in a positive manner for the restaurants that would consider voluntarily being non-smoking. Mayor Pro Tem Durham advised he was in agreement if a restaurant voluntarily turned non-smoking being listed on a website as another category.

Councilman Tierney reviewed how this item had originally been brought forward to the City Council. He stated that he is not in favor of a government ban enforcing businesses to go non-smoking; however, he did believe that as elected officials they have a responsibility to make Lewisville as safe and healthy as possibly. He concluded by encouraging restaurants to decide to go non-smoking and commended City staff on all the hard work they had done.

MOTION: Upon a motion made by Deputy Mayor Pro Tem Ueckert and seconded by Councilman Tierney, the Council voted four (4) "ayes" and no (0) "nays" to utilize the following recognition incentives for non-smoking options in restaurants: a.) recognition signage or plaque; b.) non-smoking designation on website; and c.) semi-annual listing in city newsletter, and to exclude the following recognition incentives: a.) waiver of annual health inspection fees; b.) positive impact on health inspection scores, and c.) waiving of food handler permits; and directed City staff to look at this in a year and if progress is seen in restaurants and facilities then look at a Citywide health initiative with some type of program to include corporate sponsors, such as the hospital. The motion carried.

**Consideration of Declaring a Vacancy in
Place No. 5 on the Community Development
Block Grant Advisory Committee; and
Consideration of an Appointment to Fill the
Vacancy on the Community Development
Block Grant Advisory Committee**

(Agenda Item E-12)

Mayor Carey advised that in accordance with the City Council's attendance policy, Ali Khan has missed three consecutive meetings (during the months of September, October, and November) of the Community Development Block Grant Advisory Committee and is automatically removed from membership on this committee. Mr. Khan has been contacted by City staff regarding the attendance policy and he is aware that pursuant to this policy he has been automatically removed from this committee. Data sheets for residents interested in this committee have been included in the City Council's backup material.

Mayor Carey stated the City staff's recommendation was that the City Council declare a vacancy in Place No. 5 on the Community Development Block Grant Advisory Committee; and consider an appointment to fill the vacancy on the Community Development Block Grant Advisory Committee.

MOTION: Upon a motion made by Councilman Tierney and seconded by Councilman Thornhill, the Council voted four (4) "ayes" and no (0) "nays" to declare a vacancy in Place No. 5 on the Community Development Block Grant Advisory Committee; and appointment Mary Scruggs to fill the vacancy on the Community Development Block Grant Advisory Committee. The motion carried.

Reports

(Agenda Item F)

- Tax Increment Reinvestment Zone #1 Aesthetic Incentive Agreement
- Fourth Quarter Boards/Commissions/Committees Attendance Reports
- Director of Parks and Leisure Services Robert Monaghan gave an update on the unique bird spotted at the park.
- Director of Parks and Leisure Services Robert Monaghan advised there would be public meeting for the design of the skate park on January 17, 2007.
- Director of Public Services Carole Bassinger gave an update on the elevation of Lewisville Lake.
- Mayor Carey recognized Denton County Commission Bobbie Mitchell who was attending the City Council meeting.

There were no additional reports at this time.

Mayor Carey adjourned the regular session of the Lewisville City Council into Executive Session at 7:30 p.m. Monday, January 8, 2007, in accordance with the requirements of the Open Meetings Law.

Executive Session

(Agenda Item G)

In accordance with Texas Government Code, Subchapter D, Section 551.072 (REAL ESTATE), the Lewisville City Council convened into Executive Session at 7:35 p.m. on Monday, January 8, 2007, City Council Conference Room of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas, in order to discuss matters pertaining to the following:

1. Property Acquisition

Section 551.087 (ECONOMIC DEVELOPMENT):

2. Deliberation Regarding Economic Development for a Potential Company Relocation.

The Executive Session was adjourned at 7:45 p.m. on Monday, January 8, 2007.

**Reconvene into Regular Session and
Consider Action, if any, on Items Discussed
in Executive Session**

(Agenda Item H)

Mayor Carey reconvened the Regular Session of the Lewisville City Council at 7:50 p.m. on Monday, January 8, 2007, in the Council Chambers of the Lewisville City Hall.

Mayor Carey opened the floor for action to be taken on the items discussed in the Executive Session. There was no action taken on the items discussed during the Executive Session.

Adjournment

(Agenda Item I)

Councilman Thornhill was not present at the dais.)

MOTION: Upon a motion made by Councilman Tierney and seconded by Mayor Pro Tem Durham, the Council voted four (4) "ayes" and no (0) "nays" to adjourn the Regular Session of the Lewisville City Council at 7:50 p.m. on Monday, January 8, 2007. The motion carried.

These minutes approved by the Lewisville City Council on the 22nd day of January, 2007.

**LEWISVILLE CITY COUNCIL
REGULAR SESSION
JANUARY 8, 2007**

Page 16

APPROVED

Gene Carey
MAYOR

ATTEST:

Julie Heinze
CITY SECRETARY