

LEWISVILLE CITY COUNCIL

REGULAR SESSION

JULY 20, 2009

Present:

Dean Ueckert, Mayor

Council Members:

Rudy Durham, Deputy Mayor Pro Tem
Greg Tierney
David Thornhill
John Gorena

Absent:

Lathan Watts, 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 – 6:30 P.M.

With a quorum of the Council Members present, the workshop session of the Lewisville City Council was called to order by Mayor Ueckert at 6:30 p.m. on Monday, July 20, 2009, in the City Council Conference Room of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas. All City Department Heads were in attendance.

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

(Agenda Item A)

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

Mayor Ueckert reviewed Agenda Item B, Pledge to the American and Texas Flags. There was no discussion on this item.

WORKSHOP SESSION – 6:30 P.M.

**Discussion of Regular Agenda Items and
Consent Agenda Items (cont'd)**

(Agenda Item A)

Mayor Ueckert reviewed Agenda Item C, Presentation, Plaques and Certificates to Outgoing Members of the City's Boards/Commissions/Committees. There was no discussion on this item.

Mayor Ueckert reviewed Agenda Item D-1, Public Hearing: Consideration of a Strategic Partnership Agreement Between the City of Lewisville and Denton County Fresh Water Supply Districts 1-A, 1-B, 1-C, 1-D, 1-E, 1-F, 1-G, and 1-H; and Consideration of an Ordinance Adopting the Strategic Partnership Agreement. There was no discussion on this item.

Mayor Ueckert reviewed Agenda Item D-2, Public Hearing: Consideration of an Ordinance for a Zone Change Request From Townhouse Two (TH-2) to 3.65 Acres of Medical District (MD) and 2.50 Acres of Office District (OD) on a 6.15 Acre Tract Located at the Northeast Corner of Rockbrook Drive and Highland Drive; Further Identified as The Manors at Vista Ridge II Addition, in its Entirety; as Requested by Churchill Residential Inc., on Behalf of the Property Owners (Case No. PZ20090608). There was no discussion on this item.

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

Mayor Ueckert reviewed Agenda Item F-3, Approval of Minutes: City Council Minutes of the July 6, 2009, Workshop Session and Regular Session. There was no discussion on this item.

Mayor Ueckert reviewed Agenda Item F-4, Approval of 2009-10 Castle Hills Police and Fire/EMS Agreements. There was no discussion on this item.

Mayor Ueckert reviewed Agenda Item F-5, Approval of a Professional Services Agreement With Halff Associates, Inc., in the Amount of \$59,000 for Design and Construction of the Holford's Prairie Road 30-Inch Parallel Sanitary Sewer; Approval of a Total Project Design Budget of \$60,770, Which Includes \$1,770 for Contingencies; and Authorization for the City Manager to Execute the Agreement. There was no discussion on this item.

Mayor Ueckert reviewed Agenda Item F-6, Approval of an Agreement for Ad Valorem Tax Billing and Collection Between the City of Lewisville and Denton County for Fiscal Year 2009-10; and Authorization for the City Manager to Execute the Agreement. There was no discussion on this item.

WORKSHOP SESSION – 6:30 P.M.

**Discussion of Regular Agenda Items and
Consent Agenda Items (cont'd)**

(Agenda Item A)

Mayor Ueckert reviewed Agenda Item G-7, Consideration of the FY 2009-10 Community Development Block Grant (CDBG) Draft Budget in the Amount of \$582,076; and Acknowledgement of Receipt of the Recommended FY 2009-10 City Social Service Agency Fund Budget of \$173,250 From the CDBG Advisory Committee. Councilman Thornhill expressed concern that funds had not been recommended for housing rehab. Discussion was held regarding his concerns. There was no further discussion on this item.

Mayor Ueckert reviewed Agenda Item G-8, Consideration of a Resolution to Execute a Local Participation Advanced Funding Agreement (LPAFA) With TxDOT to Install Video Detection and Communications at Ten Traffic Signals on FM 1171 (Main Street). Mayor Ueckert advised that this was not for red light cameras. City Manager King explained that these are cameras for signal controls. There was no further discussion on this item.

Mayor Ueckert reviewed Agenda Item G-9, Consideration of an Ordinance Amending the Lewisville City Code, Chapter 2, Article VIII, Section 2-201 Fee Schedule by Charging Fees for Police Accident Reports. There was no discussion on this item.

Mayor Ueckert reviewed Agenda Item G-10, Consideration of an Ordinance Approving a Negotiated Resolution Between the Atmos Cities Steering Committee ("Steering Committee") and Atmos Energy Corp., Mid-Tex Division ("Company") Regarding the Company's Rate Review Mechanism Filing in all Cities Exercising Original Jurisdiction; Declaring Existing Rates to be Unreasonable; Requiring the Company to Reimburse Cities' Reasonable Ratemaking Expenses; Adopting Tariffs that Reflect Rate Adjustments Consistent with the Negotiated Settlement and Finding the Rates to be Set by the Attached Tariffs to be Just and Reasonable; Approving Atmos' Proof of Revenues; Adopting a Savings Clause; Determining that this Ordinance was Passed in Accordance with the Requirements of the Texas Open Meetings Act; Declaring an Effective Date; Requiring Delivery of this Ordinance to the Company and the Steering Committee's Legal Counsel; and Declaring an Emergency. City Manager King advised that this was a settlement resolution and referenced the information contained in the City Council's backup material. There was no further discussion on this item.

WORKSHOP SESSION – 6:30 P.M.

**Discussion of Regular Agenda Items and
Consent Agenda Items (cont'd)**

(Agenda Item A)

Mayor Ueckert reviewed Agenda Item G-11, Acknowledgement of Receipt of the FY 2009-10 Proposed Budget; and Consideration of Public Hearings for the Budget and the Proposed Tax Rate. City Manager King advised that the proposed budget had been placed in the City Council's mailboxes prior to the meeting and requested that they take them home and review them. Discussion was held regarding processing documents electronically in the future. There was no further discussion on this item.

Mayor Ueckert reviewed Agenda Item H-Closed Session. There was no discussion on this item.

With no further discussion, the workshop session of the Lewisville City Council was adjourned at 6:44 p.m. on Monday, July 20, 2009.

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 Ueckert at 7:00 p.m. on Monday, July 20, 2009, in the Council Chambers of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas.

Invocation

(Agenda Item A)

Mayor Ueckert gave the invocation.

Pledge to the American and Texas Flags

(Agenda Item B)

At the request of Mayor Ueckert, Councilman Gorena gave the pledge to the American and Texas flags.

**Presentation: Plaques and Certificates to
Outgoing Members of the City's
Boards/Commissions/Committees**

(Agenda Item D)

Mayor Ueckert read and presented plaques to former Mayor Gene Carey for his service on Animal Control, Lewisville Local Government Corporation, and the Parks and Leisure Service Development Corporation. Mayor Ueckert also presented a plaque with the Key to City to former Mayor Gene Carey for his service to the City over the years.

Public Hearing: Consideration of a Strategic Partnership Agreement Between the City of Lewisville and Denton County Fresh Water Supply Districts 1-A, 1-B, 1-C, 1-D, 1-E, 1-F, 1-G, and 1-H; and Consideration of Ordinance No. 3695-07-2009 Adopting the Strategic Partnership Agreement

(Agenda Item D-1)

The Strategic Partnership Agreement provides for a limited annexation, by the City, for sales tax purposes, of designated tracts of land including commercially zoned properties as well as all public rights of way in the specified Districts. A map delineating these areas is included for consideration. Public rights of way are included in the limited annexation to achieve contiguity between all commercial tracts. The Agreement authorizes the imposition of a Sales and Use Tax within the annexed areas. Texas Local Government Code, Section 43.0751, requires the governing bodies of the municipality and the specified Districts, to hold two public hearings regarding the limited annexation. The first public hearing was held on July 6, 2009 and this is the second required public hearing for this item. All the Districts have held the required public hearings and approved the agreements. The Texas State Comptroller's Office requires that an ordinance be submitted to their office authorizing the Strategic Partnership Agreement. The ordinance is submitted for consideration.

The City staff's recommendation was that the City Council conduct the public hearing and approve the ordinance.

Mayor Ueckert opened the public hearing and advised that Zane Miller, 2540 King Arthur, #220, Lewisville, Texas was available to address any questions posed by the City Council.

MOTION: Upon a motion made by Deputy Mayor Pro Tem Durham and seconded by Councilman Tierney, the Council voted four (4) "ayes" and no (0) "nays" to close the public hearing. The motion carried.

Public Hearing: Consideration of a Strategic Partnership Agreement Between the City of Lewisville and Denton County Fresh Water Supply Districts 1-A, 1-B, 1-C, 1-D, 1-E, 1-F, 1-G, and 1-H; and Consideration of Ordinance No. 3695-07-2009 Adopting the Strategic Partnership Agreement (cont'd)

(Agenda Item D-1)

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, Declaring Certain Findings; Providing for Limited Purpose Annexation of a Certain 119.82 Acres of Land, Specifically Described in the Attached Exhibit A, Plus All Street Rights-of-Way and Alley Rights-of-Way Dedicated by Separate Instruments Within the Denton County Fresh Water Supply Districts No. 1-A, 1-B, 1-C, 1-D, 1-E, 1-F, 1-G, 1-H, Denton County, Texas, Pursuant to Section 43.0751, Local Government Code, for the Sole Purpose of Imposing a Sales and Use Tax; Providing a Repealer; Providing for Severability; Providing an Effective Date; and Declaring an Emergency.

MOTION: Upon a motion made by Deputy Mayor Pro Tem Durham and seconded by Councilman Thornhill, the Council voted four (4) “ayes” and no (0) “nays” to approve the Strategic Partnership Agreement Between the City of Lewisville and Denton County Fresh Water Supply Districts 1-A, 1-B, 1-C, 1-D, 1-E, 1-F, 1-G, and 1-H; and approve and adopt **Ordinance No. 3695-07-2009**, as previously captioned. The motion carried.

Public Hearing: Consideration of an Ordinance for a Zone Change Request From Townhouse Two (TH-2) to 3.65 Acres of Medical District (MD) and 2.50 Acres of Office District (OD) on a 6.15 Acre Tract Located at the Northeast Corner of Rockbrook Drive and Highland Drive; Further Identified as The Manors at Vista Ridge II Addition, in its Entirety; as Requested by Churchill Residential Inc., on Behalf of the Property Owners (Case No. PZ20090608)

(Agenda Item D-2)

Churchill Residential is proposing an independent living facility for seniors on the Medical District (MD) portion of the site. In order to qualify for MD zoning the apartments must have an age restriction allowing only senior citizens as well as provide a level of senior programs not typically found in standard garden apartments. The Office District zoning is a more restrictive zoning category allowing professional administrative offices, medical and dental offices, churches, schools and government uses. It does not allow outside storage. The site is contiguous to Rockbrook Elementary and Rockbrook Montessori Schools. Vista Ridge Estates, a single-family residential subdivision, is directly across the street, and The Hearthstone, an assisted living facility, is located diagonally across the intersection. The proposed uses would complement the existing uses in that area. The Planning and Zoning Commission voted in favor of this request (6-0) on June 2, 2009. The applicant has requested that the item be continued to the August 3rd meeting, allowing them time to work on their payment in lieu of taxes (PILOT) agreement, use restrictions for the State and tax credit application to TDHCA.

The City staff's recommendation was that the City Council continue the public hearing to the August 3, 2009, City Council meeting as requested by the applicant.

Mayor Ueckert opened the public hearing.

Gene Lewis, Planning and Community Services Manager, was present to respond to any questions posed by the City Council.

MOTION: Upon a motion made by Councilman Tierney and seconded by Councilman Thornhill, the Council voted four (4) "ayes" and no (0) "nays" to continue the public hearing to the August 3, 2009, City Council meeting. The motion carried.

Visitors/Citizens Forum

(Agenda Item E)

Mr. L. Robert Glen, Lewisville, Texas, spoke before the City Council regarding his concerns about residential waste and recycle material recovery; a mucky mess at the southeast corner of 190 Civic Circle, and code enforcement requirements to have an address posted at both the front and back of a residence. City Manager King advised that City staff would get with him regarding his concerns.

No one else appeared to speak at this time.

CONSENT AGENDA

(Agenda Item F)

MOTION: Upon a motion made by Deputy Mayor Pro Tem Durham and seconded by Councilman Gorena, 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:

3. APPROVAL OF MINUTES: City Council Minutes of the July 6 2009, Workshop Session and Regular Session.
4. Approval of 2009-10 Castle Hills Police and Fire/EMS Agreements.
5. Approval of a Professional Services Agreement With Halff Associates, Inc., in the Amount of \$59,000 for Design and Construction of the Holford's Prairie Road 30-Inch Parallel Sanitary Sewer; Approval of a Total Project Design Budget of \$60,770, Which Includes \$1,770 for Contingencies; and Authorization for the City Manager to Execute the Agreement.
6. Approval of an Agreement for Ad Valorem Tax Billing and Collection Between the City of Lewisville and Denton County for Fiscal Year 2009-10; and Authorization for the City Manager to Execute the Agreement.

The motion carried.

END OF CONSENT AGENDA

Consideration of the FY 2009-10 Community Development Block Grant (CDBG) Draft Budget in the Amount of \$582,076; and Acknowledgement of Receipt of the Recommended FY 2009-10 City Social Service Agency Fund Budget of \$173,250 From the CDBG Advisory Committee

(Agenda Item G-7)

The U.S. Department of Housing and Urban Development (HUD) has announced that \$582,076 is available for funding eligible Community Development Block Grant projects for FY 2009-10 (up from \$569,895 from FY 2008-09). The CDBG Advisory Committee, at their June 16, 2009 meeting voted 6-0 to adopt a proposed budget allocating a total of \$755,326 from the CDBG and City Social Service Agency programs, which includes \$173,250 for social service agencies from General Fund Reserves.

The City staff's recommendation was that the City Council approve the FY 2009-10 Community Development Block Grant (CDBG) Draft Budget in the amount of \$582,076; and acknowledge receipt of the recommended FY 2009-10 City Social Service Agency Fund Budget of \$173,250 from the CDBG Advisory Committee.

Jamey Kirby, Grants Coordinator, spoke before the City Council regarding this item and offered to respond to any questions posed by the City Council

Mayor Ueckert advised that TJ Gilmore, 724 Juniper Lane, Lewisville, Texas, Chairman of the Community Development Block Grant Committee, was present to respond to any questions posed by the City Council.

Discussion was held regarding Councilman Thornhill's concern that Category I Funding included funding for asphalt on the street and no funding for housing rehabilitation. He advised that he felt the City could search out another alternative method to help finance street repairs and the funds would be better directed to help rehabilitate houses. Grants Coordinator Jamey Kirby explained that housing rehab takes a good deal more staff resources and if it was fully funded it could certainly be able to proceed; however, HUD has some specific requirements that would make it not as easy to administer as street repairs. City Manager Claude King explained that the committee concern was that the \$60,000 that could be directed toward housing rehab would not be enough to make a meaningful impact. He further explained to have an effective housing rehab the City would need more funds for a project and additional funds would be required at a staffing level also as these projects are extremely labor intensive from an administrative point of view to meet all the requirements of HUD.

Consideration of the FY 2009-10 Community Development Block Grant (CDBG) Draft Budget in the Amount of \$582,076; and Acknowledgement of Receipt of the Recommended FY 2009-10 City Social Service Agency Fund Budget of \$173,250 From the CDBG Advisory Committee (cont'd)

(Agenda Item G-7)

Discussion was held regarding other revenue sources that could supply the funding for the repairs on Milton Street. Mayor Ueckert pointed out that the funds for the housing rehab that was done years ago was done with a different source of money. Further discussion was held regarding what types of items this funding could supply.

MOTION: Upon a motion made by Councilman Tierney and seconded by Deputy Mayor Pro Tem Durham, the Council voted three (3) “ayes” and one (1), “nays,” with Councilman Thornhill casting the negative vote to approve the FY 2009-10 Community Development Block Grant (CDBG) Draft Budget in the amount of \$582,076; and acknowledged receipt of the recommended FY 2009-10 City Social Service Agency Fund Budget of \$173,250 from the CDBG Advisory Committee. The motion carried.

Mayor Pro Tem Thornhill advised he had cast the negative vote due to the Brick and Mortar funding.

Consideration of Resolution No. 3696-07-2009(R) to Execute a Local Participation Advanced Funding Agreement (LPAFA) With TxDOT to Install Video Detection and Communications at Ten Traffic Signals on FM 1171 (Main Street)

(Agenda Item G-8)

This is a CMAQ (Congestion Mitigation Air Quality) grant for \$249,090 awarded by the North Central Texas Council of Governments and managed by TxDOT. The project includes the installation of video detection cameras (VIVDS) and wireless communication equipment for ten traffic signals on FM 1171 (Main Street) from Garden Ridge Boulevard to the IH35E frontage roads. The City will be required to optimize traffic signal timing and provide a before/after study to NCTCOG at the end of the project. The project will be designed and managed in-house by staff. The project is 100% funded by federal and state funds.

Consideration of Resolution No. 3696-07-2009(R) to Execute a Local Participation Advanced Funding Agreement (LPAFA) With TxDOT to Install Video Detection and Communications at Ten Traffic Signals on FM 1171 (Main Street) (cont'd)

(Agenda Item G-8)

The City staff's recommendation was that the City Council approve a resolution and execute the LPAFA agreement as requested by TxDOT and move forward with the design and construction of VIVDS and wireless communications for the ten traffic signals on FM 1171 (Main Street).

MOTION: Upon a motion made by Deputy Mayor Pro Tem Durham and seconded by Councilman Tierney, the Council voted four (4) "ayes" and no (0) "nays" to approve **Resolution No. 3696-07-2009(R)** Authorizing the City Manager of the City of Lewisville, Texas to Execute a Local Participation Advanced Funding Agreement for an On-System Project Related to a Congestion Mitigation and Air Quality Improvement Project for Furnishing and Installing of Traffic Signals by a Municipality; Authorizing the Expenditure of Funds Therefore; and Providing an Effective Date. The motion carried.

Consideration of Ordinance No. 3697-07-2009 Amending the Lewisville City Code, Chapter 2, Article VIII, Section 2-201 Fee Schedule by Charging Fees for Police Accident Reports

(Agenda Item G-9)

Individuals and insurance companies are frequent customers of the Police Department's Records Section seeking to obtain a copy of an accident report. The department currently allows citizens to pick-up reports over the counter at no charge (a non-certified copy) or \$10 for a certified copy. A recent change in state law requires cities to charge a fee of \$6 for non-certified copies and \$8 for certified copies for police accident reports.

The City staff's recommendation was that the City Council approve the ordinance amending the Lewisville City Code, Chapter 2, Article VIII, Section 2-201 Fee Schedule by charging fees for police accident reports.

Consideration of Ordinance No. 3697-07-2009 Amending the Lewisville City Code, Chapter 2, Article VIII, Section 2-201 Fee Schedule by Charging Fees for Police Accident Reports (cont'd)

(Agenda Item G-9)

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 Amending the Lewisville City Code, Chapter 2, Article VIII, Section 2-201 Fee Schedule, by Changing the Fee for an Accident Report; Providing a Repealer; Providing for Severability; Providing an Effective Date; and Declaring an Emergency.

MOTION: Upon a motion made by Councilman Tierney and seconded by Councilman Gorena, the Council voted four (4) "ayes" and no (0) "nays" to approve and adopt **Ordinance No. 3697-07-2009**, as previously captioned. The motion carried.

Consideration of an Ordinance Approving a Negotiated Resolution Between the Atmos Cities Steering Committee ("Steering Committee") and Atmos Energy Corp., Mid-Tex Division ("Company") Regarding the Company's Rate Review Mechanism Filing in all Cities Exercising Original Jurisdiction; Declaring Existing Rates to be Unreasonable; Requiring the Company to Reimburse Cities' Reasonable Ratemaking Expenses; Adopting Tariffs that Reflect Rate Adjustments Consistent with the Negotiated Settlement and Finding the Rates to be Set by the Attached Tariffs to be Just and Reasonable; Approving Atmos' Proof of Revenues; Adopting a Savings Clause; Determining that this Ordinance was Passed in Accordance with the Requirements of the Texas Open Meetings Act; Declaring an Effective Date; Requiring Delivery of this Ordinance to the Company and the Steering Committee's Legal Counsel; and Declaring an Emergency

(Agenda Item G-10)

On March 6, 2009, Atmos filed with the City an application to increase natural gas rates by \$20.2 million. The City is a member of the Atmos Cities Steering Committee and has negotiated an increase of \$2.6M which will impact the average residential customer approximately \$0.15 per month.

The City staff's recommendation was that the City Council approve the ordinance.

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, ("City") Approving a Negotiated Resolution Between the Atmos Cities Steering Committee ("ACSC" or "Steering Committee") and Atmos Energy Corp., Mid-Tex Division ("Atmos Mid-Tex" or "Company") Regarding the Company's Rate Review Mechanism Filing in all Cities Exercising Original Jurisdiction Declaring Existing Rates to be Unreasonable; Requiring the Company to Reimburse Cities' Reasonable Ratemaking Expenses; Adopting Tariffs That Reflect Rate Adjustments Consistent With the Negotiated Settlement and Finding the Rates to be Set by the Attached Tariffs to be Just and Reasonable; Approving Atmos' Proof of Revenues; Adopting a Savings Clause; Determining That This Ordinance was Passed in Accordance With the Requirements of the Texas Open Meetings Act; Declaring an Effective Date; Requiring Delivery of This Ordinance to the Company and the Steering Committee's Legal Counsel; and Declaring an Emergency.

MOTION: Upon a motion made by Councilman Tierney and seconded by Deputy Mayor Pro Tem Durham, the Council voted three (3) "ayes" and one (1) "nays," with Councilman Thornhill casting the negative vote to approve and adopt the ordinance Negotiated Resolution Between the Atmos Cities Steering Committee ("ACSC" or "Steering Committee") and Atmos Energy Corp., Mid-Tex Division ("Atmos Mid-Tex" or "Company") Regarding the Company's Rate Review Mechanism Filing. The motion carried.

City Attorney Ron Neiman advised that 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 brought back for two additional reads to meet the City Charter requirements.

Acknowledgement of Receipt of the FY 2009-10 Proposed Budget; and Consideration of Public Hearings for the Budget and the Proposed Tax Rate

(Agenda Item G-11)

The proposed budget for FY 2009-10 has been prepared and submitted in accordance with Section 9.02 of the City Charter. Workshop sessions are scheduled for August 8th at 8:30 a.m. and August 10, 11, and 12th at 6:00 p.m., if needed. All sessions will take place in the Community Room of the Municipal Annex. The City Council is required to set a time and place for a Public Hearing on the budget when submitted. The date must be at least 15 days after the budget is filed with the City Secretary and prior to the tax levy being set. Staff recommends setting the date for September 14th at a regularly scheduled Council meeting. If the proposed budget exceeds the lower of either the rollback or effective tax rate, a second public hearing is required. Staff recommends setting the date for this public hearing for September 21th at a regularly scheduled Council meeting.

The City staff's recommendation was that the City Council acknowledge receipt of the FY 2009-10 Proposed Budget and consider public hearings for the budget and proposed tax rate.

MOTION: Upon a motion made by Deputy Mayor Pro Tem Durham and seconded by Councilman Thornhill, the Council voted four (4) "ayes" and no (0) "nays" acknowledged receipt of the FY 2009-10 Proposed Budget and set the public hearings for the budget and proposed tax rate for September 14th and if the proposed budget exceeds the lower of either the rollback or effective tax rate, a second public hearing would be held on September 21. The motion carried.

Mayor Ueckert adjourned the regular session of the Lewisville City Council into Closed Session at 7:58 p.m. Monday, July 20, 2009, in accordance with the requirements of the Open Meetings Law.

Closed Session

(Agenda Item H)

In accordance with Texas Government Code, Subchapter D, Section 551.072 (Real Estate), the Lewisville City Council convened into Closed Session at 8:05 p.m. on Monday, July 20, 2009, 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):

Closed Session (cont'd)

(Agenda Item H)

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

The Closed Session was adjourned at 9:45 p.m. on Monday, July 20, 2009.

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

(Agenda Item I)

Mayor Ueckert reconvened the Regular Session of the Lewisville City Council at 9:45 p.m. on Monday, July 20, 2009, in the Council Chambers of the Lewisville City Hall.

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

Adjournment

(Agenda Item J)

MOTION: Upon a motion made by Councilman Tierney and seconded by Deputy 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 9:45 p.m. on Monday, July 20, 2009. The motion carried.

These minutes approved by the Lewisville City Council on the 3rd day of August, 2009.

APPROVED

Dean Ueckert
MAYOR

ATTEST:

Julie Heinze
CITY SECRETARY