

**LEWISVILLE CITY COUNCIL**

**REGULAR SESSION**

**AUGUST 17, 2009**

**Present:**

Dean Ueckert, Mayor

**Council Members:**

Lathan Watts, Mayor Pro Tem  
Rudy Durham, Deputy Mayor Pro Tem  
Greg Tierney (arrived at 6:08 p.m.)  
David Thornhill  
John Gorena

**City Staff:**

Claude King, City Manager  
Donna Barron, Assistant City Manager  
Steve Bacchus, Assistant City Manager  
Julie Heinze, City Secretary  
Lizbeth Plaster, Assistant City Attorney

**WORKSHOP SESSION – 5:45 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 5:45 p.m. on Monday, August 17, 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 Regarding Naming Rights Agreement**

**(Agenda Item A)**

Assistant City Manager Donna Barron introduced Bill Rhoads with CSL Marketing Group and advised that he would be conducting a PowerPoint for the Naming Rights Agreement. Mr. Rhoads conducted the PowerPoint Presentation.

Assistant City Manager Donna Barron advised that City staff's recommendation was to choose a consultant that does this type of work day in and day out, not utilize a current City staff member.

**Discussion Regarding Naming Rights  
Agreement (cont'd)**

**(Agenda Item A)**

Discussion was held regarding how the Western Day Sponsorship is handled. Ms. Barron explained that Jerry Thompson, with Promoter Line handles the sponsorship for Western Day.

Discussion was held that the City Council will ultimately have the final approval rights regarding sponsors. Further discussion was held that the City Council did not want CSL Marketing Group to solicit sponsorships that could be deemed unacceptable.

Ms. Barron pointed out a change in the agreement located on Page 4 on the third full paragraph that "The 6 month time sales frame will commence October 1<sup>st</sup>. She advised this item will have to be pulled off of Consent in order for this change to be made should the City Council wish to approve the agreement.

Councilman Thornhill and Councilman Gorena both advised that they were still uncomfortable with selling the Performing Arts Center for naming rights; however, they were okay with Western Days.

**Discussion and Review of Trails Master Plan**

**(Agenda Item B)**

(Councilman Tierney arrived at 6:08 p.m.)

Director of Parks and Leisure Services Robert Monaghan introduced Adam Wood and Lenny Hughes with Half and Associates and advised that Mr. Wood would be conducting the PowerPoint Presentation for the Review of the Trails Master Plan. Mr. Monaghan reviewed the history thus far on this project.

Mr. Wood conducted the PowerPoint Presentation.

Discussion was held regarding if there were restrictions put on the extreme bikers, such as speed limits. Mr. Wood advised that there were various ways to put restrictions in place to deal with speed issues. Assistant City Manager Barron pointed out that people who want to go fast will not be on the trail due to other people and animals on the trail.

Further discussion was held regarding the number of miles that were proposed for the trail. Mr. Wood advised that there was not an exact number; however, it would be considerably more than what was present today. Mr. Monaghan advised that the alignments were still being worked on and the number of miles had not been calculated at this time.

**Discussion and Review of Trails Master Plan  
(cont'd)**

**(Agenda Item B)**

Councilman Tierney questioned the expense difference of the two types of trails and what the limitations were for the natural trail. Mr. Hughes advised the maintenance costs of the two types of trails were a factor and that there should be a combination of both types along the trail depending on the area. Mr. Hughes advised, as an example, the LLELA area would be better served as a natural surface and reiterated the type of trail would be context driven depending on the surroundings of each particular area.

Deputy Mayor Pro Tem Thornhill questioned what the public comment thus far had been. Mr. Wood advised that the public comments received had been concerns regarding the suitability, potential alternatives and general input in terms of the types of facilities connections that were preferred. He further advised that shared lanes for a bike route had received positive feedback from cycling community and the benefit to that would be it is less costly to build and maintain than a dedicated bike lane. Mr. Monaghan advised that additional feedback from some was that they preferred a natural trail in some areas and wider trails.

Councilman Gorena questioned if they had received feedback from the residents that live on North Mill as he had heard they did not want a trail built in their area. Mr. Wood advised that they had received considerable feedback from those residents. Mayor Ueckert pointed out that the trails in this area are shown to be located in a public right of way and people can currently walk in those areas right now, it is just not a formal trail. Mr. Monaghan advised that the majority of the proposed trail is in public right away; however, the project is exploring some areas where easements will be needed. Discussion was held regarding the various areas looked at and the crime level where the current trails are located. Police Chief Russ Kerbow advised that he had polled City staff and they did not know of anything in particular that was crime related due to existing trails. He pointed out that if you give it up to them they will take it over, but it is usually the law abiding citizens that utilize the trail system.

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

**(Agenda Item C)**

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.

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

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

**(Agenda Item C)**

Mayor Ueckert reviewed Agenda Item D-1, Approval of Minutes: City Council Minutes of the August 3, 2009, Workshop Session and Regular Session.

Mayor Ueckert reviewed Agenda Item D-2, Approval of Administrative Policy 3.3.1, Investment Policy. There was no discussion on this item.

Mayor Ueckert reviewed Agenda Item D-3, Approval of a Bid Award for an Annual Requirements Contract for Instrumentation Services to Prime Controls, Lewisville, Texas. City Manager King pointed out that this was a very good bid and the engineer's estimate had been significantly higher. Discussion held regarding a number of the trees would be able to be saved and that the streets were not being widened due to grade differentials and some tree issues. There was no further discussion on this item.

Mayor Ueckert reviewed Agenda Item D-4, Approval of a Bid Award for the Westwood Estates I Improvements Project to McMahon Contracting, L.P., Irving, Texas, in the Amount of \$4,404,503.20; and Authorization for the City Manager to Execute the Contract. There was no discussion on this item.

Mayor Ueckert reviewed Agenda Item D-5, Approval of Acceptance of a \$4,000 Grant From the Texas Comptroller of Public Accounts for the Tobacco Education and Prevention Initiative Program; and Authorization for the City Manager or his Designee to Execute the Grant Agreement. There was no discussion on this item.

Mayor Ueckert reviewed Agenda Item D-6, Approval of Agreement for Auditing Services for the Fiscal Years Ending September 30, 2009 and 2010 in the Amounts of \$83,600 and \$87,205, Respectively, With the Firm of Grant Thornton, With the Optional Provision for Three Additional One-Year Extensions. There was no discussion on this item.

Mayor Ueckert reviewed Agenda Item D-7, Approval of a Professional Services Agreement With Birkhoff, Hendricks and Conway, L.L.P., Consulting Engineers, in the Amount of \$398,080 for Design and Construction of the Indian Creek Lift Station and Sanitary Sewer Force Main; and Authorization for the City Manager to Execute the Agreement. There was no discussion on this item.

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

**(Agenda Item C)**

Mayor Ueckert reviewed Agenda Item D-8, Approval of a Professional Services Agreement With Kimley-Horn and Associates, Inc., in the Amount of \$179,700 for Services Relating to the Vista Ridge Mall Drive Project; Approval of a Total Project Design Amount of \$185,100, Which Includes \$5,400 for Contingencies; and Authorization for the City Manager to Execute the Agreement. There was no discussion on this item.

Mayor Ueckert reviewed Agenda Item D-9, Approval of a Resolution of the City Council of the City of Lewisville, Texas, Amending the Authorized Representatives Used to Access the City's Accounts With Texpool. There was no discussion on this item.

Mayor Ueckert reviewed Agenda Item D-10, Tabled Item: Approval of a Resolution Approving an Interlocal Cooperation Agreement Between TxDOT and Five Cities to Obtain Reimbursement for the Operation and Maintenance of Traffic Signals. There was no discussion on this item.

Mayor Ueckert reviewed Agenda Item D-11, Approval of an Agreement With CSL Marketing Group for Facility/Event Valuation and Marketing Plan Development at a Cost of \$17,500 and Marketing Execution at a Cost of \$5,500 Per Month for the Procurement of Corporate Sponsorships/ Naming Rights for Railroad Park, Lewisville Center for the Creative Arts and the Western Day Event; Funding is Available in the Hotel-Motel Fund and the Railroad Park CIP Project. Mayor Ueckert requested that this item will be pulled and addressed per Assistant City Manager Donna Barron's recommendation.

Mayor Ueckert reviewed Agenda Item E-12, Consideration of a Request for a Variance to the Lewisville City Code, Old Town Development Ordinance, Section 123(b) Regarding Required Non-Residential Landscaping for the Lyon Building II, a Proposed Office Building Located at 385 West Main Street on the North East Corner of Main Street and Cowan Avenue as Requested by Kyle Hogue of G&A Consulting, Inc., Representing the Property Owner. There was no discussion on this item.

Mayor Ueckert reviewed Agenda Item E-13, Consideration of an Ordinance Amending the Lewisville City Code, Chapter 15, Article II, Maximum Speed Limits Near Schools, Establishing a School Speed Zone of 20 Miles Per Hour at the Intersection of Bellaire Boulevard and Garden Ridge Boulevard. There was no discussion on this item.

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

**(Agenda Item C)**

Mayor Ueckert reviewed Agenda Item E-14, Third and Final Reading: 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. There was no discussion on this item.

Mayor Ueckert reviewed Agenda Item E-15, Consideration of a Resolution Appointing One Member to the Board of Managers of the Denco Area 9-1-1 District. There was no discussion on this item.

Mayor Ueckert reviewed Agenda Item E-16, Acceptance of Resignation of Gloria Johnson From Place No. 3 on the Library Board and Place No. 5 on the Tax Increment Reinvestment Zone, Number Two (TIF #2) Board of Directors; Declare Vacancies Exist; and Consideration of Appointments to Place No. 3 on the Library Board and Place No. 5 on the Tax Increment Reinvestment Zone, Number Two (TIF #2) Board of Directors. Mayor Ueckert advised that during the appointment process interview, Danielle Johnson had been one of the individuals interested in the Library Board and he recommended that she be appointed to this board. He further suggested that Barbara Carey be appointed to the Tax Increment Reinvestment Zone, Number Two. There was no further discussion on this item.

Mayor Ueckert reviewed Agenda Item F, Report, Quarterly Investment Report for Period Ending June 30, 2009. There was no discussion on this item.

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

With no further discussion, the workshop session of the Lewisville City Council was adjourned at 6:48 p.m. on Monday, August 17, 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, August 17, 2009, in the Council Chambers of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas.

**Invocation**

**(Agenda Item A)**

At the request of Mayor Ueckert, Councilman Gorena gave the invocation.

**Pledge to the American and Texas Flags**

**(Agenda Item B)**

At the request of Mayor Ueckert, Councilman Thornhill gave the pledge to the flag.

**Visitors/Citizens Forum**

**(Agenda Item C)**

Wilson Bell, 104 Oakbend, Lewisville, Texas spoke before the City Council representing his Homeowners Association. He advised that they were in favor of the trails; however, they were concerned about how the Master Plan had been draw to go down to Mill Road and circle their condos. He stated the place where the trails are proposed will be 20 to 30 feet from their front decks. He stated that he just wanted to make sure before anything was set in stone that the City had looked at this situation and understood their concerns. Mayor Ueckert advised that no plans had been finalized and the City was still receiving input.

Benita Fitzgerald, 341 West Purnell Street, Lewisville, Texas spoke before the City Council regarding the Budget Retreat. Ms. Fitzgerald advised that she had not realized how much money was going to corridor beautification. She stated that as a citizen she wants the City to look nice; however, she felt that \$390,000 was a lot of money. She reviewed some photographs of landscaping located in the City and advised she felt that the landscaping could be more spread out and more focus on environmental friendly. Ms. Fitzgerald showed photos of landscapes in other cities that do are environmental friendly. She concluded by advising that with the city growing a lot of things are going on, school is starting and people are coming in that bring crime with them and she would like to see some of the monies go toward police officers hired than trees planted.

No one appeared to speak at this time.

**CONSENT AGENDA**

**(Agenda Item D)**

Mayor Ueckert advised that the following item would be removed from the Consent Agenda for individual consideration and explanation:

1. Consent Agenda Item No. 11 – Approval of an Agreement With CSL Marketing Group for Facility/Event Valuation and Marketing Plan Development at a Cost of \$17,500 and Marketing Execution at a Cost of \$5,500 Per Month for the Procurement of Corporate Sponsorships/ Naming Rights for Railroad Park, Lewisville Center for the Creative Arts and the Western Day Event; Funding is Available in the Hotel-Motel Fund and the Railroad Park CIP Project.

**CONSENT AGENDA (cont'd)**

**(Agenda Item D)**

**MOTION:** Upon a motion made by Deputy Mayor Pro Tem Durham and seconded by Councilman Tierney, the Council voted five (5) "ayes" and no (0) "nays" to approve and adopt all remaining items on the Consent Agenda, as recommended and as follows:

1. APPROVAL OF MINUTES: City Council Minutes of the August 3, 2009, Workshop Session and Regular Session.
2. Approval of Administrative Policy 3.3.1, Investment Policy.
3. Approval of a Bid Award for an Annual Requirements Contract for Instrumentation Services to Prime Controls, Lewisville, Texas.
4. Approval of a Bid Award for the Westwood Estates I Improvements Project to McMahon Contracting, L.P., Irving, Texas, in the Amount of \$4,404,503.20; and Authorization for the City Manager to Execute the Contract.
5. Approval of Acceptance of a \$4,000 Grant From the Texas Comptroller of Public Accounts for the Tobacco Education and Prevention Initiative Program; and Authorization for the City Manager or his Designee to Execute the Grant Agreement.
6. Approval of Agreement for Auditing Services for the Fiscal Years Ending September 30, 2009 and 2010 in the Amounts of \$83,600 and \$87,205, Respectively, With the Firm of Grant Thornton, With the Optional Provision for Three Additional One-Year Extensions.
7. Approval of a Professional Services Agreement With Birkhoff, Hendricks and Conway, L.L.P., Consulting Engineers, in the Amount of \$398,080 for Design and Construction of the Indian Creek Lift Station and Sanitary Sewer Force Main; and Authorization for the City Manager to Execute the Agreement.
8. Approval of a Professional Services Agreement With Kimley-Horn and Associates, Inc., in the Amount of \$179,700 for Services Relating to the Vista Ridge Mall Drive Project; Approval of a Total Project Design Amount of \$185,100, Which Includes \$5,400 for Contingencies; and Authorization for the City Manager to Execute the Agreement.

**CONSENT AGENDA (cont'd)**

**(Agenda Item D)**

9. Approval of a Resolution of the City Council of the City of Lewisville, Texas, Amending the Authorized Representatives Used to Access the City's Accounts With Texpool.
10. Tabled Item: Approval of **Resolution No. 3702-08-2009** Authorizing the City Manager of the City of Lewisville, Texas to Execute a Voluntary Interlocal Cooperation Agreement for Operation and Maintenance of Traffic Signals; Authorizing the Reimbursement of Funds Therefore; and Providing an Effective Date.

The motion carried.

**END OF CONSENT AGENDA**

**Approval of an Agreement With CSL Marketing Group for Facility/Event Valuation and Marketing Plan Development at a Cost of \$17,500 and Marketing Execution at a Cost of \$5,500 Per Month for the Procurement of Corporate Sponsorships/ Naming Rights for Railroad Park, Lewisville Center for the Creative Arts and the Western Day Event; Funding is Available in the Hotel-Motel Fund and the Railroad Park CIP Project**

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**(Consent Agenda Item D-11)**

A Request for Proposals was issued in February 2008 for selection of a firm to assist staff in the procurement of corporate sponsorships/naming rights. A total of four proposals were received with CSL Marketing Group selected due to their experience and local presence. The scope of the agreement includes only Railroad Park, Lewisville Center for the Creative Arts and the Western Day event. CSL will conduct an analysis to determine the value of the two facilities and the event and then will develop marketing materials that can be sent out to potential corporate sponsors. Execution of the marketing plan by CSL is limited to six months at a cost of \$5500 per month. If CSL fails to procure a minimum of \$33,000 by the end of the 6 month period, then a rebate of \$16,500 will be made to the city.

**Approval of an Agreement With CSL Marketing Group for Facility/Event Valuation and Marketing Plan Development at a Cost of \$17,500 and Marketing Execution at a Cost of \$5,500 Per Month for the Procurement of Corporate Sponsorships/ Naming Rights for Railroad Park, Lewisville Center for the Creative Arts and the Western Day Event; Funding is Available in the Hotel-Motel Fund and the Railroad Park CIP Project**

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(Consent Agenda Item D-11)

That the City Council approve an agreement with CSL Marketing Group for facility/event valuation and marketing plan development at a cost of \$17,500 and marketing execution at a cost of \$5,500 per month for the procurement of corporate sponsorships/naming rights for Railroad Park, Lewisville Center for the Creative Arts and the Western Day event. Discussion held that the language changes

Mayor Ueckert reminded the City Council of the change to the agreement located on Page 4 on the third full paragraph that “The 6 month time sales frame will commence October 1<sup>st</sup>.”

**MOTION:** Upon a motion made by Councilman Gorena and seconded by Mayor Pro Tem Watts, the Council voted five (5) “ayes” and no (0) “nays” to approve of an Agreement With CSL Marketing Group for Facility/Event Valuation and Marketing Plan Development at a Cost of \$17,500 and Marketing Execution at a Cost of \$5,500 per month for the Procurement of Corporate Sponsorships/ Naming Rights for Railroad Park, Lewisville Center for the Creative Arts and the Western Day Event with the changes recommend by City staff. The motion carried.

**Consideration of a Request for a Variance to the Lewisville City Code, Old Town Development Ordinance, Section 123(b) Regarding Required Non-Residential Landscaping for the Lyon Building II, a Proposed Office Building Located at 385 West Main Street on the North East Corner of Main Street and Cowan Avenue as Requested by Kyle Hogue of G&A Consulting, Inc., Representing the Property Owner**

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**(Agenda Item E-12)**

Section 123 (b) of the Old Town Development Ordinance (OTDO) requires a 10' landscape strip along Cowan Avenue and landscape trees along Main Street in the remaining public rights-of-way. The property has an existing building that has a prior approved ZBOA variance for parking over the building setback, which is no longer a restriction of City code; however, the approved parking lot is now in the required 10-foot landscape area. In addition, the area along Main Street has an existing 12-inch water main within the location requiring tree plantings. The OTDO allows buildings to border the property lines in the front yards with zero setbacks. In doing so, the existing sidewalk and narrow grass area in the public rights-of-way remain. The grass area is approximately four feet in width. The owner is requesting that the existing parking area remain and the new area along Cowan Avenue comply with the Section 123 (b). The Engineering Division is requesting that the existing grass area along Main Street remain free of tree plantings.

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

Sarah McLain, Economic Development Specialist and Ron Stewart (owner), 208 South Clearwater, Highland Village, were both present to address any questions posed by the City Council.

**MOTION:** Upon a motion made by Mayor Pro Tem Watts and seconded by Councilman Thornhill, the Council voted five (5) "ayes" and no (0) "nays" to approve a request for a variance to the Lewisville City Code, Old Town Development Ordinance, Section 123(b) Regarding Required Non-Residential Landscaping for the Lyon Building II, a proposed office building located at 385 West Main Street on the north east corner of Main Street and Cowan Avenue as requested by Kyle Hogue of G&A Consulting, Inc., representing the property owner, that the existing grass area along Main Street remain free of tree plantings. The motion carried.

**Consideration of Ordinance No. 3703-08-2009 Amending the Lewisville City Code, Chapter 15, Article II, Maximum Speed Limits Near Schools, Establishing a School Speed Zone of 20 Miles Per Hour at the Intersection of Bellaire Boulevard and Garden Ridge Boulevard**

(Agenda Item E-13)

In response to discussions by members of the Transportation Board on October 18, 2007 and January 17, 2008, and in cooperation with the Town of Flower Mound, staff evaluated the need for school speed zones serving Vickery Elementary. Staff from Lewisville and the Town of Flower Mound jointly established comprehensive school speed zones in both jurisdictions for consistency. The Transportation Board unanimously approved this item with a 7-0 vote at the July 7, 2009 meeting.

The City staff's recommendation was that the City Council approve the ordinance establishing school speed zones of 20 miles per hour on Bellaire Boulevard from 250 feet east of Garden Ridge Boulevard, and on Garden Ridge Boulevard from 250 feet north of Bellaire Boulevard.

Assistant City Attorney Lizbeth Plaster read the ordinance caption into the record as follows:

An Ordinance of the City Council of the City of Lewisville, Texas, Amending Chapter 15, Article II, Section 15-36; Maximum Speed Limits Near Schools; of the Lewisville City Code Establishing a School Speed Zone on Bellaire Boulevard From 250 Feet East of Garden Ridge Boulevard to Garden Ridge Boulevard and a School Speed Zone on Garden Ridge Boulevard From 250 Feet North of Bellaire Boulevard to Bellaire Boulevard; Providing a Penalty Clause; Providing for Severability; Providing a Repealer; Providing an Effective Date; and Declaring an Emergency.

**MOTION:** Upon a motion made by Councilman Thornhill and seconded by Mayor Pro Tem Watts, the Council voted five (5) "ayes" and no (0) "nays" to approve and adopt **Ordinance No. 3703-08-2009**, as captioned previously. The motion carried.

**Third and Final Reading: Consideration of Ordinance No. 3704-08-2009 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**

**(Agenda Item E-14)**

At the July 20, 2009, City Council meeting, the Council approved the subject ordinance. However, due to the lack of a 4/5's vote by the Council to adopt the ordinance on an emergency basis, the ordinance has to be read on three separate days to meet the City Charter requirements. The second reading was conducted at the August 3, 2009, City Council meeting. This will be the third and final reading.

The City staff's recommendation was that the City Attorney provide the third and final reading of the ordinance.

Assistant City Attorney Lizbeth Plaster 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.

This was the final reading of the ordinance. No motion was necessary.

**Consideration of a Resolution Appointing  
One Member to the Board of Managers of  
the Denco Area 9-1-1 District**

**(Agenda Item E-15 )**

Denco Area 9-1-1 has submitted two names for the nomination process of the representative to the District Board of Managers for Denco Area 9-1-1. Denco Area 9-1-1 District has requested that each participating city vote for one of the candidates and advise the district of its selection prior to 5 p.m. on September 9, 2009. The two candidates are Olive Stephens and Bob Radder.

The City staff's recommendation was that the City Council approve the resolution appointing Olive Stephens to the Board of Managers of the Denco Area 9-1-1 District.

**MOTION:** Upon a motion made by Councilman Tierney and seconded by Deputy Mayor Pro Tem Durham, the Council voted five (5) "ayes" and no (0) "nays" to approve **Resolution No. 3705-08-2009** Appointing Olive Stephens to the Board of Managers of the Denco Area 9-1-1 District. The motion carried.

**Acceptance of Resignation of Gloria Johnson  
From Place No. 3 on the Library Board and  
Place No. 5 on the Tax Increment  
Reinvestment Zone, Number Two (TIF #2)  
Board of Directors; Declare Vacancies Exist;  
and Consideration of Appointments to Place  
No. 3 on the Library Board and Place No. 5  
on the Tax Increment Reinvestment Zone,  
Number Two (TIF #2) Board of Directors**

**(Agenda Item E-16 )**

Gloria Johnson has submitted an e-mail advising that she is leaving the area for job-related reasons and is resigning from both the Library Board and TIF #2. The resignation of Gloria Johnson has created a vacancy in Place No. 3 on the Library Board and Place No. 5 on the TIF #2 Board of Directors.

The City staff's recommendation was that the City Council accept the resignation of Gloria Johnson from Place No. 3 on the Library Board and Place No. 5 on the TIF #2 Board of Directors; declare vacancies exist; and consider appointments to fill the vacancies in Place No. 3 on the Library Board and Place No. 5 on the TIF #2 Board of Directors.

**Acceptance of Resignation of Gloria Johnson  
From Place No. 3 on the Library Board and  
Place No. 5 on the Tax Increment  
Reinvestment Zone, Number Two (TIF #2)  
Board of Directors; Declare Vacancies Exist;  
and Consideration of Appointments to Place  
No. 3 on the Library Board and Place No. 5  
on the Tax Increment Reinvestment Zone,  
Number Two (TIF #2) Board of Directors  
(cont'd)**

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**(Agenda Item E-16)**

**MOTION:** Upon a motion made by Mayor Pro Tem Watts and seconded by Councilman Tierney, the Council voted five (5) “ayes” and no (0) “nays” to accept the resignation of Gloria Johnson from Place No. 3 on the Library Board and Place No. 5 on the TIF #2 Board of Directors; declare vacancies exist; and appoint Danielle Johnson to Place No. 3 on the Library Board and Barbara Carey to Place No. 5 on the TIF #2 Board of Directors.

**Report**

**(Agenda Item F)**

- ◆ Quarterly Investment Report for Period Ending June 30, 2009.

Mayor Ueckert adjourned the regular session of the Lewisville City Council into Closed Session at 7:25 p.m. Monday, August 17, 2009, in accordance with the requirements of the Open Meetings Law.

**Closed Session**

**(Agenda Item G)**

In accordance with Texas Government Code, Subchapter D, Section 551.072 (Real Estate), the Lewisville City Council convened into Closed Session at 7:25 p.m. on Monday, August 17, 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):

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

The Closed Session was adjourned at 8:35 p.m. on Monday, August 17, 2009.

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

**(Agenda Item H)**

Mayor Ueckert reconvened the Regular Session of the Lewisville City Council at 8:38 p.m. on Monday, August 17, 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 I)**

**MOTION:** Upon a motion made by Mayor Pro Tem Watts and seconded by Deputy Mayor Pro Tem Durham, the Council voted five (5) "ayes" and no (0) "nays" to adjourn the Regular Session of the Lewisville City Council at 8:38 p.m. on Monday, August 17, 2009. The motion carried.

These minutes approved by the Lewisville City Council on the 14th day of September, 2009.

APPROVED

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Dean Ueckert  
MAYOR

ATTEST:

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Julie Heinze  
CITY SECRETARY