

A G E N D A

**LEWISVILLE CITY COUNCIL MEETING
JANUARY 26, 2015**

**LEWISVILLE CITY HALL
151 WEST CHURCH STREET
LEWISVILLE, TEXAS 75057**

**WORKSHOP SESSION - 6:30 P.M.
REGULAR SESSION - 7:00 P.M.**

Call to Order and Announce a Quorum is Present.

WORKSHOP SESSION - 6:30 P.M.

- A. Discussion of Regular Agenda Items and Consent Agenda Items

REGULAR SESSION - 7:00 P.M.

- A. **INVOCATION:** Councilman Vaughn
- B. **PLEDGE TO THE AMERICAN AND TEXAS FLAGS:** Councilman Tierney
- C. **VISITORS/CITIZENS FORUM:** At this time, any person with business before the Council not scheduled on the agenda may speak to the Council. No formal action can be taken on these items at this meeting.
- D. **CONSENT AGENDA:** All of the following items on the Consent Agenda are considered to be self-explanatory by the Council and will be enacted with one motion. There will be no separate discussion of these items unless a Council Member or citizen so request. For a citizen to request removal of an item, a speaker card must be filled out and submitted to the City Secretary.

**AGENDA
LEWISVILLE CITY COUNCIL
JANUARY 26, 2015**

1. APPROVAL OF MINUTES:

- a. City Council Minutes of the December 15, 2014, Workshop Session and Regular Session; and**
- b. City Council Minutes of the January 5, 2015, Workshop Session and Regular Session.**

2. Approval of Bid Awards for HVAC Repair Annual Requirements Contracts to 3D Mechanical Services, Crandall, Texas (Primary Contractor) and EEC, Enviro Services Company, LLC., Red Oak, Texas (Secondary Contractor).

ADMINISTRATIVE COMMENTS:

A total of eleven (11) bid invitations were downloaded from Bidsync.com. Four (4) bids were received and opened October 2, 2014. The repair contracts cover time and material for unexpected repairs to City-owned HVAC (heating, ventilating, and air conditioning) equipment. Because repairs are often time sensitive, specifications stated a primary and secondary contractor would be selected. The term of the contracts will be twelve (12) months, with an option to extend for up to two (2) additional twelve (12) month terms. Funding is available in the Public Services departmental budget.

RECOMMENDATION:

That the City Council approve the awards as set forth in the caption above.

3. Approval of the Fiscal Year 2014-2015 Ambulance Service Interlocal Cooperation Agreement Between Denton County and the City of Lewisville; and Authorization for the City Manager or Her Designee to Execute the Agreement.

**AGENDA
LEWISVILLE CITY COUNCIL
JANUARY 26, 2015**

ADMINISTRATIVE COMMENTS:

The Lewisville Fire Department provides emergency ambulance service to Denton County through an annual Interlocal Cooperation Agreement. By providing ambulance service to designated unincorporated areas of Denton County, fixed revenue for the City is \$55,579, plus \$248.9627 per ambulance transport. The 4.28 rural miles noted in the agreement is the Castle Hills area, Lewisville Lake Bridge, as well as a small amount of property owned by the Corps of Engineers. The term of agreement is for the period of October 1, 2014 through September 30, 2015. The City Attorney's office has reviewed and approved the agreement as to form.

RECOMMENDATION:

That the City Council approve the agreement as set forth in the caption above.

- 4. Approval of the Fiscal Year 2014-2015 Fire Protection Services Interlocal Cooperation Agreement Between Denton County and the City of Lewisville; and Authorization for the City Manager or Her Designee to Execute the Agreement.**

ADMINISTRATIVE COMMENTS:

The Lewisville Fire Department provides fire protection services to Denton County through an annual Interlocal Cooperation Agreement. By providing fire protection services to designated unincorporated areas of Denton County, revenue is generated for the City in the amount of \$10,000 for a readiness fee, plus \$500 per fire call. The 4.28 rural miles is the Castle Hills area, Lewisville Lake Bridge, as well as a small amount of property owned by the Corps of Engineers. The term of agreement is for the period of October 1, 2014 through September 30, 2015. The City Attorney's office has reviewed and approved the agreement as to form.

RECOMMENDATION:

That the City Council approve the agreement as set forth in the caption above.

**AGENDA
LEWISVILLE CITY COUNCIL
JANUARY 26, 2015**

- 5. Approval of Changes to Policy Statement 1.0 Administration, Section I – City Council Travel and Business Expenses.**

ADMINISTRATIVE COMMENTS:

City Council approved Policy Statement 1.0 Administration, Section I on October 16, 2010. Last October, the Internal Revenue Service issued Internal Revenue Bulletin 2014-43 which details final regulations on local lodging expenses. City Council's policy on travel and business expenses is being updated for this clarification.

RECOMMENDATION:

That the City Council approve the changes to Policy Statement 1.0 Administration, Section I – City Council Travel and Business Expenses.

- 6. Approval of the Annual Arbitrage Rebate Reports From First Southwest Company Showing no Arbitrage Liability; Approval of a Supplemental Appropriation in the Amount of \$5,040 From the Utility Capital Projects Bond Funds Unappropriated Cash Balances; Approval of a Supplemental Appropriation in the Amount of \$3,780 From the General Capital Projects Bond Funds Unappropriated Cash Balances; and Approval of a Supplemental Appropriation in the Amount of \$420 From the TIRZ 1 (Old Town) General Capital Projects Fund Unappropriated Cash Balance.**

ADMINISTRATIVE COMMENTS:

First Southwest Company has completed all arbitrage calculations for 2014 to comply with Internal Revenue Service Arbitrage Regulations. The Federal Tax Reform Act of 1986 requires local governments to report and rebate interest earnings related to tax exempt bond proceeds which exceed interest allowed or paid on the bonded debt. The reports show no arbitrage liability as of September 30, 2014. Arbitrage liabilities are recalculated every year, and payment of liabilities is only required if the issues have a positive liability on five-year anniversary or final maturity dates. Appropriations are adjusted annually to reflect liabilities and compliance calculation fees after updated arbitrage reports are received.

**AGENDA
LEWISVILLE CITY COUNCIL
JANUARY 26, 2015**

RECOMMENDATION:

That the City Council approve the Annual Arbitrage Rebate Reports from First Southwest Company and the supplemental appropriations as set forth in the caption above.

- 7. Approval of a Resolution Calling the May 9, 2015 Lewisville City Council General Election; Authorization of an Election Calendar; and Authorization for the Mayor to Sign the Election Order.**

ADMINISTRATIVE COMMENTS:

An election calendar has been prepared for the May 9, 2015, City Council election, which will include the Mayor and Place No. 2 on the ballot. State law requires that canvassing of the election be held between the 3rd and 11th day following an election. City staff recommends conducting the canvassing at the City Council meeting scheduled for May 18, 2015. City staff will be meeting with both Denton and Dallas Counties in the coming weeks and an item authorizing contracts for election services with both entities will be brought back for City Council consideration. These contracts will address polling locations for both early voting and Election Day.

RECOMMENDATION:

That the City Council approve the proposed resolution and election calendar as set forth in the caption above.

- 8. Approval of a Resolution Adopting the City's Legislative Agenda for the 2015 Texas Legislature; and Authorizing the Mayor and City Manager to Communicate the City's Adopted Legislative Priorities.**

ADMINISTRATIVE COMMENTS:

The 84th Texas Legislature convened in January and is expected to consider legislation on a wide range of issues with a direct impact on municipal government in general and on Lewisville in particular. This resolution officially adopts the city's 2015 Legislative Agenda, establishes priorities, and authorizes the Mayor or City Manager to sign letters and other documents in keeping with the adopted agenda.

RECOMMENDATION:

That City Council approve the resloution as set forth in the caption above.

**AGENDA
LEWISVILLE CITY COUNCIL
JANUARY 26, 2015**

E. REGULAR HEARINGS:

- 9. Consideration of a Variance to the Lewisville City Code Section 9.5-98(e)(1)(a) Regarding Water Line Requirements for Fire Protection Related to Lewisville Town Square Located on the Northwest Corner of Church Street and Charles Street, as Requested by John Measels P.E. of John Thomas Engineering Representing Old Town Development, LLC.**

ADMINISTRATIVE COMMENTS:

The subject property is proposed to be developed with three restaurants per the Economic Development Agreement approved by City Council on March 17, 2014. The 1.9 acre property is being platted into three lots in the Lewisville Town Square Addition. The plat was approved by the Planning & Zoning Commission on January 6, 2015. Staff has reviewed and approved the Old Town Development Plan subject to City Council approval of a variance to allow placement of paving and a trash enclosure within the 15 foot restricted water line easement.

RECOMMENDATION:

That the City Council approve the variance as set forth in the caption above with the stipulation that the property owner will be responsible for the pavement and dumpster enclosure repairs within the easement area due to any City repair or replacement of the water line.

- 10. Consideration of a Variance to the Lewisville City Code Section 6-103(c)(2)(a) (Access Spacing) Regarding Driveway Spacing Requirements, Related to Garden Ridge Assisted Living Located at 301 North Garden Ridge Boulevard, as Requested by Doug Weaver, P.E. of G&A Consultants, LLC, on Behalf of the Owner.**

ADMINISTRATIVE COMMENTS:

The subject site is a 1.403-acre lot zoned Medical District (MD) and Light Commercial (LC) within the Garden Ridge Church of Christ Addition located near the Northeast corner of Garden Ridge Boulevard and Main Street. City Council approved the rezoning of the property on November 17, 2014. The property owner is proposing to redevelop the property from a self-service car wash to an assisted living facility. Staff has reviewed and approved the Engineering Site Plan subject to the City Council approval of a variance to reduce the required separation between driveways to less than 230 feet.

**AGENDA
LEWISVILLE CITY COUNCIL
JANUARY 26, 2015**

RECOMMENDATION:

That the City Council approve the variance as set forth in the caption above.

PRESENTATION: Jeff Kelly, P.E., Assistant City Engineer

- 11. Consideration of an Ordinance Providing for the Abandonment of an Unnamed Road Right-of-Way South of S.H. 121 Business, North of Vista Ridge Mall Drive and East of Highpoint Oaks Drive.**

ADMINISTRATIVE COMMENTS:

The City of Lewisville and Hawkeye Realty Schreiber LTD entered into a Program Grant Agreement in February of 2009 stipulating the City would abandon the subject prescriptive right-of-way parcel to the adjacent owners in exchange for dedication of right-of-way for the extension of Vista Ridge Mall Drive. The Vista Ridge Mall Drive extension was completed in November 2011. The right-of-way to be abandoned is roughly 370 feet long by 36 feet wide (0.304 acres). A 15-foot wide utility easement adjacent to the west line of the abandonment parcel will be dedicated by the developer simultaneously with filing the abandonment deeds to accommodate existing overhead electric and telephone service.

RECOMMENDATION:

That the City Council approve the ordinance as set forth in the caption above.

- F. **REPORTS:** Reports about items of community interest regarding which no action will be taken.
- Fourth Quarter 2014 Boards/Commissions/Committees Attendance Reports
- G. **CLOSED SESSION:** In Accordance with Texas Government Code, Subchapter D,
1. Section 551.071 (Consultation with Attorney): Legal Issues Related to the Construction of the Old Town Park Plaza.
 2. Section 551.072 (Real Estate): Property Acquisition

**AGENDA
LEWISVILLE CITY COUNCIL
JANUARY 26, 2015**

3. Section 551.087 (Economic Development): Deliberation Regarding Economic Development Negotiations
- H. **RECONVENE** into Regular Session and Consider Action, if Any, on Items Discussed in Closed Session.
- I. **ADJOURNMENT**

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).