

A G E N D A

**LEWISVILLE CITY COUNCIL MEETING
APRIL 6, 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:** Deputy Mayor Pro Tem Ferguson
- B. **PLEDGE TO THE AMERICAN AND TEXAS FLAGS:** Councilman Vaughn
- C. **PROCLAMATIONS:**
1. Declaring the Month of April, 2015, as “Marcus High School Marching Band Month”
 2. Declaring the Month of April, 2015, as “Keep Lewisville Beautiful Month”
 3. Declaring the Week of April 12-18, 2015, as “National Library Week”
 4. Declaring the Week of April 12-18, 2015, as “National Public Safety Telecommunicators Week”
 5. Declaring the Week of April 13-18, 2015, as “National Volunteer Week”

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6. Declaring April 15, 2015, as “Stick a Fork in Cancer Day” and May 15, 2015, as “Relay for Life Lewisville/Flower Mound Day”
7. Declaring the Week of April 19-25, 2015, as “Crime Victims’ Rights Week”

D. PRESENTATIONS:

1. Life Saving Award to Officers Steven Schaffer and Jacque Moore
2. Presentation of a Corporate Arts Award Plaque to the City of Lewisville by Texas Nonprofit Theatres, Inc., in Recognition of the City's Sponsorship of AACTFest 2015, Presented by Linda Lee, Executive Director of Texas Nonprofit Theatres, Inc.

E. 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.

F. 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.

1. **APPROVAL OF MINUTES: City Council Minutes of the March 16, 2015, Workshop Session and Regular Session.**
2. **Approval of a Professional Services Agreement With Binkley & Barfield – C & P, Inc., in the Amount of \$53,070 for Design and Engineering Services Related to the Midway Branch 12-Inch Water Line Project, and Authorization for the City Manager to Execute the Agreement.**

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ADMINISTRATIVE COMMENTS:

The Midway Branch 12-Inch Water Line consists of approximately 2,840 linear feet of 12-inch water along Midway Branch from Holfords Prairie Road to the east city limits. Staff has negotiated a Professional Services Agreement with Binkley & Barfield - C & P, Inc. in the amount of \$53,070 for the project. Funding is available in the Midway Branch Lift Station project account.

RECOMMENDATION:

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

- 3. Approval of a Professional Services Agreement in the Amount of \$77,272, With HDR Engineering, Inc. for Engineering Services to Update the Distribution System H2ONET Model for Advanced Water Quality Modeling.**

ADMINISTRATIVE COMMENTS:

H2ONET is a software tool used to analyze water quality and model drinking water needs for the City. Engineering services to update the H2ONET model include extending the current model to better identify water quality issues and compare identified areas; provide training for city staff to use the model; and identify and analyze methods for improving water quality. By developing a more robust water model, the city will be able to assess operational, maintenance and capital improvements to address water quality in the distribution system. Funding is available in the Utility Fund Public Services department operating budget.

RECOMMENDATION:

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

- 4. Approval of a Professional Services Agreement in the Amount of \$74,623, With Perkins Engineering Consultants, Inc. for Engineering Services Related to Collection System Odor Evaluation.**

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ADMINISTRATIVE COMMENTS:

This evaluation will focus on two specific areas within the collection system: the lower Timber Creek basin and the area around the Vista Ridge wastewater lift station, and will also include various locations within the system as they are identified. The project includes odor testing and characterization of targeted areas within the collection system, sampling and evaluation of sources of oil and grease in the system, and air flow and odor abatement costs. Engineering services for this project include three phases: Phase A) Vista Ridge lift station service area, \$25,016; Phase B) Lower Timber Creek lift station area \$23,432; and Phase C) Hot spots within the remainder of the collection system, \$26,175, for a total PSA proposal of \$74,623. Funding is available in the Utility Fund Public Services department operating budget.

RECOMMENDATION:

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

5. Approval of a Resolution Adopting Guidelines for a Clean Fleet Policy.

ADMINISTRATIVE COMMENTS:

In 2005 the Regional Transportation Council (RTC), through the North Central Texas Council of Governments (NCTCOG), developed a Clean Fleet Policy as part of a regional air quality strategy to address air quality challenges. In May 2006, Council approved a resolution adopting the Clean Fleet Policy for the City of Lewisville. On December 11, 2014, the RTC approved a revised Clean Fleet Policy and recommends organizations with fleet operations adopt the policy. All of the changes included in new guidelines are already in practice. Adoption of the policy also entitles each entity to compete for vehicle funding made available through the RTC.

RECOMMENDATION:

That the City Council approve the resolution adopting guidelines for a Clean Fleet Policy.

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- 6. Approval of a Professional Services Agreement in the Amount of \$60,000, With Freese and Nichols, Inc. for Engineering Services for Wastewater Treatment Plant Capacity Evaluation.**

ADMINISTRATIVE COMMENTS:

Modifications of the Texas Commission of Environmental Quality (TCEQ) Chapter 217 Rules prompt the need to evaluate the capability of the City's Wastewater Treatment Plant to meet these regulations for both biological treatment and hydraulic capacity, and to determine the plant's actual rated capacity based on these regulations. A review of the existing hydraulics will be evaluated in association with TCEQ Chapter 217 Rules. The plant capacities will then be evaluated based on wastewater characterization data and actual performance information. This study is necessary in order to prepare for future plant upgrades and capital improvement needs. Engineering services for this project include \$60,000 for the preparation of a model, evaluation of plant performance, and determination of plant hydraulic and treatment capacities. Funding is available in the Utility Fund Public Services department operating budget.

RECOMMENDATION:

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

- 7. Approval of a License Agreement Between the City of Lewisville and Specified Properties LVIII LP for Contractor Parking on East Hill Park Road, as Related to the Construction of the Rose Hill Multifamily Development; and Authorization for the City Manager or Her Designee to Execute the Agreement.**

ADMINISTRATIVE COMMENTS:

The contractor for Rose Hill Development has requested the use of now closed East Hill Park Road during construction for employees and contractor parking. East Hill Park Road is closed to the public and the contractor parking will not impact any City event or activity since this is adjacent to an undeveloped park area. Specified Properties LVIII LP has agreed to a term to begin April 15, 2015 and to end August 25, 2015, and a payment in the amount of \$1,000.

RECOMMENDATION:

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

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G. REGULAR HEARINGS:

- 8. Consideration of a Variance to the Lewisville City Code Section 6-103 (Access Management) Regarding Driveway Width and Driveway Spacing at Fire Station No. 6 Located at the 2120 Midway Road, as Requested by Robert Pretus, P.E., Jaster-Quintanilla Dallas, LLP, on Behalf of the City of Lewisville.**

ADMINISTRATIVE COMMENTS:

The subject site is a 1.62-acre lot zoned Public Use (PU) within Fire Station 6 Addition. The City of Lewisville is proposing a building addition to the existing Fire Station No. 6. Staff has reviewed and approved the Engineering Site Plan subject to the City Council approval of the following variances: a) to allow a driveway width greater than 35 feet; and b) to allow the driveway spacing to be less than 75 feet. Funding for the renovation of Fire Station 6 was approved in the FY 13-14 and 14-15 budgets. The bid award for construction was approved by City Council on March 16, 2015.

RECOMMENDATION:

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

- 9. Consideration of a Final Plat of Studio 13 Addition, Lot 1 , Block A, a 0.231-Acre Parcel Zoned Old Town Mixed Use Two (OTMU2) Located Near the Southeast Corner of Main Street and Cowan Avenue With a Requested Variance to the City Code, Requested by the Property Owner, Leonard Reeves of Studio 13, LLC.**

ADMINISTRATIVE COMMENTS:

The purpose of the plat is to create a lot of record. On March 16, 2015 the City Council approved rezoning the property from Local Commercial (LC) to Old Town Mixed Use 2 (OTMU2). The existing building on the property is being remodeled as an office for Studio 13 Design Group. In conjunction with the plat, the applicant has applied for a variance to waive the required right-of-way dedication on Main Street. The Planning and Zoning Commission voted 5-0 to recommend approval of the final plat and requested right-of-way variance.

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RECOMMENDATION:

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

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

- 10. Consideration of an Ordinance Amending the Lewisville City Code, Chapter 11, Signs, by Adding Regulations Related to Ball Field Fencing Signs.**

ADMINISTRATIVE COMMENTS:

Staff has identified the need for ordinance changes to address ball field fencing signs. Staff is requesting that ball field fencing signage be allowed without a permit as long as certain criteria are met as outlined in the ordinance. The current sign ordinance prohibits this type of signage, thus the reason for the proposed change.

RECOMMENDATION:

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

PRESENTATION: Cleve Joiner, Director of Neighborhood Services

- H. **REPORTS:** Reports about items of community interest regarding which no action will be taken.
- First Quarter 2015 Boards/Commissions/Committees Attendance Reports
- I. **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

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2. Section 551.071 (Consultation with Attorney/Pending Litigation): *City of Lewisville v. City of Farmers Branch and Camelot Landfill TX, LP*, Cause No.4:12-CV-00782, United States District Court for the Eastern District of Texas, Sherman Division; Texas Commission on Environmental Quality Modification to Municipal Solid Waste Permit No. 1312A; and Texas Commission on Environmental Quality Application to Obtain Municipal Solid Waste Permit Amendment - Permit No. 1312B
 3. Section 551.072 (Real Estate): Property Acquisition
 4. Section 551.087 (Economic Development): Deliberation Regarding Economic Development Negotiations
- J. **RECONVENE** into Regular Session and Consider Action, if Any, on Items Discussed in Closed Session.
- K. **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).