

A G E N D A

LEWISVILLE CITY COUNCIL MEETING JULY 6, 2015

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

**WORKSHOP SESSION - 5:45 P.M.
REGULAR SESSION - 7:00 P.M.**

Call to Order and Announce a Quorum is Present.

WORKSHOP SESSION - 5:45 P.M.

- A. Discussion of Rope Lighting (Requested by Mayor Pro Tem Ferguson)
- B. Discussion of Regular Agenda Items and Consent Agenda Items

REGULAR SESSION - 7:00 P.M.

- A. **INVOCATION:** Councilman Daniels
- B. **PLEDGE TO THE AMERICAN AND TEXAS FLAGS:**
Mayor Pro Tem Ferguson
- 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
JULY 6, 2015**

1. APPROVAL OF MINUTES:

- a. **City Council Minutes of the June 15, 2015, Workshop Session and Regular Session; and**
- b. **City Council Minutes of the June 22, 2015, Called Special Regular Session.**

- 2. Approval of a Professional Services Agreement with Huitt-Zollars, Inc., in the Amount of \$654,500 for Design and Construction Phase Services Relating to the Northwest Old Town Neighborhood Improvement Project; Approval of a Total Project Design Budget of \$687,225 which Includes \$32,725 for Contingencies; and Authorization for the City Manager to Execute the Agreement.**

ADMINISTRATIVE COMMENTS:

The project consists of replacing the existing asphalt streets with concrete street sections, replacing existing sanitary sewers & water lines, making storm sewer improvements and adding sidewalks where existing right-of-way allows in North West Old Town. The engineer's construction cost estimate for the Northwest Old Town project is \$5,524,287. Staff has negotiated a Professional Services Agreement with Huitt-Zollars, Inc. in the amount of \$654,500 to include preliminary schematics, resident meetings, design and construction services, surveying, subsurface utility exploration, and geotechnical investigation. A total project budget amount of \$687,225 is requested, which includes \$32,725 (5%) for contingencies. Funding is available in Capital Improvement Projects.

RECOMMENDATION:

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

- 3. Approval of a Local Project Advance Funding Agreement with the Texas Department of Transportation Related to Construction and Funding of City of Lewisville Utility Relocations Required for the FM 544 Reconstruction Project; and Authorization for the City Manager to Execute the Agreement.**

**AGENDA
LEWISVILLE CITY COUNCIL
JULY 6, 2015**

ADMINISTRATIVE COMMENTS:

TXDOT has let a contract for reconstruction and widening of FM 544 from FM 2281 (Old Denton Road) eastward to the Plano city limits. TXDOT will reimburse the City for the design, new easements, and construction costs associated with adjustment of City utility lines that are located outside of the original TXDOT right-of-way. Relocation costs associated with City utilities located within the original State right-of-way will not be reimbursed. A Local Project Advance Funding Agreement (LPAFA) between Lewisville and TXDOT must be executed prior to requesting reimbursement. The agreement defines state and local responsibilities with regard to relocation and funding of said utility lines.

RECOMMENDATION:

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

- 4. Approval of an Economic Development Agreement Between the City of Lewisville and Mattito's Restaurant; and Authorization for the City Manager to Execute the Agreement.**

ADMINISTRATIVE COMMENTS:

Mattito's Restaurant is renovating and re-occupying a 7,594 SF space at 1640 S. Stemmons Freeway. The Company is renovating an existing building with a projected investment of \$2.2 million. The proposed agreement provides for a 5 year incentive for a grant equal to 100% tax rebate on the 1% collected sales tax for the first year, 75% in second year, and 50% in the three subsequent years.

RECOMMENDATION:

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

- 5. Approval of an Interlocal Agreement Among the Cities of Lewisville, Denton, and the County of Denton to Jointly Submit a Grant Application to the U.S. Department of Justice Under the Edward Byrne Memorial Justice Assistance Grant Program; and Authorization for the City Manager or her Designee to Execute the Agreement.**

**AGENDA
LEWISVILLE CITY COUNCIL
JULY 6, 2015**

ADMINISTRATIVE COMMENTS:

The City of Lewisville is eligible to receive a grant award under the Justice Assistance Grant (JAG) program; however, the City is required to make a joint application with the County (the grant administrator) to receive part of the \$43,753 allocated for the region. Prior to submitting a joint application, a memorandum of understanding must be completed and signed by the participating agencies. The JAG program supports a broad range of police activities. Council must understand that if they vote to approve the Interlocal Agreement they are ratifying the entire term of the MOU (October 1, 2014 – September 30, 2018). The JAG program does not require a City match. The Lewisville Police Department proposes to use its share of \$14,502.50 for the purchase of crime scene barrier systems and leadership training for supervisors. Funding will be included in the FY 15-16 operating budget.

RECOMMENDATION:

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

6. Approval of Appointment of Lee McClinton to Place No. 3 of the Lewisville Industrial Development Corporation.

ADMINISTRATIVE COMMENTS:

At the June 15, 2015 City Council meeting, City Council was able to make appointments to all expiring places with the exception of Place No. 3 of the Lewisville Industrial Development Corporation. Since that time, Mayor Durham and Councilman Vaughn have contacted Lee McClinton who is willing to serve in this position. Ms. McClinton also serves on the Lewisville Housing Finance Corporation (as do all the other members of the Lewisville Industrial Development Corporation).

RECOMMENDATION:

That the City Council appoint Lee McClinton to Place No. 3 of the Lewisville Industrial Development Corporation.

**AGENDA
LEWISVILLE CITY COUNCIL
JULY 6, 2015**

- 7. Approval of a Resolution Setting Two Public Hearings Under Section 43.063 of the Texas Local Government Code for the Annexation of 0.418 Acres Adjacent to the City of Lewisville, Texas, Generally Located East of Standridge Drive, North of Hebron Parkway, West of Swan Forest Drive and South of Sir Tristram Lane and More Particularly Described in Exhibit “D” Attached Hereto; Authorizing the Issuance of Notice by City Staff Regarding the Two Public Hearings; and Directing City Staff to Prepare a Service Plan.**

ADMINISTRATIVE COMMENTS:

On June 30, 2015, CH PH 9, LLC, the owner of approximately 0.418 acres within the extraterritorial jurisdiction of the City, as described in Exhibit D to the proposed resolution (the “Property”), filed with the City Secretary a petition requesting the Property be annexed by the City. The City is authorized by law to annex the Property but must hold two public hearings regarding annexation prior thereto and must direct staff to prepare a service plan for the Property. Notice for these public hearings must be published in a newspaper of general circulation in the City and the area proposed for annexation on or after the 20th day but before the 10th day before the date of the hearings. Notice must also be posted on the City’s Internet website on or after the 20th day but before the 10th day before the date of the hearings and must remain posted until the date of the hearing. Staff recommends that both public hearings be held consecutively on July 20, 2015, at 7:00 p.m. during the regularly scheduled City Council meeting.

RECOMMENDATION:

That the City Council adopt the proposed resolution and authorize City staff to issue the required notices and prepare a service plan.

- 8. Approval of a Resolution Accepting a Petition for and Calling for a Public Hearing for the Addition of Approximately 33.28 Acres of Land to the Currently Existing Lewisville Castle Hills Public Improvement District No. 7 Pursuant to Chapter 372 Texas Local Government Code; and Authorizing the Mailing and Publication of Notice of the Public Hearing.**

**AGENDA
LEWISVILLE CITY COUNCIL
JULY 6, 2015**

ADMINISTRATIVE COMMENTS:

CH PH 9, LLC filed a petition to add approximately 33.28 acres of land to Lewisville Castle Hills PID No.7 with the City Secretary's Office on June 30, 2015. In order to expand a public improvement district, the governing body must acknowledge receipt of the petition and hold a public hearing. The requested date for the public hearing is August 17, 2015.

RECOMMENDATION:

That the City Council accept the petition and call for a public hearing as set forth in the caption above.

- E. **REPORTS:** Reports about items of community interest regarding which no action will be taken.
- F. **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 551.071 (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

**AGENDA
LEWISVILLE CITY COUNCIL
JULY 6, 2015**

- G. **RECONVENE** into Regular Session and Consider Action, if Any, on Items Discussed in Closed Session.

- H. **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).