

A G E N D A

**LEWISVILLE CITY COUNCIL MEETING
AUGUST 3, 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. G.O. Bond Program
- B. 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:**
Mayor Pro Tem Ferguson
- C. **PRESENTATION:** Life Saving Award to Detention Officers William O'Hare and Arnulfo Rios
- D. **PUBLIC HEARINGS:**
 - 1. **Public Hearing:** Consideration of an Ordinance Granting a Special Use Permit (SUP) for a Gasoline Service Station on a 1.019-Acre Tract of Land Legally Described as a Portion of Lot 3, Block B, Austin Ranch West; Located on the Southwest Corner of Plano Parkway and Tittle Drive and Zoned Light Industrial (LI) District, Requested by the Billingsley Company, the Property Owner (Case No. SUP-2015-07-07).

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ADMINISTRATIVE COMMENTS:

The proposed gas station and associated convenience store will consist of a 100% stone exterior with stone columns supporting the canopy covering the gas pump islands. Landscaping along Plano Parkway and Tittle Drive will be in the form of grass, trees and shrubs within a landscape strip ranging from 25 feet to 40 feet in width, which exceeds the minimum 10-foot requirement. Interior landscaping provided also exceeds minimum requirements. Signage will meet all sign requirements. Monument signs will be used in lieu of pole signs. The Planning and Zoning Commission recommended unanimous approval of the SUP by a vote of 6-0 at their meeting on July 7, 2015.

RECOMMENDATION:

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

PRESENTATION: Nika Reinecke, Dir. of Economic Development / Planning
Kofi Addo, CEI Engineering Associates, Inc.

2. **Public Hearing: Consideration of a Resolution Authorizing the Adoption of the Community Development Block Grant (CDBG) 2015 Annual Action Plan; Authorization for the City Manager to Submit the Plan to the U.S. Department of Housing and Urban Development; and Acknowledge Receipt of the Recommended FY 2015-2016 City Social Service Agency Fund Budget of \$170,000 From the CDBG Advisory Committee.**

ADMINISTRATIVE COMMENTS:

An Annual Action Plan must be submitted to the U.S. Dept. of Housing and Urban Development (HUD) by August 16 as a requirement to receive Community Development Block Grant (CDBG) funds of \$616,796 in FY 2015-2016. The plan has been developed following priorities set by the 2012 Consolidated Plan and findings from the 2012 Community Needs Assessment. It includes amendments using \$48,000 in prior year funds and establishing a new Target Reinvestment Neighborhood. The CDBG Advisory Committee reviewed applications submitted by non-profit agencies and City Departments for projects that address HUD national objectives as well as for the City Social Service Agency Fund. At their June 16, 2015 meeting, the Committee, by a vote of 5-0, recommended a draft budget which has been incorporated into the Action Plan. The Plan was made available for a 30 day Public Comment period from July 3, 2015 through August 3, 2015.

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RECOMMENDATION:

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

- 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.
3. **APPROVAL OF MINUTES:** City Council Minutes of the July 20, 2015, Workshop Session and Regular Session.
4. **Approval of a Resolution Authorizing a City Social Service Agency Fund Agreement Between the City of Lewisville and Communities In Schools; and Authorization for City Officials to Execute the Agreements.**

ADMINISTRATIVE COMMENTS:

Empowering America's Future (EAF), an agency funded from the City Social Service Agency Fund for Fiscal Year 2014-15, was not able to fulfill the terms of its contract. EAF acknowledged that they would not be able to spend the \$4,500 grant funds for services this year. The CDBG Advisory Committee, in a meeting on June 16, 2015, recommended re-allocating the funds to Communities In Schools.

RECOMMENDATION:

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

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- 5. Approval of a Professional Services Agreement With Halff Associates, Inc., for Professional Services in Connection With the Design of Garden Ridge Trail Construction Documentation in the Amount of \$278,350; and Authorization for the City Manager to Execute the Agreement.**

ADMINISTRATIVE COMMENTS:

The North Central Texas Council of Governments Regional Transportation Council approved the 4.2 mile Garden Ridge Trail Grant and the City must proceed with the design. Halff Associates Inc., will perform professional services in connection with the design of Garden Ridge Trail Construction Documentation.

RECOMMENDATION:

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

- 6. Approval of a Contract Between the City of Lewisville and Sawko & Burroughs, P.C., Attorneys at Law for the Collection of Delinquent Taxes; and Authorization for the City Manager to Execute the Contract.**

ADMINISTRATIVE COMMENTS:

On June 7, 2010, the City of Lewisville and the law firm of Sawko & Burroughs, P.C., Attorneys at Law entered into a contract for the collection of delinquent taxes. That contract was for a period of three years with an option to renew for two years. The proposed contract is the same as the previous contract with the exception that the term of the agreement shall continue month to month unless the City in its sole discretion elects to terminate with thirty (30) day written notice. Sawko & Burroughs efforts have contributed greatly to the City's collection rate remaining in excess of 99% over the past several years.

RECOMMENDATION:

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

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- 7. Approval of a Professional Services Agreement With Parsons Brinckerhoff Americas, Inc., in the Amount of \$99,270 for Services Related to Developing the I-35 Corridor Overlay District, Phases 1 & 2; and Authorization for the City Manager to Execute the Contract.**

ADMINISTRATIVE COMMENTS:

The I-35 Redevelopment Plan was adopted in November of 2014. City Council held a workshop session in January of 2015 and discussed the various steps needed to implementing this plan. Creation of an overlay district along the corridor to implement the recommendations of the plan is the next step in the overall process.

RECOMMENDATION:

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

G. REGULAR HEARINGS:

- 8. Consideration of an Ordinance Amending Chapter 11, Signs, of the Lewisville City Code, by Adding Regulations Related to Led or Other Continuous or Connected Series Of Lights.**

ADMINISTRATIVE COMMENTS:

As requested by Councilman Neil Ferguson, on July 6, 2015 at the City Council workshop, staff gave a presentation in regards to our 'survey cities' regulations on LED and other continuous or connected series of lights. Council was given several options and gave direction to staff to model the ordinance changes to be similar to the City of Carrollton and to add language that would allow the use of these types of lighting for outside patios, trees, light poles and other similar appurtenances.

RECOMMENDATION:

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

PRESENTATION: Cleve Joiner, Director of Neighborhood Services

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- 9. Consideration of an Ordinance Amending the Lewisville Code of Ordinances, Chapter 2, Article VIII, Section 2-201 Fee Schedule by Adding Fees Related to the Lewisville Lake Environmental Learning Area.**

ADMINISTRATIVE COMMENTS:

The Lewisville Parks & Leisure Services Department will assume operation of the LLELA entrance gate August 17, 2015 and the entrance fees need to be established in the fee ordinance. Staff has proposed entrance fees that are more affordable for families while still covering the cost to staff the gate. The fee format is similar to what has been used at Lewisville Lake Park for many years.

RECOMMENDATION:

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

- 10. Consideration of an Ordinance Establishing a Wastewater Main Extension Project; Establishing Extension Fees; Approval of an Agreement With Prestige Garage, LLC for Oversizing of Sanitary Sewer Improvements to 985 East SH 121 Business in the Amount of \$65,113.12; and Authorization for the City Manager, to Execute the Agreement.**

ADMINISTRATIVE COMMENTS:

The proposed ordinance establishes a reimbursement to Prestige Garage, LLC (the "Developer") for the costs associated with the installation of 1277 linear feet of 18-inch sanitary sewer from future users of the sanitary sewer desiring to tie onto the line within the sanitary sewer drainage basin on a prorated basis based on share of the sewer shed. The Agreement will reimburse the Developer for oversizing of sanitary sewer improvements per the Elm Fork Trunk Sanitary Sewer Study to be constructed with the proposed development. The amount of \$65,113.12 covers the difference in cost to be borne by the City between a 12-inch sanitary sewer required by the development and an 18-inch sanitary sewer as shown in the Eastside Sanitary Sewer Study which will benefit the entire sanitary sewer basin. Per the agreement, the City agrees to reimburse the Developer for the oversizing of the sanitary sewer after completion of the sewer construction.

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RECOMMENDATION:

That the City Council approve the ordinance and agreement with Prestige Garage, LLC as set forth in the caption above.

- 11. Consideration of an Amendment to the Interlocal Cooperation Agreement for the Operation and Maintenance of Traffic Signals Between the Texas Department of Transportation and the City of Lewisville to Add the Maintenance of the Signal at F.M. 423 and Lake Highlands Drive; and Authorize the City Manager to Execute the Agreement.**

ADMINISTRATIVE COMMENTS:

The City of Lewisville maintains several traffic signals along F.M. 423 within the City of The Colony, as part of an interlocal maintenance agreement with the Texas Department of Transportation. TxDOT is constructing a new signal at the intersection of Lake Highlands Drive as part of the F.M. 423 widening project. TxDOT has requested that the City of Lewisville include this signal with the other signals presently maintained along F.M. 423. The City will be reimbursed for the maintenance of this signal at the same labor and materials rates as set forth in the existing agreement. The City presently maintains the on-system signals at North Colony Boulevard, South Colony Boulevard, Quik Trip Driveway, Cougar Alley, Memorial Lane and the State Highway 121 Tollway. This item is considered an administrative action and was not submitted before the Transportation Board.

RECOMMENDATION:

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

- 12. Consideration of a Resolution Regarding the Delivery of Unsolicited or Unsubscribed Newspapers on Private Property, as Requested by Councilman Leroy Vaughn.**

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ADMINISTRATIVE COMMENTS:

At the request of Councilman Leroy Vaughn, City staff met with concerned resident to discuss the delivery of unsolicited or unsubscribed newspapers on private property. Concerns include widespread litter, creating unsightly and unhealthy conditions, security issues for residents, accumulation in creeks and waterways damaging the appearance of these natural areas and expenditure of public funds for cleanup. As a result of this meeting, City staff has prepared a resolution for City Council consideration.

RECOMMENDATION:

That the City Council consider the resolution as set forth in the caption above.

- 13. Provide Direction to Staff Regarding G.O. Bond Program for Inclusion in the Required Election Ordinance.**

ADMINISTRATIVE COMMENTS:

Staff is seeking direction regarding final G.O. Bond authorization for inclusion in the election ordinance. The election ordinance must be adopted at the August 17, 2015 City Council meeting in order to call a November election.

RECOMMENDATION:

That the City Council provide direction to staff regarding G.O. Bond Program for inclusion in the required election ordinance.

- H. **REPORTS:** Reports about items of community interest regarding which no action will be taken.
- 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 551.074 (Personnel): Annual Staff Reviews:
 - (1) City Manager Donna Barron
 - (2) City Secretary Julie Heinze
 - (3) City Attorney Lizbeth Plaster
 - (4) Chief Municipal Court Judge Brian Holman
 - (5) Alternate Municipal Court Judges
 5. 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).