

LEWISVILLE CITY COUNCIL

REGULAR SESSION

JUNE 20, 2016

Present:

Rudy Durham, Mayor

Council Members:

TJ Gilmore, Mayor Pro Tem
Leroy Vaughn, Deputy Mayor Pro Tem
R Neil Ferguson
Brent Daniels
Brandon Jones

City Staff:

Donna Barron, City Manager
Steve Bacchus, Assistant City Manager
Melinda Galler, Assistant City Manager
Eric Ferris, Assistant City Manager
Julie Heinze, City Secretary
Lizbeth Plaster, 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 Durham at 5:45 p.m. on Monday, June 20, 2016, 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 of Community Loan Center
Program**

(Agenda Item A)

At the direction of City Manager Donna Barron, Assistant City Manager Claire Swann conducted the attached PowerPoint for City Council consideration. Assistant City Manager Claire Swann advised that if the City Council wanted to proceed with this project an item would come back for consideration at a later date. The consensus of the City Council was to move forward with this project. Discussion was held regarding contacting Lewisville Independent School District to determine if they had any interest in participating.

Further discussion was held regarding if it would be necessary for someone utilizing this opportunity to take a credit counseling/education class to qualify. Assistant City Manager Claire Swann advised that she would check into this potential requirement.

WORKSHOP SESSION – 5:45 P.M.

**Discussion of the 2015 International Green
Code Construction Implementation Plan**

(Agenda Item B)

At the request of City Manager Donna Barron, Neighborhood Services Director Cleve Joiner conducted the attached PowerPoint Presentation.

Discussion was held that no city has fully adopted a green code at this point. City Manager Donna Barron pointed out the adoption of various parts of this code would not occur over night, that it would take time to work through each section. Mayor Pro Tem Gilmore requested a spreadsheet that color coded what staff felt were high priorities to adopt, and what lower priorities were. City Manager Donna Barron advised that could be brought back when this topic is discussed in the future.

WORKSHOP SESSION – 6:30 P.M.

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

(Agenda Item C)

Mayor Durham reviewed Agenda Item A, Invocation. There was no discussion on this item.

Mayor Durham reviewed Agenda Item B, Pledge to the American and Texas Flags. There was no discussion on this item.

Mayor Durham reviewed Agenda Item C, Proclamations: 1) Declaring the Month of July 2016, as “Park and Recreation Month”, 2) Declaring the Week of June 20-26, 2016, as “Amateur Radio Week”. There was no discussion on this item.

Mayor Durham reviewed Agenda Item D, Presentation: Certificates of Appreciation for Graduating Teen Court Seniors and Presentation of Teen Court Scholarship. There was no discussion on this item.

WORKSHOP SESSION – 6:30 P.M.

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

(Agenda Item C)

Mayor Durham reviewed Agenda Item E-1, Public Hearing: Consideration of an Ordinance Granting a Zone Change Request From Light Industrial District (LI) to Planned Development – Single-Family Residential District (PD-R-5) and Five Associated Variances, for a Proposed Residential Development Consisting of 75 Lots for Single Family Detached Dwelling Units and 8 Open Space Lots, on an Approximately 15.665-Acre Tract of Land out of the G.C. Woolsey Survey, Abstract No. 1402, Located at the Southeast Corner of Denton Tap Road and East Vista Ridge Mall Drive as Requested by Dowdey, Anderson & Associates, Inc. on Behalf of Hawkeye Realty Campbell Ranch, LP, the Property Owner (Case No. PZ-2016-05-14). At the request of Deputy Mayor Pro Tem Vaughn, City staff clarified that the same diagrams that had been submitted to City Council had been submitted to the Planning and Zoning Commission. There was no further discussion on this item.

Mayor Durham reviewed Agenda Item E-2, Public Hearing: Consideration of an Ordinance Granting a Zone Change Request From Agriculture Open Space District (AO) to Single Family Residential District (R-7.5), on an Approximately 0.3081-Acre Tract of Land out of the E. Pickett Survey, Abstract No. 1014, Located at 820 South Charles Street; as Requested by Julie B. Riegel, the Property Owner (Case No. PZ-2016-06-16). Mayor Durham advised that he would be abstaining from this item as his relative owns this property. There was no further discussion on this item.

Mayor Durham reviewed Agenda Item E-3, Public Hearing: Consideration of an Ordinance Granting a Zone Change Request From Agriculture Open Space District (AO) to Medical District (MD), on an Approximately 2.592-Acre Tract of Land Out of the Lou Burgeois Survey, Abstract No. 52, Located at the Southwest Corner of South Uecker Lane and Oakbend Drive at 2276 South Uecker Lane as Requested by The Gathering Vista Ridge, LLC on Behalf of Doyle Leon Atchley, the Property Owner (Case No. PZ-2016-05-15). City Manager Donna Barron advised that the applicant was requesting to continue this item to the August 1, 2016, City Council Meeting. There was no further discussion on this item.

Mayor Durham reviewed Agenda Item E-4, Public Hearing: Consideration of an Ordinance Establishing Reinvestment Zone Number Thirty-Seven (37) for Mary Kay, Inc., Being a 26.6048-Acre Tract of Land in the Campbell Ranch Block A, Lot 3, Located at Denton Tap Road and Vista Ridge Mall Drive, in the City of Lewisville, Denton County, Texas; Consideration of a Resolution Providing the Terms and Conditions of a Tax Abatement Agreement By and Among the City of Lewisville, Texas, and Mary Kay, Inc.; and Authorization for the City Manager to Execute the Agreement. Assistant City Manager Claire Swann handed out Exhibit A for City Council's review. There was no further discussion on this item.

WORKSHOP SESSION – 6:30 P.M.

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

(Agenda Item C)

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

Mayor Durham reviewed Agenda Item G-5, Approval of City Council Minutes of the June 6, 2016, Workshop Session and Regular Session. There was no discussion on this item.

Mayor Durham reviewed Agenda Item G-6, Approval of a Memorandum of Understanding for 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. There was no discussion on this item.

Mayor Durham reviewed Agenda Item G-7, Approval of an Amendment to an Economic Development Agreement Among the City of Lewisville, Centurion Acquisitions, L.P., Liberty Bankers Life Insurance Company and Graham Mortgage Corporation; and Authorization for the City Manager to Execute the Amendment. There was no discussion on this item.

Mayor Durham reviewed Agenda Item G-8, Approval of an Economic Development Agreement By and Between the City of Lewisville and Mortgage Contracting Services; and Authorization for the City Manager to Execute the Agreement. Deputy Mayor Pro Tem Vaughn questioned how long the applicants had been at their previous location. City staff was not aware of the length of time; however, offered to obtain that information if requested. Deputy Mayor Pro Tem Vaughn advised that he was just trying to assure they were not moving out of Plano at the end of any abatement agreement they may have had. City staff pointed out that they were not sure there had been an abatement agreement with Plano. Mayor Durham pointed out the benefit to them relocating to the City of Lewisville. There was no further discussion on this item.

Mayor Durham reviewed Agenda Item H-9, Consideration of a Variance to Lewisville City Code, Section 2-201, Fee Schedule, Regarding Waiving the Adoption Fee for the Upcoming “Clear the Shelter” Adoption Event to be Held Jointly with Multiple Participating City Shelters and Other Animal Organizations Throughout Texas and the US on July 23, 2016. There was no discussion on this item.

Mayor Durham reviewed Agenda Item H-10, Consideration of an Ordinance Amending Section 3-21 of the Lewisville City Code to Clarify Ownership Interests in Impounded and Surrendered Animals and Amending Other Sections in Chapter 3, Animals, to Provide Uniformity in Language Throughout the Chapter. There was no discussion on this item.

WORKSHOP SESSION – 6:30 P.M.

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

(Agenda Item C)

Mayor Durham reviewed Agenda Item H-11, An Ordinance of the City Council of the City of Lewisville, Texas Extending the Term of an Ordinance Granting a Franchise to Texas New Mexico Power Company and Associated Language Regarding Compensation; and Providing an Effective Date. City Manager Donna Barron advised that prior to his retirement commencing, Assistant City Manager Steve Bacchus was working to make sure all the franchise agreements are extended. There was no further discussion on this item.

Mayor Durham reviewed Agenda Item H-12, Amending the City of Lewisville Economic Development Policy to Allow Staff to Administer the City of Lewisville Property Enhancement Program. City Manager Donna Barron reminded the City Council that this had been reviewed back in October and would be rolled out via the Neighbors Leading Neighbors Program. There was no further discussion on this item.

Mayor Durham reviewed Agenda Item H-13, Consideration of Acceptance of Resignation of Drew Dietrich From Place No. 5 on the Tax Increment Investment Zone #2 (TIRZ #2); Declare Vacancy Exists on the TIRZ #2; and Consideration of an Appointment to Place No. 5 on the TIRZ #2. Discussion was held to appoint Jim Davis to this position. There was no further discussion on this item.

Mayor Durham reviewed Agenda Item H-14, Consideration of Direction Regarding Consolidation of Maintenance of All City Birth and Death Vital Records to Denton County. There was no further discussion on this item.

Mayor Durham reviewed Agenda Item H-15, Discussion and Consideration of Appointments to Various City Boards/Commissions/Committees. Mayor Durham advised that based upon the responses back to City Secretary Julie Heinze, a motion had been created for a City Council Member to make a motion for the appointments. There was no further discussion on this item.

Mayor Durham reviewed Agenda Item I, Reports. There was no discussion on this item.

Mayor Durham reviewed Agenda Item J-Closed Session. There was no discussion on this item.

With no further discussion, the workshop session of the Lewisville City Council was adjourned at 6:39 p.m. on Monday, June 20, 2016.

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 Durham at 7:00 p.m. on Monday, June 20, 2016, in the Council Chambers of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas.

Invocation

(Agenda Item A)

At the request of Mayor Durham, Mayor Pro Tem Gilmore gave the invocation.

Pledge to the American and Texas Flags

(Agenda Item B)

At the request of Mayor Durham, Councilman Ferguson gave the pledge to the American and Texas flags.

**Proclamation: Declaring the Month of July
2016, as "Park and Recreation Month"**

(Agenda Item C-1)

Councilman Brent Daniels read and presented a proclamation declaring the month of July 2016, as "Park and Recreation Month" to the following City of Lewisville employees: Recreation Manager Hilary Boen, Recreation Center Supervisor, Recreation Supervisor Teresa Milam, and Recreation Supervisor Ramiro Espinosa, Jr.

**Proclamation: Declaring the Week of June
20-26, 2016, as "Amateur Radio Week"**

(Agenda Item C-2)

Councilman Brent Daniels read and presented a proclamation declaring the week of June 20-26, 2016, as "Amateur Radio Week" to the following members of the Lewisville Amateur Radio Association: Jim Lavin, Len Ship, Bob Storey, and Matthew Morris.

**Presentation: Certificates of Appreciation for
Graduating Teen Court Seniors and
Presentation of Teen Court Scholarship**

(Agenda Item D)

City Manager Donna Barron advised that due to a lack of attendees, this item would be brought back to a future meeting.

Public Hearing: Consideration of Ordinance No. 4287-06-2016 (Z) Granting a Zone Change Request From Light Industrial District (LI) to Planned Development – Single-Family Residential District (PD-R-5) and Five Associated Variances, for a Proposed Residential Development Consisting of 75 Lots for Single Family Detached Dwelling Units and 8 Open Space Lots, on an Approximately 15.665-Acre Tract of Land out of the G.C. Woolsey Survey, Abstract No. 1402, Located at the Southeast Corner of Denton Tap Road and East Vista Ridge Mall Drive as Requested by Dowdey, Anderson & Associates, Inc. on Behalf of Hawkeye Realty Campbell Ranch, LP, the Property Owner (Case No. PZ-2016-05-14)

(Agenda Item E-1)

The purpose of the Planned Development (PD) zoning district is to accommodate innovative design concepts and provide flexibility in order to achieve a more desirable development. The subject site is an infill property located at the southeast corner of Denton Tap Road and Vista Ridge Mall Drive. The proposal offers 75 single family detached lots. The PD identifies the following five variances: a) to allow residential street offsets less than 150-feet; b) to allow the median distance along Vista Ridge Mall Drive to be a minimum of 320 feet in lieu of the required 350 feet; c) to allow non 90-degree intersections and to allow a street curvature within 35-feet of a residential intersection; d) to allow a lot width less than 75-feet where a residential street intersects with an arterial street; and e) to waive the alley requirement and allow front entry. The Planning and Zoning Commission recommended unanimous approval (5-0) of the zone change request at their meeting of May 17, 2016.

The City staff's recommendation was that the City Council approve the proposed ordinance and five associated variances as set forth in the caption above.

Mayor Durham opened the public hearing.

Richard Luedke, Planning Manager and Jeff Kelly, Assistant City Engineer, were both present to respond to any questions posed by the City Council.

Traci Shannon Kilmer, Dowdey, Anderson & Associates. Inc., spoke before the City Council in support of this item and reviewed a PowerPoint Presentation for City Council consideration.

Public Hearing: Consideration of Ordinance No. 4287-06-2016 (Z) Granting a Zone Change Request From Light Industrial District (LI) to Planned Development – Single-Family Residential District (PD-R-5) and Five Associated Variances, for a Proposed Residential Development Consisting of 75 Lots for Single Family Detached Dwelling Units and 8 Open Space Lots, on an Approximately 15.665-Acre Tract of Land out of the G.C. Woolsey Survey, Abstract No. 1402, Located at the Southeast Corner of Denton Tap Road and East Vista Ridge Mall Drive as Requested by Dowdey, Anderson & Associates, Inc. on Behalf of Hawkeye Realty Campbell Ranch, LP, the Property Owner (Case No. PZ-2016-05-14) (cont’d)

(Agenda Item E-1)

Robert Payne, Hawkeye Realty Campbell Ranch, L.P., owner, spoke before the City Council in support of this item.

MOTION: Upon a motion made by Councilman Jones and seconded by Mayor Pro Tem Gilmore, the Council voted five (5) “ayes” and no (0) “nays” to close the public hearing. The motion carried.

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

“An Ordinance of the Lewisville City Council, Amending the Zoning Ordinance by Rezoning an Approximately 15.665-Acre Tract of Land out of the G.C. Woolsey Survey, Abstract No. 1402; Located on the Southeast Corner of Denton Tap Road and East Vista Ridge Mall Drive; From Light Industrial District (LI) Zoning to Planned Development-Single-Family Residential District (PD-R-5) Zoning; Correcting the Official Zoning Map; Preserving all Other Portions of the Zoning Ordinance; Determining That the Public Interests and General Welfare Demand This Zoning Change and Amendment Therein Made; Providing for a Repealer, Severability, and a Penalty; and Declaring an Emergency.”

Public Hearing: Consideration of Ordinance No. 4287-06-2016 (Z) Granting a Zone Change Request From Light Industrial District (LI) to Planned Development – Single-Family Residential District (PD-R-5) and Five Associated Variances, for a Proposed Residential Development Consisting of 75 Lots for Single Family Detached Dwelling Units and 8 Open Space Lots, on an Approximately 15.665-Acre Tract of Land out of the G.C. Woolsey Survey, Abstract No. 1402, Located at the Southeast Corner of Denton Tap Road and East Vista Ridge Mall Drive as Requested by Dowdey, Anderson & Associates, Inc. on Behalf of Hawkeye Realty Campbell Ranch, LP, the Property Owner (Case No. PZ-2016-05-14) (cont’d)

(Agenda Item E-1)

MOTION: Upon a motion made by Councilman Jones and seconded by Councilman Ferguson, the Council voted five (5) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 4287-06-2016 (Z)**, as previously captioned with the following variances: a) to allow residential street offsets less than 150-feet; b) to allow the median distance along Vista Ridge Mall Drive to be a minimum of 320 feet in lieu of the required 350 feet; c) to allow non 90-degree intersections and to allow a street curvature within 35-feet of a residential intersection; d) to allow a lot width less than 75-feet where a residential street intersects with an arterial street; and e) to waive the alley requirement and allow front entry. The motion carried.

Mayor Durham advised that he would be abstaining from discussion and consideration of the following item as he had a relative that owned this piece of property. The appropriate Conflict of Interest Affidavit had been filled out and filed with the City Secretary. Mayor Durham stepped away from the dais.

Public Hearing: Consideration of Ordinance No. 4288-06-2016 (Z) Granting a Zone Change Request From Agriculture Open Space District (AO) to Single Family Residential District (R-7.5), on an Approximately 0.3081-Acre Tract of Land out of the E. Pickett Survey, Abstract No. 1014, Located at 820 South Charles Street; as Requested by Julie B. Riegel, the Property Owner (Case No. PZ-2016-06-16)

(Agenda Item E-2)

The current zoning of the property, Agriculture Open Space, requires lots of one acre in size and 100-foot setbacks. The applicant is proposing to rezone to Single-Family R-7.5 which allows for a residential dwelling on a minimum 7,500 square foot lot. The applicant is in the process of platting the property. The requested zoning is consistent with surrounding properties. The Planning and Zoning Commission recommended approval (6-0) of the zone change request at their meeting of June 7, 2016.

The City staff's recommendation was that the City Council approve the proposed ordinance as set forth in the caption above.

Mayor Pro Tem Gilmore opened the public hearing.

MOTION: Upon a motion made by Councilman Daniels and seconded by Deputy Mayor Pro Tem Vaughn, the Council voted five (5) "ayes" and no (0) "nays" to close the public hearing. The motion carried.

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

"An Ordinance of the Lewisville City Council, Amending the Zoning Ordinance by Rezoning an Approximately 0.3081-Acre Tract of Land Out of the E. Pickett Survey, Abstract No. 1014, Located at 820 South Charles Street; From Agriculture-Open Space District (AO) Zoning to Single Family Residential District (R-7.5) Zoning; Correcting the Official Zoning Map; Preserving all Other Portions of the Zoning Ordinance; Determining That the Public Interests and General Welfare Demand This Zoning Change and Amendment Therein Made; Providing for a Repealer, Severability, and a Penalty; and Declaring an Emergency."

MOTION: Upon a motion made by Councilman Daniels and seconded by Councilman Ferguson, the Council voted five (5) "ayes" and no (0) "nays" to approve and adopt **Ordinance No. 4288-06-2016 (Z)**, as previously captioned. The motion carried.

(Mayor Durham returned to the dias.)

Public Hearing: Consideration of an Ordinance Granting a Zone Change Request From Agriculture Open Space District (AO) to Medical District (MD), on an Approximately 2.592-Acre Tract of Land Out of the Lou Burgeois Survey, Abstract No. 52, Located at the Southwest Corner of South Uecker Lane and Oakbend Drive at 2276 South Uecker Lane as Requested by The Gathering Vista Ridge, LLC on Behalf of Doyle Leon Atchley, the Property Owner (Case No. PZ-2016-05-15)

(Agenda Item E-3)

The current zoning of the property is Agriculture Open Space. The applicant is proposing a duplex residential community targeted to seniors with 12 duplexes ranging in size from 800 square feet to 1,350 square feet. The request is for MD zoning primarily to avoid a more appropriate zoning district of Duplex (DU) or Townhouse (TH) which lends itself to this type of development but would not meet the those district requirements and yield the same number of units. The proposal is not a good fit for the area and does not adhere to any applicable zoning district. The Planning and Zoning Commission recommended denial (3-2) of the zone change request at their meeting of May 17, 2016. If council wishes to overrule the Planning and Zoning denial of this zoning change request, a super majority is required (5-0).

The City staff's recommendation was that the City Council deny the proposed zone change request.

Mayor Durham opened the public hearing.

City staff advised that the applicant had requested that this item be continued to the August 1, 2016, City Council meeting.

MOTION: Upon a motion made by Councilman Daniels and seconded by Councilman Ferguson,, the Council voted five (5) "ayes" and no (0) "nays" to continue the public hearing to the August 1, 2016, City Council meeting. The motion carried.

Public Hearing: Consideration of Ordinance No. 4289-06-2016 Establishing Reinvestment Zone Number Thirty-Seven (37) for Mary Kay, Inc., Being a 26.6048-Acre Tract of Land in the Campbell Ranch Block A, Lot 3, Located at Denton Tap Road and Vista Ridge Mall Drive, in the City of Lewisville, Denton County, Texas; Consideration of Resolution No. 4290-06-2016 (R) Providing the Terms and Conditions of a Tax Abatement Agreement By and Among the City of Lewisville, Texas, and Mary Kay, Inc.; and Authorization for the City Manager to Execute the Agreement

(Agenda Item E-4)

Since August of 2015, staff has been working with Mary Kay Inc. to relocate their manufacturing, research and development (R&D) facility, currently located in Dallas, to Lewisville. The new 330,000 square foot facility in Lewisville will relocate 500 employees from Dallas to Lewisville. In addition, the new Lewisville facility will bring an investment of over \$100 million dollars in land purchase, construction, business personal property and inventory.

The City staff's recommendation was that the City Council approve the ordinance establishing the Reinvestment Zone and the resolution; and authorize the City Manager to execute the agreement as set forth in the caption above.

Mayor Durham opened the public hearing.

Mayor Durham advised that Ella Ross, PO Box 799045, Dallas, Texas, representing Mary Kay was present to respond to any questions posed by the City Council.

MOTION: Upon a motion made by Councilman Ferguson and seconded by Deputy Mayor Pro Tem Vaughn, the Council voted five (5) "ayes" and no (0) "nays" to close the public hearing. The motion carried.

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

"An Ordinance of the Lewisville City Council, Designating a Certain Area Within the City of Lewisville as Reinvestment Zone No. 37; Establishing the Boundaries of Such Zone; Providing for Other Matters Relating Thereto; Providing for Severability, Repealer, and an Effective Date; and Declaring an Emergency."

Public Hearing: Consideration of Ordinance No. 4289-06-2016 Establishing Reinvestment Zone Number Thirty-Seven (37) for Mary Kay, Inc., Being a 26.6048-Acre Tract of Land in the Campbell Ranch Block A, Lot 3, Located at Denton Tap Road and Vista Ridge Mall Drive, in the City of Lewisville, Denton County, Texas; Consideration of Resolution No. 4290-06-2016 (R) Providing the Terms and Conditions of a Tax Abatement Agreement By and Among the City of Lewisville, Texas, and Mary Kay, Inc.; and Authorization for the City Manager to Execute the Agreement (cont'd)

(Agenda Item E-4)

MOTION: Upon a motion made by Councilman Ferguson and seconded by Deputy Mayor Pro Tem Vaughn, the Council voted five (5) “ayes” and no (0) “nays” to approve and adopt **Resolution No. 4290-06-2016 (R)**, a Resolution of the Lewisville City Council, Approving the Terms and Conditions of an Agreement by and Between the City of Lewisville, Texas, and Mary Kay, Inc.; Authorizing Execution of the Agreements by the City Manager or her Designee; and Providing an Effective Date; and approve and adopt **Ordinance No. 4289-06-2016**, as previously captioned. The motion carried.

Visitors/Citizens Forum

(Agenda Item F)

No one appeared to speak at this time.

CONSENT AGENDA

(Agenda Item G)

MOTION: Upon a motion made by Mayor Pro Tem Gilmore and seconded by Councilman Jones, 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:

5. **APPROVAL OF MINUTES:** City Council Minutes of the June 6, 2016, Workshop Session and Regular Session.
6. Approval of a Memorandum of Understanding for 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.

CONSENT AGENDA (cont'd)

(Agenda Item G)

7. Approval of an Amendment to an Economic Development Agreement Among the City of Lewisville, Centurion Acquisitions, L.P., Liberty Bankers Life Insurance Company and Graham Mortgage Corporation; and Authorization for the City Manager to Execute the Amendment.
8. Approval of an Economic Development Agreement By and Between the City of Lewisville and Mortgage Contracting Services; and Authorization for the City Manager to Execute the Agreement.

The motion carried.

END OF CONSENT AGENDA

Consideration of a Variance to Lewisville City Code, Section 2-201, Fee Schedule, Regarding Waiving the Adoption Fee for the Upcoming “Clear the Shelter” Adoption Event to be Held Jointly with Multiple Participating City Shelters and Other Animal Organizations Throughout Texas and the US on July 23, 2016

(Agenda Item H-9)

Last year, the City of Lewisville Animal Adoption Center joined with more than 30 animal shelters in the DFW Metroplex to participate in the Inaugural “Clear the Shelter” Campaign. Twenty thousand animals were adopted in that one Saturday on August 15, 2015. The event will be sponsored by NBC and Telemundo stations across the country. The shelters choosing to participate, must agree with the following two requirements: (1) to waive the applicable City adoption fee during the event; and, (2) to partner with NBC’s promotional team in order to use similar announcements to help publicize the event. Last year, Lewisville Animal Services found homes for 70 of the 78 pets that were available for adoption, and greeted more than 500 guests that day. This year is expected to be much larger with more shelter participation and adoptions.

The City staff’s recommendation was that the City Council approve the requested variance as set forth in the caption above.

Mayor Durham advised that Peggy Atkerson, 1164 Pleasant Oaks, Lewisville, Texas, had filled out a position card indicating her support of this item.

Consideration of a Variance to Lewisville City Code, Section 2-201, Fee Schedule, Regarding Waiving the Adoption Fee for the Upcoming “Clear the Shelter” Adoption Event to be Held Jointly with Multiple Participating City Shelters and Other Animal Organizations Throughout Texas and the US on July 23, 2016 (cont’d)

(Agenda Item H-9)

MOTION: Upon a motion made by Councilman Jones and seconded by Councilman Ferguson, the Council voted five (5) “ayes” and no (0) “nays” to approve a variance to Lewisville City Code, Section 2-201, Fee Schedule, Regarding Waiving the Adoption Fee for the Upcoming “Clear the Shelter” Adoption Event to be held jointly with multiple participating City Shelters and other Animal Organizations throughout Texas and the US on July 23, 2016. The motion carried.

Consideration of Ordinance No. 4291-06-2016 Amending Section 3-21 of the Lewisville City Code to Clarify Ownership Interests in Impounded and Surrendered Animals and Amending Other Sections in Chapter 3, Animals, to Provide Uniformity in Language Throughout the Chapter

(Agenda Item H-10)

Section 3-21 of the Lewisville City Code governs the impoundment of animals due to an animal being taken into custody or surrendered by its owner. The ordinance provides that the ownership interest in an impounded animal is presumed to have been waived after five days of impoundment. The proposed amendment to the ordinance would clarify that an owner waives ownership interest when voluntarily surrendering an animal and when an animal control officer determines that it is necessary to euthanize an animal before the expiration of the five-day holding period. In addition, this amendment replaces the term “stray,” which was removed from the animal ordinance in the most recent revision, with the term “at large,” thereby providing uniformity in language throughout the ordinance.

The City staff’s recommendation was that the City Council adopt the proposed ordinance as set forth in the caption above.

Consideration of Ordinance No. 4291-06-2016 Amending Section 3-21 of the Lewisville City Code to Clarify Ownership Interests in Impounded and Surrendered Animals and Amending Other Sections in Chapter 3, Animals, to Provide Uniformity in Language Throughout the Chapter (cont'd)

(Agenda Item H-10)

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

“An Ordinance of the Lewisville City Council, Amending Chapter 3, Animals, of the Lewisville City Code; by Amending Section 3-21, Impoundment, to Clarify Ownership Interests in Impounded and Surrendered Animals; and by Amending Section 3-1, Definitions, Section 3-63, Unlawful Restraint of Dogs, Section 3-116, Reporting Attacks on Animals, and Section 3-117, Hearing, to Provide Uniformity in Language Throughout the Ordinance; Providing for a Repealer, Severability, and an Effective Date; and Declaring an Emergency.”

MOTION: Upon a motion made by Councilman Daniels and seconded by Councilman Jones, the Council voted five (5) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 4291-06-2016**, as captioned previously. The motion carried.

An Ordinance of the City Council of the City of Lewisville, Texas Extending the Term of an Ordinance Granting a Franchise to Texas New Mexico Power Company and Associated Language Regarding Compensation; and Providing an Effective Date

(Agenda Item H-11)

On February 20, 2012, Council approved an ordinance for the Texas New Mexico Power Company (TNMP) franchise, which will expire on April 30, 2017. Staff is requesting an extension of the current franchise ordinance, which allows the continuation of the terms and conditions of Ordinance No. 3927-02-2012 until April 30, 2022. The City of Lewisville Charter requires two readings of this ordinance, with 30 days in between. The second reading will be August 1, 2016.

The City staff’s recommendation was that the City Council approve the ordinance and conduct the first reading as set forth in the caption above.

An Ordinance of the City Council of the City of Lewisville, Texas Extending the Term of an Ordinance Granting a Franchise to Texas New Mexico Power Company and Associated Language Regarding Compensation; and Providing an Effective Date (cont'd)

(Agenda Item H-11)

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 Ordinance No. 3927-02-2012, Which Grants a Franchise to Texas New Mexico Power Company, by Extending the Term and Providing for its Renewal; Further Providing That This Ordinance is Cumulative; Finding and Determining That the Meeting at Which This Ordinance is Adopted is Open to the Public as Required by Law; Providing an Effective Date; and Providing for Acceptance by Texas New Mexico Power Company.”

MOTION: Upon a motion made by Deputy Mayor Pro Tem Vaughn and seconded by Councilman Ferguson, the Council voted five (5) “ayes” and no (0) “nays” to approve the ordinance and conduct the first reading, as captioned previously. The motion carried.

Amending the City of Lewisville Economic Development Policy to Allow Staff to Administer the City of Lewisville Property Enhancement Program

(Agenda Item H-12)

At the October 12, 2015 special called session, Council expressed its desire to adopt an incentive program where the City provides matching grants for qualified individuals wanting to make improvements to the exterior of their homes. After reviewing existing programs of other cities and considering best practices, Staff recommends amending the City’s economic development policy to allow for the administration of the Lewisville Property Enhancement Program as described in the proposed guidelines.

The City staff’s recommendation was that the City Council amend the Lewisville Economic Development Policy as set forth in the caption above.

MOTION: Upon a motion made by Councilman Ferguson and seconded by Deputy Mayor Pro Tem Vaughn, the Council voted five (5) “ayes” and no (0) “nays” to approve amending the City of Lewisville Economic Development Policy to Allow Staff to Administer the City of Lewisville Property Enhancement Program. The motion carried.

Consideration of Acceptance of Resignation of Drew Dietrich From Place No. 5 on the Tax Increment Investment Zone #2 (TIRZ #2); Declare Vacancy Exists on the TIRZ #2; and Consideration of an Appointment to Place No. 5 on the TIRZ #2

(Agenda Item H-13)

Drew Dietrich has submitted his resignation from Place No. 5 on the TIRZ #2. The City Council will need to declare a vacancy and consider a new appointment to fill this vacancy.

The City staff's recommendation was that the City Council accept the resignation, declare a vacancy, and consider an appointment as set forth in the caption above.

MOTION: Upon a motion made by Mayor Pro Tem Gilmore and seconded by Councilman Ferguson, the Council voted five (5) "ayes" and no (0) "nays" to accept the resignation of Drew Dietrich from Place No. 5 on the Tax Increment Investment Zone #2 (TIRZ #2); declare a vacancy exists on the TIRZ #2; and appoint Jim Davis to Place No. 5 on the TIRZ #2. The motion carried.

Consideration of Direction Regarding Consolidation of Maintenance of All City Birth and Death Vital Records to Denton County

(Agenda Item H-14)

Texas Health and Safety Code requires that a municipality with a population of 2,500 or more provide local registrar duties; however, it also allows for the consolidation of the duties to be transferred to the County in which the municipality is located. The City of Lewisville is the last entity within Denton County to currently serve as their own local registrar. Denton County recently opened their Precinct 3 Government Center in the City of Lewisville. The opening of this facility provides an opportunity for the City to consider transferring the maintenance of all City birth and death vital records to Denton County. This will provide for a central vital registration and record archive as well as provide a more efficient and consistent customer service benefit for Lewisville residents. City staff is requesting City Council direction to proceed with the consolidation of these documents. If approved, an item will be included on the July 11, 2016 for City Council to approve a required Resolution.

The City staff's recommendation was that the City Council direct City staff to proceed with the consolidation of maintenance of all city birth and death vital records as set forth in the caption above.

MOTION: Upon a motion made by Councilman Jones and seconded by Mayor Pro Tem Gilmore, the Council voted five (5) "ayes" and no (0) "nays" to direct City staff to proceed with the consolidation of maintenance of all city birth and death vital records to Denton County. The motion carried.

**Discussion and Consideration of
Appointments to Various City
Boards/Commissions/Committees**

(Agenda Item H-15)

On June 30, various terms of office on the City's boards, commissions, and committees will be expiring. Those positions have been identified and current appointees notified. The Board/Commission/Committee Appointment Process Electronic Notebook has been created for City Council's review. Data sheets for members requesting reappointment and all new applicants have been included in the book. At the June 6, 2016 City Council meeting, the following interview teams were set up: Mayor Durham and Mayor Pro Tem Gilmore; Councilman Ferguson and Councilman Jones; and Deputy Mayor Pro Tem Vaughn and Councilman Daniels.

The City staff's recommendation was that the City Council proceed with the appointment process to the various City Boards/Commissions/Committees.

Peggy Atkerson, 1164 Pleasant Oaks, Lewisville, Texas spoke before the City Council regarding the open seat on the Animal Services Advisory Board. Ms. Atkerson requested that Councilman Ferguson be considered for this position

Donna Jarvis, 1314 Westwood Drive, Lewisville, Texas, also spoke before the City Council requesting that Councilman Ferguson be considered for this position.

At the request* of Councilman Ferguson, the Animal Services Advisory Committee was not included in the motion with the other boards/commissions/committees. [*Request was to only pull off Place No. 1 (City Council position) from the vote; however, the motion excluded all Animal Services Advisory positions].

MOTION: Upon a motion made by Mayor Pro Tem Gilmore and seconded by Deputy Mayor Pro Tem Vaughn, the Council voted five (5) "ayes" and no (0) "nays" to appoint the following individuals for a two year term:

Arts Advisory Board:

Al DeBerry	Place No. 2
Sarah Hicks	Place No. 4
Dr. Traci Gardner-Petteway	Place No. 6
Ken Lannin	Place No. 8

CDBG Advisory Committee:

Eric Page	Place No. 2
Robert Paul	Place No. 6

**Discussion and Consideration of
Appointments to Various City
Boards/Commissions/Committees (cont'd)**

(Agenda Item H-15)

Lewisville Housing Finance Corporation:

Sheila Taylor Place No. 2
Mary E. Smith Place No. 4

Lewisville Industrial Development Corporation:

Mary E. Smith Place No. 2
Hurl Scruggs Place No. 4

Library Board:

Jennifer B Linde Place No. 2
Jean Ferguson Place No. 4
Rosario Klier Place No. 6

Oil & Gas Advisory Board:

Jennifer Whitaker Place No.
Steve Southwell Place No. 4
Kathi Stock Place No. 6

Old Town Design Review Committee:

Amanda Ferguson Place No. 2
Andrea Fowler Place No. 4

Park Board:

William Shull Place No. 2
Robert Troyer Place No. 4
James Collier Place No. 6
David Adkisson Place No. 8

Planning and Zoning Commission:

William Meridith Place No. 1
MaryEllen Miksa Place No. 3
Stephen C. Byars Place No. 5
James Davis Place No. 7

TIRZ, Number 1 Board of Directors:

Andrea Fowler Place No. 2
Kellier F. Stokes Place No. 4

**Discussion and Consideration of
Appointments to Various City
Boards/Commissions/Committees (cont'd)**

(Agenda Item H-15)

TIRZ, Number 2 Board of Directors:

Phillip Huffines Place No. 2
John Lyng Place No. 4

Zoning Board of Adjustment:

Antonio Gallizzi Place No. 2
Douglas Hicks Place No. 4
Audra Smolinski Alternate No 2

The motion carried.

MOTION: Upon a motion made by Mayor Pro Tem Gilmore and seconded by Councilman Daniels, the Council voted four (4) “ayes” and no (0) “nays” and one (1) abstention by Councilman Ferguson, to appoint the following individuals for a two year term:

Animal Services Advisory Committee:

Brandon Jones Place No. 1
Denise Jeffery Place No. 2
Ethel Strother Place No. 4
Jeanne Kule Place No. 6

The motion carried.

Reports

(Agenda Item I)

- Director of Parks and Leisure Services Robert Monaghan advised of the opening scheduled of the Old Town Aquatics Park and current status of Lake Park due to the rains.
- City of Lewisville Public Works Manager Ron Carson advised of the current status of the lake level.
- City Manager Donna Barron introduced the new City of Lewisville Accounting Manager Renee Panella.
- Mayor Pro Tem Gilmore advised that the Citizen’s Police Academy was currently taking application and encouraged anyone interested to check it out on the City’s website.

Reports (cont'd)

(Agenda Item I)

- City Manager Donna Barron announced that this meeting would be the last meeting for Assistant City Manager Steve Bacchus due to his upcoming knee replacement surgery. She advised that he would be back; however, his retirement would occur shortly thereafter. Assistant City Manager Steve Bacchus received a standing ovations for his service to the City.
- Councilman Ferguson gave an update on the upcoming events at MCL Grand Theatre.
- Deputy Mayor Pro Tem Vaughn thanked Assistant City Manager Claire Swan and her team for all the work they did on the 800 Block of Valley Parkway.
- Mayor Durham thanked the Police Officers present for their service to the City.

There were no additional reports at this time.

Mayor Durham adjourned the regular session of the Lewisville City Council into Closed Session at 7:46 p.m. Monday, June 20, 2016, in accordance with the requirements of the Open Meetings Law.

Closed Session

(Agenda Item J)

In accordance with Texas Government Code, Subchapter D, Section 551.072 (Real Estate), the Lewisville City Council convened into Closed Session at 7:46 p.m. on Monday, June 6, 2016, 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 Potential Company Relocation.

The Closed Session was adjourned at 7:56 p.m. on Monday, June 20, 2016.

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

(Agenda Item K)

Mayor Durham reconvened the Regular Session of the Lewisville City Council at 7:56 p.m. on Monday, June 20, 2016, in the Council Chambers of the Lewisville City Hall.

Mayor Durham opened the floor for action to be taken on the items discussed in the Closed Session.

MOTION: Upon a motion made by Councilman Ferguson and seconded by Mayor Pro Tem Gilmore, the Council voted five (5) “ayes” and no (0) “nays” to authorize the City Manager or her designee to sign all documents necessary to purchase the approximately 2.328 acres on Round Grove Road, Lewisville, Texas, known as Lot 3, block A, Texas Instruments Addition, In Lewisville, Denton County, Texas. The motion carried.

There was no additional action taken on the items discussed during the Closed Session.

Adjournment

(Agenda Item L)

MOTION: Upon a motion made by Councilman Ferguson and seconded by Mayor Pro Tem Gilmore, the Council voted five (5) “ayes” and no (0) “nays” to adjourn the Regular Session of the Lewisville City Council at 7:57 p.m. on Monday, June 20, 2016. The motion carried.

These minutes approved by the Lewisville City Council on the 11th day of July, 2016.

APPROVED

Rudy Durham
MAYOR

ATTEST:

Julie Heinze
CITY SECRETARY



Potential Payday Lending Alternative: Community Loan Center





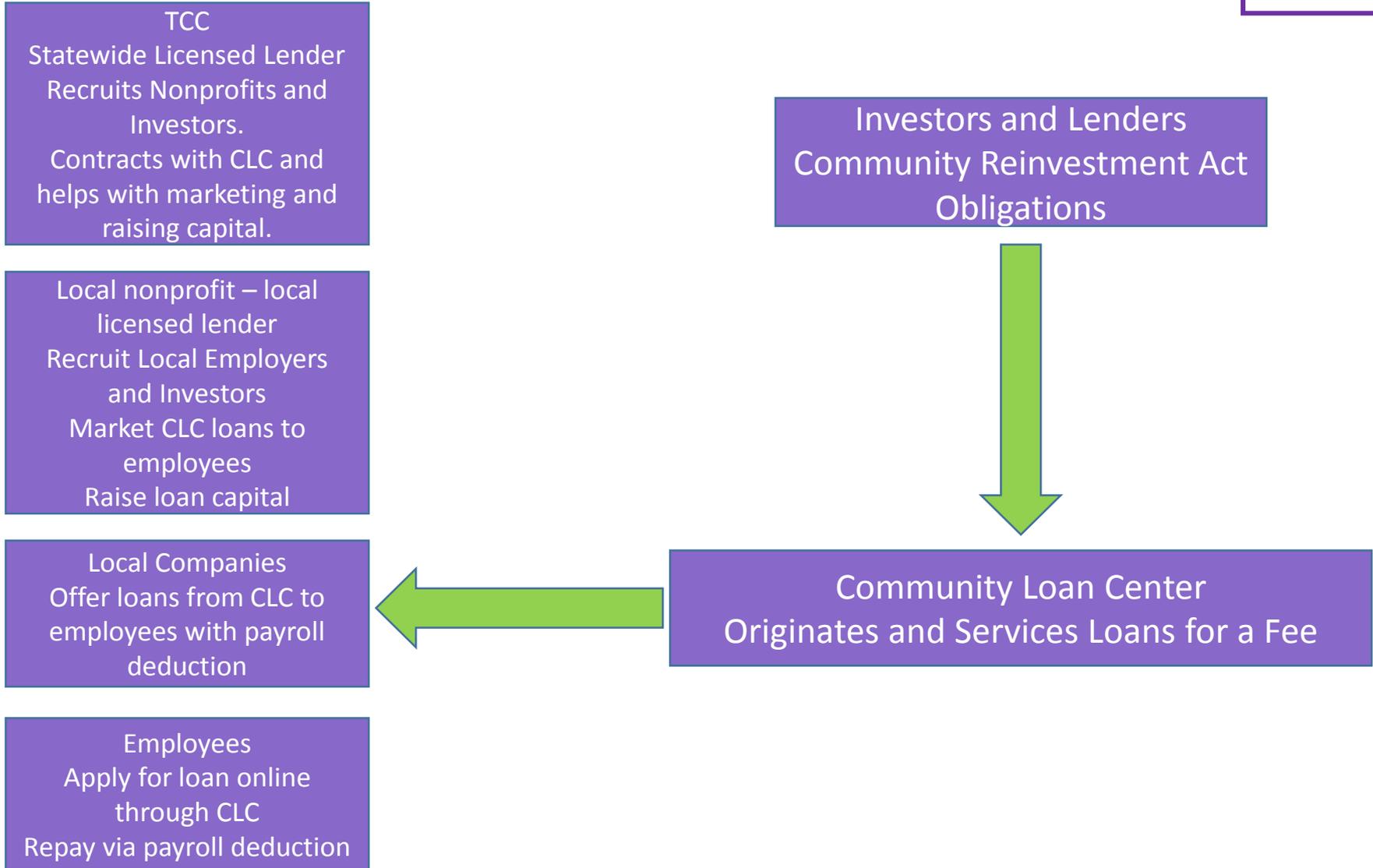
Overview

Video

- Employer-based, not city-wide
- Previous discussions with CLC
- Meeting on June 13th with Denton County, Business & Community Lenders (BCL), and Texas Community Capital (TCC)
- Expansion into our county
 - Required minimum number of employees in committed organizations
 - Need capital – approximately \$500,000-1 million
 - Need a licensed local nonprofit to administer
- Business Plan Being Submitted by BCL



Involved Entities & Responsibilities





Community Loan Center Terms

- \$1,000 Loan Maximum
 - One Year Loan term
- 18% Interest (21.83% APR)
- \$20 origination fee
- Relaxed underwriting – only look for employment
- No collateral
- No Prepayment Penalties
- Reports to Credit Bureaus
- Repayments \$23.38/week or \$94/month

Loan Comparison



	Community Loan Center Loan	Payday Loans
Loan Amount	\$1000	\$1000
Administrative Fee	\$20	\$0
Term	12 months	14 to 30 days
Interest Rate	18%	n/a
Financial Fee	n/a	\$300*/\$600**
Total Interest/Fee	\$122.16	\$900
Annual Percentage Rate	21.8321%	782.14%
Monthly Rate	\$93.51	\$1,300 due in 14 days

*1st 14 day fee is \$300, if renewed an additional \$300 fee is required

**If loan is extended (as indicated by research) two times



Next Steps:

1. Endorse a Local Licensed Lender to submit a business plan to TCC
2. Reaching Out to Community Partners to Build Critical Mass of Employees



2015 International Green Construction Code City Council Workshop - June 20, 2016



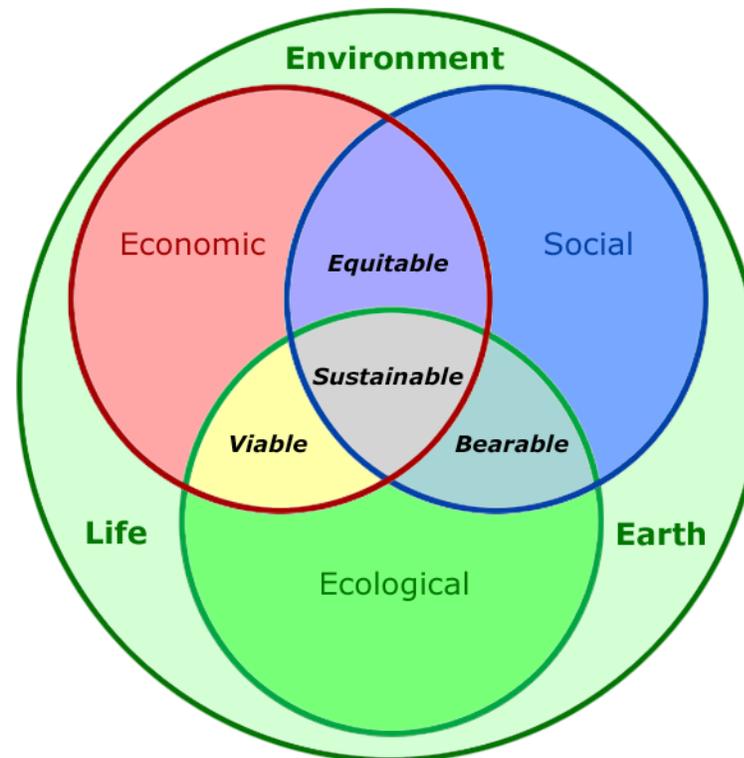
SAFE & SUSTAINABLE BY THE BOOK



Why Have A Green Construction Code?



- Intended to drive green building into everyday practice
- Intended to **reduce the negative impacts of the built environment on the natural environment**
- Addresses
 - Conservation of:
 - Natural resources
 - Materials
 - Energy
 - Water
 - Air & indoor environmental quality



Current “Green” Regulations in Lewisville



- ▶ Preservation of natural resources
 - ▶ Prohibit construction in floodplains and limit development of certain sites and site features
 - ▶ Natural resources inventory required
- ▶ Stormwater management
- ▶ Landscape irrigation
- ▶ Management of vegetation, soils and erosion control
- ▶ Trail Master Plan - Connectivity

Proposed Phased Approach to Adoption

- ▶ NCTCOG's neutral position
- ▶ Survey Cities
- ▶ Method of Implementation
 - ▶ Phased approach
 - ▶ Seek City Council Direction on Phased Approach & Focus for Initial Adoption
 - ▶ Meet with Industry Stakeholders on Proposed Adoption and Local Amendments
 - ▶ Adopt Local Amendments to Green Code with Input from Stakeholder Industry
 - ▶ Annual Revisit to Consider Additional Green Regulations (IgCC 2018 Edition)
 - ▶ Benefits to this approach



Green Regulations & Existing Buildings



- ▶ Alterations/Renovations:
 - ▶ Based on Existing Building Code
 - ▶ Whatever is changed must meet current IgCC requirements
 - ▶ Unaltered components can remain as they are
 - ▶ Requirements primarily related to energy & water
 - ▶ Capped at 10% of the total cost of alterations & other exceptions.
- ▶ Additions are treated similar to new construction.



Proposed Focus for Initial Adoption of Lewisville Green Code

Site Development & Land Use

- ▶ Building site waste management
- ▶ Bike lanes & bike racks for new developments close to areas shown on trail masterplan.
- ▶ Heat Island Mitigation
- ▶ Site Lighting
- ▶ Smartscaping

Material Resource Conservation

- ▶ 50 percent construction waste diversion plans
- ▶ Requiring recycling areas
- ▶ Percentage of construction material must be recycled, recyclable, or indigenous
- ▶ Limits for florescent lamps

Proposed Focus for Initial Adoption of Lewisville Green Code



Water Conservation

- ▶ Plumbing fixtures, fittings, and appliances

Indoor Environmental Quality and Comfort

- ▶ Acoustics
- ▶ Daylighting

Project Electives

- ▶ Encourages and recognizes construction that exceeds minimum green code requirements.
 - ▶ Allows development of greener buildings
- ▶ Enforceable only where specifically adopted.
 - ▶ Allows jurisdictions the ability to inspect and ensure compliance
- ▶ The owner or the owner's representative select the specific project electives to be implemented
 - ▶ Allows Jurisdictions control over types and number of additional electives



2015 International Green Construction Code



Questions?

