

**A G E N D A**

**LEWISVILLE CITY COUNCIL MEETING  
SEPTEMBER 19, 2016**

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

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

Call to Order and Announce a Quorum is Present.

**WORKSHOP SESSION - 6:00 P.M.**

- A. Discussion of Facility/Event Policy
- B. Discussion of Regular Agenda Items and Consent Agenda Items

**REGULAR SESSION - 7:00 P.M.**

- A. **INVOCATION:** Councilman Ferguson
- B. **PLEDGE TO THE AMERICAN AND TEXAS FLAGS:** Councilman Daniels
- C. **PUBLIC HEARING:** Consideration of an Ordinance Granting a Special Use Permit for Heavy Equipment – Outdoor Rental/Sales/Display/Service on an Approximately 3.591-Acre Lot Legally Described as Lot 1, Block A of the Johnson Addition, Located on the North Side of Bennett Lane Approximately 350 Feet East of Ridgeview Drive, at 553 Bennett Lane, Zoned Light Industrial District (LI); as Requested by G&A Consultants, on Behalf of Bob Guevremont, Vista Ridge Concrete Pumping, LLC, the Property Owner (Case No. SUP-2016-08-08).

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**ADMINISTRATIVE COMMENTS:**

Vista Ridge Concrete Pumping is currently located at 597 East Purnell Street, but the business has outgrown that site and is looking to expand its operations onto the subject site. This site will be used to service its vehicles and provide additional storage and display of the vehicles for rent. The applicant is proposing to make improvements to the existing building, parking, landscaping and screening. On August 16, 2016, the Planning and Zoning Commission recommended unanimous approval (5-0) of the SUP.

**RECOMMENDATION:**

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

**AVAILABLE FOR QUESTIONS:**

- Nika Reinecke, Director of Economic Development and Planning
- Randi Rivera, G&A Consultants, Inc.

D. **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.

E. **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 the Finance Policy 3.0 VI, Investment Policy.**

**ADMINISTRATIVE COMMENTS:**

The Public Funds Investment Act requires the Investment Policy to be submitted to the governing body on an annual basis for approval. This year the policy is being submitted for approval with no changes.

**RECOMMENDATION:**

That the City Council approve the Finance Policy 3.0 VI, Investment Policy.

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- 2. Approval of a Contract With Cigna Healthcare for Individual and Aggregate Stop Loss Insurance in the Amount of \$1,561,841; and Authorization for the City Manager to Execute all Necessary Documents.**

**ADMINISTRATIVE COMMENTS:**

The City of Lewisville requested proposals for stop loss insurance for the City's Comprehensive Group Health Plan in July 2016. Cigna provided the best quote for Individual and Aggregate Stop Loss and funding is available in the Health Fund.

**RECOMMENDATION:**

That the City Council approve the contract as set forth in the caption above; and authorize the City Manager to execute all necessary documents.

**F. REGULAR HEARINGS:**

- 3. Consideration of a Variance to the Lewisville City Code, Section 2-201, Fee Schedule, Regarding a Waiver of Athletic Field Rental Fees and Temporary Event Permit Fees Associated With the Battle of the Badge Benefit Softball Tournament.**

**ADMINISTRATIVE COMMENTS:**

The Lewisville Police and Fire Departments, and other local fire and police departments compete while helping to raise money to help abused children in Denton County. The tournament will benefit the Children's Advocacy Center for Denton County. Battle of the Badge will take place on October 15, 2016 at the Toyota of Lewisville Railroad Park.

**RECOMMENDATION:**

It is City staff's recommendation that the City Council approve the variance as set forth in the caption above.

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- 4. Consideration of a Variance to the Lewisville City Code, Section 2-201, Fee Schedule, Regarding a Waiver of Pavilion Rental Fees and Temporary Event Permit Fees Associated With the Annual World Scouting Jamboree-on-the-Air.**

**ADMINISTRATIVE COMMENTS:**

The Lewisville Amateur Radio Association is planning to host a session for Scouts to join in on the annual World Scouting Jamboree-on-the-Air on October 15th. Jamboree-on-the-Air uses amateur radio (also called ham radio) to link Scouts and ham operators around the world. The event will have several radio stations set up that will allow the scouts to make contacts with other scouts around the world.

**RECOMMENDATION:**

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

- 5. Consideration of an Ordinance Amending the FY 2015/2016 Adopted Budget.**

**ADMINISTRATIVE COMMENTS:**

The purpose of this ordinance is to amend the FY 2015-16 adopted budget to include all supplements and changes approved by Council throughout the year. A large percentage of these appropriations include the routine supplement completed each year for prior year encumbrances (purchases) that overlap into the next fiscal year. Others relate to actions taken to fund unbudgeted items during the year. This ordinance will also authorize four new fund supplements including: 1) Health Fund (\$500,000) due to higher actual health claims experience this fiscal year and to account for possible claims that may hit prior to the end of the year: 2) Insurance Risk Fund (\$300,000) transfer to the Health Fund to assist in covering the higher claims, 3) Utility Fund (\$334,395) due to increased water consumption as well as increased infiltration/treatment costs, and 4) Recreation Fund (\$5,000) to account for a donation received at the Library.

**RECOMMENDATION:**

That the City Council approve the ordinance amending the FY 2015/2016 budget.

- 6. Consideration of an Ordinance Adopting the FY 2016/2017 Operating Budget.**

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**ADMINISTRATIVE COMMENTS:**

The proposed operating budget for all funds has been prepared by staff and reviewed by the City Council. Approval of this ordinance adopts an operating budget for all funds beginning October 1, 2016 and ending September 30, 2017. A draft budget document is available for public review at the City Secretary's Office, the Library, and on the City website.

**RECOMMENDATION:**

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

**7. Consideration of an Ordinance Adopting the FY 2016-2017 Tax Rate.**

**ADMINISTRATIVE COMMENTS:**

This action will adopt the City's annual ad valorem tax rate for all taxable property at \$0.436086 per \$100 of assessed valuation. The rate combines the following: Maintenance and Operations \$0.318766 and Principal and Interest on Debt \$0.117320 for a total tax rate of \$0.436086. While the proposed tax rate for FY 2016-2017 is the same as the 2015-2016 tax rate of \$0.436086, the proposed tax rate exceeds the effective tax rate of \$0.419014. Therefore, specific language is required in the ordinance, the vote on this ordinance must be a record vote and approved by at least 60 percent of the members of the governing body. For the City of Lewisville this would equal at least four voting members. The specific language of the motion to adopt the ordinance must be made in the following form: "I move that the property tax rate be increased by the adoption of a tax rate of \$0.436086, which is effectively a 4.0743 percent increase in the tax rate."

**RECOMMENDATION:**

That the City Council approve the proposed ordinance adopting the FY 2016-2017 tax rate with the following motion: "I move that the property tax rate be increased by the adoption of a tax rate of \$0.436086, which is effectively a 4.0743 percent increase in the tax rate."

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- 8. Consider and Act Upon Adoption of a Resolution Authorizing the Acquisition of Easements for the Construction, Access, and Maintenance of a Water Transmission Line From the Southwest Corner of and Across Lewisville Landfill, Block “A” on Valley Ridge Boulevard to Midway Pump Station at 2110 Midway Road and to Undertake all Associated Utility Improvements (The “Project”); Authorizing the Appointment of an Appraiser and Negotiator as Necessary; Authorizing the City Manager (or Her Designee) to Establish Just Compensation for the Easement Rights to be Acquired; Authorizing the City Manager (or Her Designee) to Take Steps Necessary to Acquire the Needed Easement Rights in Compliance With all Applicable Laws and Resolutions; and Authorizing the City Attorney (or Her Designee) to Institute Condemnation Proceedings to Acquire the Easement if Purchase Negotiations are not Successful; Providing for Repealing, Savings, and Severability Clauses; and Providing for an Effective Date.**

**ADMINISTRATIVE COMMENTS:**

Associated with the scope of work for the project, easements will need to be acquired from two parcels. As required by Texas Property Code Section 21.0113, the City is required to first attempt to acquire the necessary acquisition(s) from the landowners voluntarily through the making of a bona fide offer prior to filing any eminent domain procedure. Funding is available in the Valley Ridge Capital Project.

**RECOMMENDATION:**

That the City Council consider and adopt the Resolution as set forth in the caption above by using the following motion, which is prescribed by Texas Government Code Section 2206.053(e):

“I move that the City of Lewisville, Texas adopt the Resolution described in Agenda Item No. 8 and authorize the use of the power of eminent domain to acquire for public use the property described and depicted in Attachment 1 attached to the Resolution, said description and depiction being incorporated into this motion for all purposes, for the construction, access, and maintenance of the Waterline and other associated utility improvements.”

- 9. Consideration of an Ordinance Amending the Lewisville Code of Ordinances, Chapter 2, Article VIII, Section 2-201 Fee Schedule.**

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**ADMINISTRATIVE COMMENTS:**

As part of the annual budget process, changes to the fee schedule are reviewed based on an analysis of current charges as compared to cost recovery goals, authorized charges that may no longer be applicable, and new services or equipment that may require a new fee be added. These changes include items discussed at the Budget Workshop held on August 13th, as well as newly proposed modifications. Details for each recommended change are included in the back up information.

**RECOMMENDATION:**

That the City Council approve the ordinance amending the Lewisville Code of Ordinances, Chapter 2, Article VIII, Section 2-201 Fee Schedule.

- G. **REPORTS:** Reports about items of community interest regarding which no action will be taken.
- H. **CLOSED SESSION:** In Accordance with Texas Government Code, Subchapter D,
1. Section 551.071 (Consultation with Attorney): Legal Issues Related to Outdoor Receptacles
  2. Section 551.072 (Real Estate): Property Acquisition
  3. Section 551.087 (Economic Development): Deliberation Regarding Economic Development Negotiations
- I. **RECONVENE** into Regular Session and Consider Action, if Any, on Items Discussed in Closed Session.
- J. **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).