



Lewisville City Council

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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).

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

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.

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

- 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.

**AGENDA
LEWISVILLE CITY COUNCIL
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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.**

**AGENDA
LEWISVILLE CITY COUNCIL
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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."

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

- 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.**

**AGENDA
LEWISVILLE CITY COUNCIL
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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.

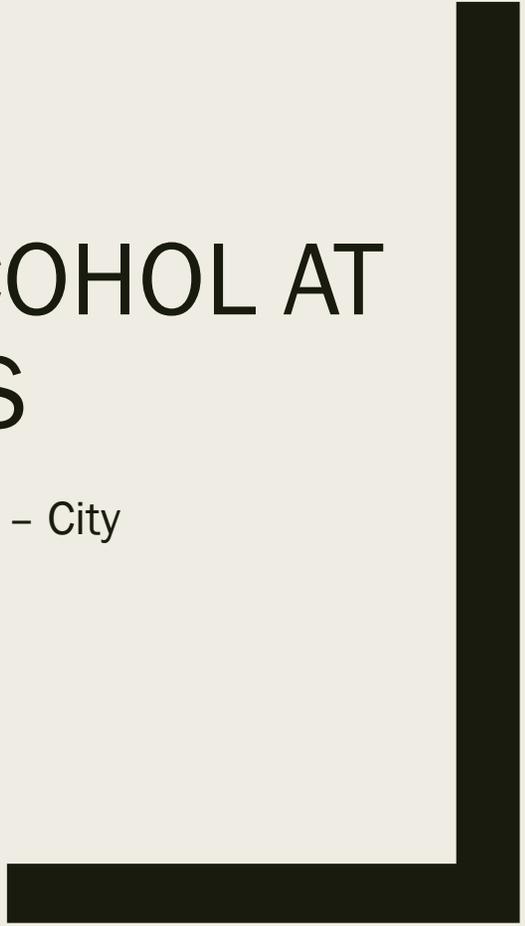
- G. **REPORTS:** Reports about items of community interest regarding which no action will be taken.
- H. **CLOSED SESSION:** In Accordance with Texas Government Code, Subchapter D,
1. Section 551.071 (Consultation with Attorney): Legal Issues Related to Outdoor Receptacles
 2. Section 551.072 (Real 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**

<p>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 <u>Texas Government Code</u> 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).</p>



USE OF TOBACCO/VAPING/ALCOHOL AT CITY FACILITIES

Revisions to Administrative Policy 4.0 – City
Facilities/Events



Smoking prohibitions under the current policy

- Within city-owned, operated, or managed facilities
- Within the courtyard of the Medical Center of Lewisville Grand Theater
- At outdoor recreation facilities
 - *Tennis complex, including courts and bleachers*
 - *Restrooms and Concession rooms*
 - *Within 10 feet of dugouts, team benches, playing fields and bleachers at Lake Park and Vista Ridge athletic complexes*
 - *Municipal pools*
- In city-owned vehicles and enclosed equipment

Proposed changes

- Include the use of electronic nicotine and vapor delivery devices in the definition of smoking
- Add a restriction for smoking within 15 feet of any door, operable window/vent or other opening to a place where smoking is prohibited
- Prohibit smoking at Wayne Ferguson Plaza

Use of smokeless tobacco

- Currently only prohibited at the MCL Grand and the municipal pools
- Recommendation is to prohibit smokeless tobacco in the following locations
 - *MCL Grand courtyard*
 - *Library*
 - *City Hall*
 - *Municipal Annex*
 - *Hedrick House*
 - *Animal Adoption Center*
 - *Lewisville recreation centers*
 - *Senior Center*

Use of Alcohol

- Currently permitted
 - *Community Room*
 - *Hedrick House*
 - *Lark Park Pavilions/Picnic Areas*
 - *Central Park Pavilions*
 - *City Hall Reception Floor*
 - *Lewisville Arts Center*
 - *Parks and streets for City events*
 - *Lewisville Rodeo Arena*
- Recommended facilities to be added
 - *Wayne Ferguson Plaza*
 - *Entrepreneurial Center*

Effective Date: 05/02/11
Approval: _____

CITY OF LEWISVILLE
POLICY STATEMENTS

TOPIC: 4.0 - CITY FACILITIES/EVENTS
REFERENCE: SECTION I – FACILITY/EVENT

I. DEFINITIONS

A. Smoking: The act of lighting, smoking or carrying a lighted or smoldering cigar, cigarette or pipe of any kind including the use of electronic nicotine or vapor delivery devices.

B. Smokeless tobacco: Tobacco that is chewed or snuffed rather than smoked by the user.

II. FACILITY/EVENT

A. The City Council determines at which City facilities alcohol may be served. Alcohol may be served at:

1. Community Room;
2. ~~Vista Ridge Amphitheater (Except during the Music Series);~~
3. Hedrick House;
4. Lake Park Pavilions / Picnic Areas;
5. Central Park Pavilions;
6. City Hall Reception Floor;
7. Lewisville Arts Center;
8. ~~Lewisville Visitor Information Center; Animal Adoption Center;~~
9. Parks and Streets used for City Events;
10. ~~Railroad Park; and~~
11. ~~Lewisville Rodeo Arena; and~~
112. ~~Old Town Park Wayne Ferguson Plaza; and~~
12. Entrepreneurial Center

B. Alcohol may be sold at the Western Days Event, Lewisville Rodeo Arena, ~~Railroad Park; and the Arts Center; and Old Town Park Wayne Ferguson Plaza.~~

C. The City Council must approve the selling of alcohol at any additional City events and in any other City facility. Once approved by the Council, the event is deemed to be added to the event list above.

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~~D. The City Council must approve fund raising events by third party organizations prior to rental of the facility. An event may be approved once and then held in subsequent years without further approval.~~

Commented [GM1]: Currently, MCL has activities that are fundraisers that do not go to council. Could be the same at the Plaza. How do we want to deal with this?

~~E. Smoking is~~ Smoking is strictly prohibited at all times within City-owned, operated, or managed facilities including, but not limited to, private offices, hallways, restrooms, elevators, meeting rooms, break areas, and recreation centers or within fifteen feet of any door, operable window/vent or other opening to a place where smoking is prohibited. ~~Smoking is also prohibited in City-owned vehicles and enclosed equipment. Any internal violation of this policy may result in disciplinary action in accordance with Administrative Directive 2.9.1, Discipline. All violations will be subject to the provisions of Section 11.502 of the Code of Ordinances.~~

~~EF. Smoking and the use of smokeless tobacco are products is prohibited in the courtyard of the Medical Center of Lewisville Grand Theater Arts Center, including the courtyard; the Lewisville Public Library; the Lewisville City Hall; the Municipal Annex; the Hedrick House; the Animal Adoption Center; and within the City of Lewisville Recreation Centers and Senior Center.~~

~~GE. Smoking will be~~ is prohibited at designated areas of outdoor recreation facilities including:

1. Smoking ~~will be~~ is prohibited at the tennis complex, including courts and bleachers.
2. Smoking ~~will be~~ is prohibited in the restrooms and concession rooms and within ~~ten~~ fifteen feet of dugouts, team benches, playing fields and bleachers at Lake Park, Railroad Park, and Vista Ridge Park athletic complexes.
3. Smoking and smokeless tobacco products ~~will be~~ are prohibited at municipal pools.

~~4.~~

~~4. Smoking and smokeless tobacco products are prohibited at Wayne Ferguson Plaza, within 15 feet of the splash pad/play area and within 15 feet of the boundary of the Great Lawn.~~

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~~Smoking will be prohibited in the restrooms and concession rooms and within the concourse area of the amphitheater during City sponsored activities.~~

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II. GENERAL PROVISIONS

The City of Lewisville reserves the right to change, modify, amend, revoke or rescind all or part of this policy in the future.

MEMORANDUM

TO: Donna Barron, City Manager

FROM: Nika Reinecke, Director of Economic Development and Planning

DATE: September 19, 2016

SUBJECT: **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).**

BACKGROUND:

The 3.591-acre property is located on the north side of Bennett Lane and backs up to a heavily wooded area owned by the City and adjacent to the FEDEX distribution facility. Located on either side of this lot are existing properties zoned Light Industrial that appear to be operating as office warehouses. The property began as a crane rental yard in 1991 and more recently operated as a utility contractor's yard. The proposed use is a heavy equipment – outdoor rental/sales/display and service facility for Vista Ridge Concrete Pumping. Vista Ridge Concrete Pumping is currently located at 597 East Purnell Street. They have outgrown that site and are looking to expand their operations onto this site. This site will be used to service their vehicles and provide additional parking and display of the vehicles for rent. On August 16, 2016, the Planning and Zoning Commission recommended unanimous approval (5-0) of the SUP.

ANALYSIS:

Building Design

The current building has a one story brick office portion that fronts onto Bennett Lane and a metal warehouse building with two truck bays at the rear of the building. The applicant is proposing to renovate the two visible sides (southern and western elevations) of the existing building with a stucco finish. The remainder of the building is well screened by existing vegetation and no alterations are proposed. The overall building contains approximately 8,300 square feet.

Screening & Landscaping

Currently, an existing chain link fence surrounds the entire perimeter of the site. The applicant is proposing to leave the majority of the chain link in place and replace the portion from the eastern corner of the building to the side property line and along the front driveway with a wood fence six feet in height. The south side of the lot along Bennett Lane has a row of photinias approximately eight feet in height in front of the chain link fence. The applicant

will be removing an existing driveway area along Bennett Lane and will install additional photinias to screen the existing gap. The rest of the perimeter fencing also has existing vegetation which is proposed to remain. The applicant will fill in a gap along the northern perimeter with photinias. The front of the site has some existing trees and the applicant is proposing to add four additional red oaks. Additional photinias are proposed along a portion of the parking lot outside of the fence. The existing parking areas will be paved along with the areas that will be used for concrete pump truck parking. Grass sod will be placed outside of the pavement areas.

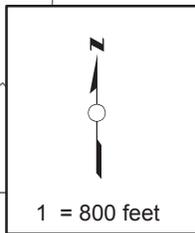
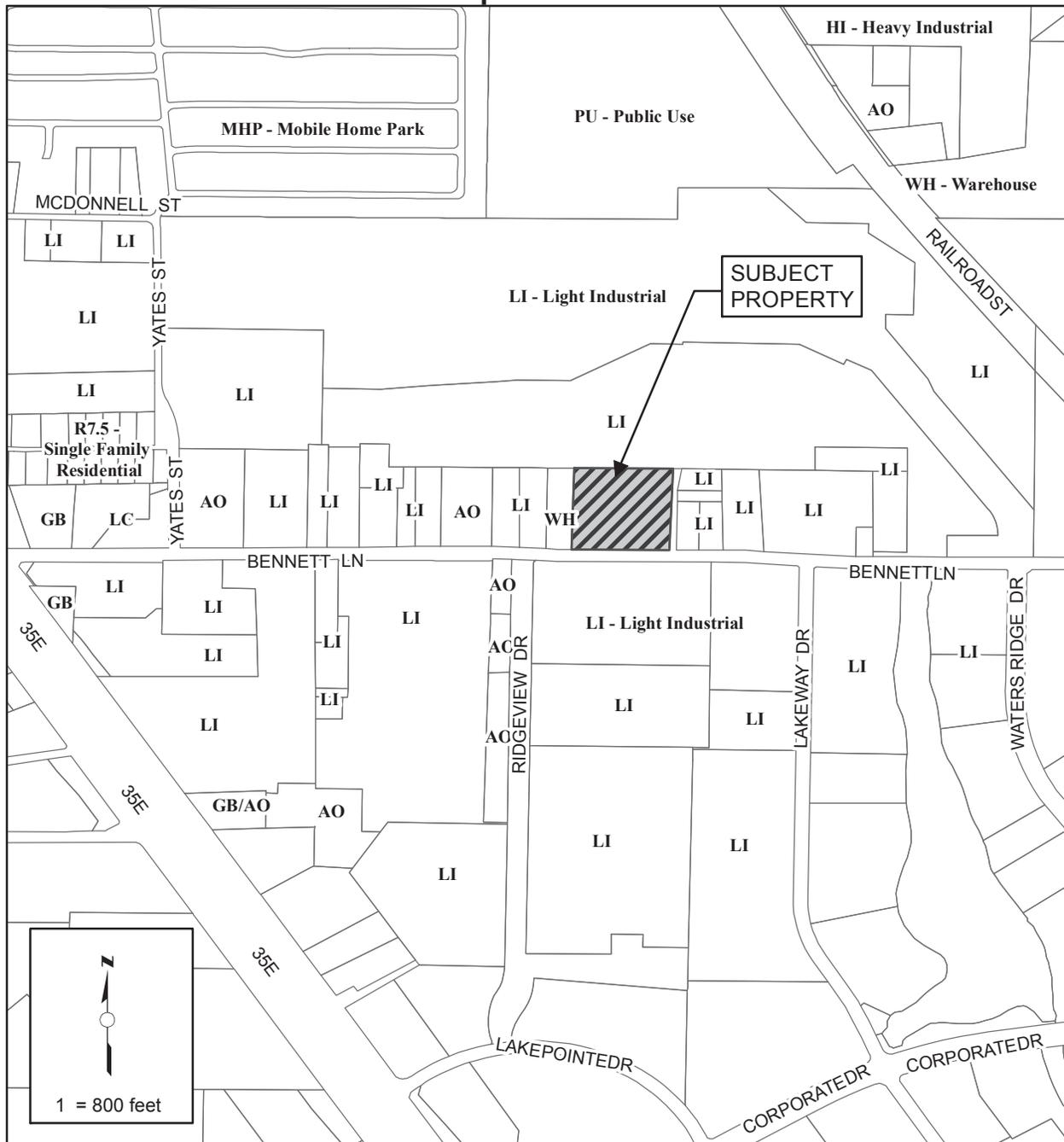
Summary

Vista Ridge Concrete Pumping has been in business in Lewisville for over 20 years. Their services are in high demand with all of the construction taking place in the North Texas region. This site will serve as an expansion of their existing Lewisville facility. Due to the SUP process, significant improvements will be made to the exterior of the building, gravel parking areas will be paved, additional landscaping above ordinance requirements will be installed and enhanced live screening and fencing of parking areas will be provided.

RECOMMENDATION:

It is City staff's recommendation that the City Council approve the Special Use Permit request for heavy equipment – outdoor rental/sales/display/service.

Location Map - 553 Bennett Ln



CASE NO. SUP-2016-08-08

APPLICANT NAME: G&A CONSULTANTS

PROPERTY OWNER: BOB GUEVREMONT, VISTA RIDGE CONCRETE PUMPING, LLC

PROPERTY LOCATION: 553 BENNETT LANE (3.591 ACRES)

CURRENT ZONING: LIGHT INDUSTRIAL (LI)

REQUESTED USE: A SPECIAL USE PERMIT (SUP) FOR A HEAVY EQUIPMENT – OUTDOOR RENTAL/SALES/DISPLAY/SERVICE FACILITY

Location Map - 553 Bennett Ln



**MINUTES
PLANNING AND ZONING COMMISSION
AUGUST 16, 2016**

Item 1:

The Lewisville Planning and Zoning Commission meeting was called to order at 6:40 p.m. Members present: James Davis, John Lyng, MaryEllen Miksa, Alvin Turner, and William Meredith. Members Kristin Green and Steve Byars were absent.

Staff members present: Richard Luedke, Planning Manager and Theresa Ernest, Planning Technician.

Item 4:

Public Hearing – Zoning and Special Use Permits were the next item on the agenda. There were three items for consideration:

- C. **Public Hearing:** Consideration of a Special Use Permit for a Heavy Equipment – Outdoor Rental/Sales/Display/Service Facility; on an Approximately 3.591-Acre Tract of Land, Located on the North Side of Bennett Lane Approximately 350 Feet East of Ridgeview Drive at 553 Bennett Lane, Further Identified as Lot 1, Block A of the Johnson Addition; as Requested by G&A Consultants, on Behalf of Bob Guevremont, Vista Ridge Concrete Pumping, LLC, the Property Owners. (Case No. SUP-2016-08-08).

Staff gave a brief presentation on the proposed Special Use Permit request and variance request to use an alternative screening method in lieu of a masonry screening wall. Randi Rivera, G&A Consultants, presented the proposal and the improvements planned to screen the property with photinia shrubs. The public hearing was then opened by Chairman Davis. There being no public comments, the public hearing was then closed. *A motion was made by Alvin Turner to recommend approval of the Special Use Permit request, seconded by William Meredith. The motion passed unanimously (5-0).* Staff indicated that this item would be going before the City Council on September 19th for a second public hearing and a final decision.

SECTION 17-23. - "LI" LIGHT INDUSTRIAL DISTRICT REGULATIONS

- (a) *Use.* Buildings and premises may be used for retail, wholesale, office and service uses and campus style light manufacturing and industrial uses provided there is no dust, fumes, gas, noxious odor, smoke, glare, or other atmospheric influence beyond the boundaries of the property on which such use is located, and which produces no noise exceeding in intensity at the boundary of the property the average intensity of noise of street traffic at that point, and no more than ten percent (10%) of the total lot is used for outside storage, and further provided that such use does not create fire or explosive hazards on adjacent property.
- (1) Any use permitted in districts "LC" and "GB" as regulated in said districts.
 - (2) Apparel and other products assembled from finished textiles.
 - (3) Bottling works.
 - (4) Warehouse distribution facilities.
 - (5) Airport/Heliport (SUP required).
 - (6) Auto repair shops including body shops (SUP required).
 - (7) Church worship facilities.
 - (8) Buildings and uses owned or operated by public governmental agencies.
 - (9) Cemetery, mausoleum, crematorium & accessory uses (SUP required).
 - (10) Cosmetic manufacturer.
 - (11) Drugs and pharmaceutical products manufacturing.
 - (12) Private Utility Plants or Sub-stations (including alternative energy) (SUP required).
 - (13) Electronic products manufacturing.
 - (14) Fur good manufacture, but not including tanning or dyeing (SUP required).
 - (15) Gas and oil drilling accessory uses (SUP required).
 - (16) Glass products, from previously manufactured glass.
 - (17) Heavy equipment – outdoor rental/sales/display/service (SUP required).
 - (18) Household appliance products assembly and manufacture from prefabricated parts.
 - (19) Industrial and manufacturing plants including the processing or assembling of parts for production of finished equipment.
 - (20) Musical instruments assembly and manufacture.
 - (21) Paint, shellac and varnish manufacture (SUP required).
 - (22) Plastic products manufacture, but not including the processing of raw materials.
 - (23) Racing facilities (SUP required).
 - (24) Recreational Vehicle (RV) Park. (Private) (SUP required).
 - (25) Self storage/mini warehouse facility (SUP required).
 - (26) Shooting Range (indoor or outdoor) (SUP required.).
 - (27) Sporting and athletic equipment manufacture.
 - (28) Testing and research laboratories.
 - (29) Auction yard (vehicle) (SUP required).
 - (30) Communication towers (SUP required).
 - (31) Temporary buildings for uses incidental to construction work on the premises, which buildings shall be removed upon the completion or abandonment of construction work.
 - (32) Accessory buildings and uses customarily incidental to any of the above uses, provided that such not be objectionable because of odor, smoke, noise, vibration or similar nuisance. Open storage shall be considered an accessory use but no more than ten percent (10%) of the platted lot may be used for outside storage, including access and maneuvering areas for moving the stored items.
 - (33) Cemetery, columbarium, mausoleum and accessory uses (SUP required).
 - (34) Other uses similar to the above listed uses are allowed by special use permit (SUP) only, except that the following uses are specifically prohibited:
 - a. Acetylene gas manufacture or storage.
 - b. Acid manufacture.
 - c. Alcohol manufacture.
 - d. Ammonia, bleaching powder or chlorine manufacture.
 - e. Arsenal.
 - f. Asphalt manufacture or refining.
 - g. Blast furnace.
 - h. Bag cleaning, unless clearly accessory to the manufacture of bags.

- i. Boiler works.
- j. Brick, tile, pottery or terra cotta manufacture other than the manufacture of handcraft or concrete products.
- k. Reserved.
- l. Celluloid manufacture or treatment.
- m. Cement, lime, gypsum, or plaster of paris manufacture.
- n. Central mixing plant for cement.
- o. Coke ovens.
- p. Cotton gins.
- q. Cottonseed oil manufacture.
- r. Creosote manufacture or treatment.
- s. Disinfectants manufacture.
- t. Distillation of bones, coal or wood.
- u. Dyestuff manufacture.
- v. Exterminator and insect poison manufacture.
- w. Emery cloth and sandpaper manufacture.
- x. Explosives or fireworks manufacture or storage.
- y. Fat rendering.
- z. Fertilizer manufacture.
- aa. Fish smoking and curing.
- bb. Forge plant.
- cc. Garbage, offal or dead animals reduction or dumping.
- dd. Gas manufacture or storage, for heating or illuminating purposes.
- ee. Glue, size or gelatine manufacture.
- ff. Hatchery.
- gg. Iron, steel, brass or copper foundry or fabrication plant.
- hh. Junk, iron or rag storage or baling.
- ii. Match manufacture.
- jj. Lampblack manufacture.
- kk. Oilcloth or linoleum manufacture.
- ll. Oiled rubber goods manufacture.
- mm. Ore reduction.
- nn. Oil or turpentine manufacture.
- oo. Paper and pulp manufacture.
- pp. Petroleum or its products, refining or wholesale storage of.
- qq. Pickle manufacturing.
- rr. Planing mills.
- ss. Potash works.
- tt. Pyroxline manufacture.
- uu. Rock crusher.
- vv. Rolling mill.
- ww. Rubber or gutta-percha manufacture or treatment but not the making of articles out of rubber.
- xx. Sauerkraut manufacture.
- yy. Salt works.
- zz. Shoe polish manufacture.
- aaa. Smelting of tin, copper, zinc, or iron ores.
- bbb. Soap manufacture other than liquid soap.
- ccc. Soda and compound manufacture.
- ddd. Stock yard or slaughter of animals or fowls.
- eee. Stone mill or quarry.
- fff. Storage yard.
- ggg. Stove polish manufacture.
- hhh. Tallow grease or lard manufacture or refining from or of animal fat.
- iii. Tanning, curing or storage of raw hides or skins.
- jjj. Tar distillation or manufacture.
- kkk. Tar roofing or water-proofing manufacture.
- lll. Tobacco (chewing) manufacture or treatment.
- mmm. Vinegar manufacture.

- nnn. Wool pulling or scouring.
- ooo. Yeast plant.

(b) *Height.* No building shall exceed in height the width of the street right-of-way on which it faces plus the depth of the front yard. In no event, however, shall the portion of a building located within one hundred fifty (150) feet of any property zoned for residential purposes exceed the height allowed in that residential zoning district.

(c) *Area.*

(1) *Size of yards.*

- a. *Front yard.* There shall be a front yard having a minimum depth of twenty-five (25) feet. No parking, storage or similar use shall be allowed in required front yards in district "LI", except that automobile parking (including automobile dealer display parking) will be permitted in such yards if separated by at least twenty-five (25) feet from any residential district.
- b. *Side yard.* A side yard of not less than fifteen (15) feet in width shall be provided on the side of a lot adjoining a side street. A side yard of not less than ten (10) feet in width shall be provided on the side of a lot adjoining a residential district. The required side yard shall be waived when a screening device is installed in accordance with the city's general development ordinance. The building itself can serve as a portion of the screening device when that portion of the building exterior is constructed of the same materials as the screening device. No parking, storage or similar use shall be allowed in any required side yard or in any side street yard adjoining a residential district.
- c. *Rear yard.* No rear yard is required except that a rear yard of not less than fifty (50) feet in depth shall be provided upon that portion of a lot abutting or across a rear street from a residential district, except that such yard requirement shall not apply where the property in the residential district also backs up to the rear street. No parking, storage or similar use shall be allowed in required rear yards in district "LI" within twenty-five (25) feet of the rear property line.

(2) *Reserved.*

(d) *Outside storage regulations.* In all zoning districts where outside storage yards are allowed, such storage yards shall be screened from view in accordance with the standards outlined in the city's general development ordinance. This provision applies to all outside storage which began after the original date of passage of this provision (April 4, 1994). Any variance request involving the requirements or standards relating to such required screening devices shall be considered by the city council in accordance with the city's general development ordinance. Areas which are used for infrequent and temporary storage for a period of thirty (30) days or less per year shall not be deemed as "storage yards".

SECTION 17-29.5 - "SUP" SPECIAL USE PERMIT

(a) *Purpose.*

The special use permit (SUP) provides a means for evaluating land uses identified in this ordinance to ensure compatibility with adjacent properties. The intent of the special use permit process is to allow consideration of certain uses that would typically be incompatible or intensely dominate the area in which they are located, but may become compatible with the provision of certain conditions and restrictions.

(b) *Application submittal and approval process.*

(1) Application for an SUP shall be processed like an application for rezoning. An application shall not be complete and shall not be scheduled for a public hearing unless the following are submitted along with the application:

- a. A scaled development plan depicting the items listed in Section 17-29.5(b)(2);
- b. A meets and bounds description of the property boundary;
- c. A narrative explaining how the property and use(s) will function;
- d. Colored elevations of the building and other structures including dimensions and building materials;
- e. A Landscaping Plan, meeting the requirements of Section 6-124 of the Lewisville Code of Ordinances;
- f. A Tree Survey and Mitigation Plan if required by Section 6-125 of the Lewisville Code of Ordinances;
- g. Detailed elevations and descriptions of proposed signage;
- h. An exhibit illustrating any requested variances; and
- i. Any other information, drawings, operating data or expert evaluations that city staff determines are necessary to evaluate the compatibility criteria for the proposed use and development.

(2) The development plan submitted along with an SUP application must include the following:

- a. The layout of the site;
- b. A north arrow;
- c. A title block including project name, addition, lot, block, acreage, and zoning classification of the subject property;
- d. Name, address, and phone number for applicant, developer, owner, builder, engineer, and/or surveyor;
- e. Building location, property lines, and setbacks;
- f. Summary tables listing building square footage, required parking, and required landscaping;
- g. Locations of utility easements, if applicable;
- h. Zoning and ownership of adjacent properties;
- i. Easements, deed restrictions, or encumbrances that impact the property;
- j. Median openings, traffic islands, turning lanes, traffic signals, and acceleration and deceleration lanes;
- k. Streets, alleys, and easements adjacent to the site;
- l. Driveways and sidewalks;
- m. Parking configuration, including maneuvering lanes and loading areas;
- n. Location and details of dumpsters and screening devices; and
- o. Location of all proposed signage.

(3) Variances from the regulations of the city's General Development Ordinance may be granted at the discretion of the city council as part of the SUP approval. The granting of an SUP has no effect on uses permitted by right and does not waive the regulations of the underlying zoning district.

- (4) The planning and zoning commission or the city council may require additional information or drawings, operating data or expert evaluation or testimony concerning the location and characteristics of any building or uses proposed.
- (5) The planning and zoning commission, after holding a public hearing, shall recommend to the city council approval or denial of each SUP along with any recommended conditions. The city council shall review each case on its own merit, apply the compatibility criteria established herein, and if appropriate, grant the special use permit for said use(s).
- (6) Completion of a development plan for the SUP does not waive the requirement to provide an engineering site plan in accordance with the General Development Ordinance.

(c) *Compatibility criteria for approval.*

The planning and zoning commission shall not recommend approval of, and the city council shall not grant an SUP for a use except upon a finding that the use will:

- (1) complement or be compatible with the surrounding uses and community facilities and any adopted comprehensive plans or small area plans;
- (2) contribute to, enhance, or promote the welfare of the area of request and adjacent properties;
- (3) not be detrimental to the public health, safety, or general welfare; and
- (4) conform in all other respects to all zoning regulations and standards.

(d) *SUP conditions.*

The planning and zoning commission may recommend and the city council may adopt reasonable conditions upon the granting of an SUP consistent with the purpose and compatibility criteria stated in this section. The development plan, however, shall always be attached to and made a condition of the SUP. The other documents submitted with the SUP application may also be made conditions of the SUP.

(e) *Amendments, enlargement, modifications or structural alterations.*

- (1) Except for minor amendments, all amendments, enlargements, modifications or structural alterations or changes to the development plan shall require the approval of a new SUP. The city manager or his designee may authorize minor amendments to the development plan that otherwise comply with the SUP ordinance and the underlying zoning and do not:
 - a. Alter the basic relationship of the proposed development to adjacent property;
 - b. Increase the maximum density or height shown on the original development plan;
 - c. Decrease the number of off-street parking spaces shown on the original development plan; and/or
 - d. Reduce setbacks at the boundary of the site as specified by a building or setback line shown on the original development plan.
- (2) For purposes of this subsection, "original development plan" means the earliest approved development plan that is still in effect, and does not mean a later amended development plan. For example, if a development plan was approved with the specific use permit and then amended through the minor amendment process, the original development plan would be the development plan approved with the specific use permit, not the development plan as amended through the minor amendment process. If, however, the development plan approved with the specific use permit was replaced through the zoning process, then the replacement development plan becomes the original development plan. The purpose of this definition is to prevent the use of several sequential minor amendments to circumvent the zoning amendment process.

- (3) Although the city manager or his designee has the authority to grant minor amendments to the development plan, they are not obligated to do so. The city manager or his designee shall always maintain the discretion to require city council approval if he feels that it is within the public's interest that city council consider the amendment, enlargement, modifications, or structural changes at a public hearing.

(f) *Compliance mandatory with written requirements.*

- (1) No special use permit shall be granted unless the applicant, owner, and grantee shall be willing to accept and agree to be bound by and comply with the written requirements attached to the development plan drawings and approved by the city council.
- (2) A special use permit shall be transferable from one owner or owners of the subject property to a new owner or occupant of the subject property, however all regulations and conditions of the SUP shall remain in effect and shall be applicable to the new owner or occupant of the property.

(g) *Timing.*

All development plans submitted for review will be on the city's active list for a period of 90 days from the date of each submittal. After the 90-day period, a project will be considered abandoned and removed from the file. A building permit shall be applied for and secured within 180 days from the time of approval of the special use permit provided that the city may allow a one-time extension of the SUP for another 180 days. A SUP shall expire six months after its approval or extension date if no building permits have been issued for the site or if a building permit has been issued but has subsequently lapsed. Work must be completed and operations commenced within 18 months of approval.

(h) *Zoning map.*

When the city council authorizes granting of a special use permit the official zoning district map shall be amended according to its legend to indicate that the affected area has conditions and limited uses, said amendment to indicate the appropriate zoning district for the approved use, and suffixed by an "SUP" designation. A log of all special use permits shall be kept by the city.

(i) *Rescind and terminate a special use permit.*

City council may rescind and terminate an SUP after a public hearing if any of the following occur:

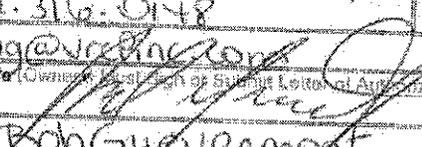
- (1) That one or more of the conditions imposed by the SUP has not been met or has been violated.
- (2) The SUP was obtained through fraud or deception.
- (3) Ad valorem taxes on the property are delinquent by six months or more.
- (4) Disconnection or discontinuance of water and/or electrical services to the property.
- (5) Abandonment of the structure, lease space, lot, or tract of land for 180 days or more. (For the purpose of this section, "abandon" shall mean to surrender occupancy by vacating or ceasing to operate or inhabit such property.)

This Section (Office Use Only)	
Case:	
PZ:	CC:
Sign/s Picked Up By:	



LEWISVILLE
 TEXAS

**SPECIAL USE PERMIT (SUP)
 APPLICATION**

Owner/s (name): <u>Bob Guevremont</u>	
Company Name: <u>Vista Ridge Concrete Pumping LLC</u>	
Mailing Address: <u>P.O. Box 293265, Lewisville, Texas 75029</u>	
Work #: <u>972-316-0148</u>	Cell #: <u>972-743-5327</u>
E-Mail: <u>bobg@vrcpl.com</u>	
Owner Signature: 	Date: <u>5/25/16</u>
Printed Name: <u>Bob Guevremont</u>	

Applicant/Agent (name): <u>Katie Lucas</u>	
Company Name: <u>G+A Consultants</u>	
Mailing Address: <u>111 Hillside Drive</u>	
Work #: <u>972-436-9712</u>	Cell #:
E-Mail: <u>katie@gacon.com</u>	
Applicant/Agent Signature: 	Date: <u>05/25/16</u>
Printed Name: <u>Katie Lucas</u>	

Current Zoning: <u>LI</u>	Requested Zoning: <u>LI with SUP</u>	Acres: <u>3.591</u>
Legal Description (Lot/Block/Tract/Abstract): <u>Lot 1, Block A Johnson Addition</u>		
Address/Location: <u>553 Bennett Lane</u>		

Application and Sign Fees:

	Less than 1/2 acre	\$ 150.00
✓	1/2 acre up to 4.99 acres	\$ 250.00
	5 acres up to 24.99 acres	\$ 400.00

	25 acres up to 49.99 acres	\$ 750.00
	50 acres up to 99.99 acres	\$1,000.00
	100 acres and more	\$1,500.00

Qty: <u>1</u>	SUP Signs - \$35 each, 1 sign required for each 5 acres (max. 5 per site)	\$ <u>35</u>
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Sign(s) must be posted a minimum of ten (10) days prior to the Planning & Zoning hearing date.

Amount Due (application & sign fee)	\$ <u>285</u>
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ORDINANCE NO. _____

AN ORDINANCE OF THE LEWISVILLE CITY COUNCIL, AMENDING THE ZONING ORDINANCE BY 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, JOHNSON ADDITION, LOCATED ON THE NORTH SIDE OF BENNETT LANE APPROXIMATELY 350 FEET EAST OF RIDGEVIEW DRIVE AT 553 BENNETT LANE AND ZONED LIGHT INDUSTRIAL DISTRICT (LI); PROVIDING FOR A REPEALER, SEVERABILITY, AND A PENALTY; AND DECLARING AN EMERGENCY.

WHEREAS, applications were made requesting approval of a Special Use Permit for heavy equipment – outdoor rental/sales/display/service by making applications for same with the Planning and Zoning Commission of the City of Lewisville, Texas, as required by state statutes and the Zoning Ordinances of the City of Lewisville, Texas; and said Planning and Zoning Commission has recommended that the Special Use Permit on the 3.591-acre lot, as described in the attached Exhibit “A” (the “Property”), be **approved**; and

WHEREAS, this application for a Special Use Permit comes before the City Council of the City of Lewisville, Texas (the “City Council”) after all legal notices, requirements, conditions and prerequisites have been met; and

WHEREAS, the City Council at a public hearing has determined that the proposed use, subject to the condition(s) stated herein: (1) complements or is compatible with the surrounding uses and community facilities; (2) contributes to, enhances, or promotes the welfare of the area of request and adjacent properties; (3) is not detrimental to the public health, safety, or general welfare; and (4) conforms in all other respects to all zoning regulations and standards.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, THAT:

SECTION 1. FINDINGS INCORPORATED. The findings set forth above are incorporated into the body of this ordinance as if fully set forth herein.

SECTION 2. SPECIAL USE PERMIT GRANTED. Subject to the conditions provided for herein, applicant is granted a Special Use Permit to allow a heavy equipment - outdoor rental/sales/display/service facility on the Property, which is zoned Light Industrial District (LI).

SECTION 3. CONDITIONS OF SPECIAL USE PERMIT. The Property shall be developed and maintained:

1. in compliance with the narrative, development plan, paving and demolition plan, landscape plan, SUP fencing plan, elevations and illustrative photos attached hereto as Exhibit "B"; and
2. in accordance with all federal, state, and local laws and regulations.

SECTION 4. CORRECTING OFFICIAL ZONING MAP. The City Manager, or her designee, is hereby directed to correct the official zoning map of the City of Lewisville, Texas, to reflect this Special Use Permit.

SECTION 5. COMPLIANCE WITH ALL OTHER MUNICIPAL REGULATIONS. The Property shall comply with all applicable municipal ordinances, as amended. In no way shall this Special Use Permit be interpreted to be a variance to any municipal ordinance.

SECTION 6. RESCINDING AND TERMINATION. The City Council may rescind and terminate the Special Use Permit after a public hearing if any of the following occur:

1. One or more of the conditions imposed by the Special Use Permit have not been met or have been violated.
2. The Special Use Permit was obtained through fraud or deception.
3. Ad valorem taxes on the property are delinquent by six months or more.
4. Disconnection or discontinuance of water and/or electrical services to the property.
5. Abandonment of the structure, lease space, lot, or tract of land for 180 days or more.

SECTION 7. REPEALER. Every ordinance or parts of ordinances found to be in conflict herewith are here by repealed.

SECTION 8. SEVERABILITY. If any section, sentence, clause, or phrase of this ordinance shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining sections, sentences, clauses, or phrases of this ordinance, but they shall remain in effect.

SECTION 9. PENALTY. Any person, firm or corporation who violates any provisions of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof in the Municipal Court, shall be subject to a fine of not more than \$2,000.00 for each offense, and each and every day such offense is continued shall constitute a new and separate offense.

SECTION 10. EFFECTIVE DATE. This Ordinance shall take effect and be in full force and effect from and after the date of its passage and publication as required by law.

SECTION 11. EMERGENCY. It being for the public welfare that this Ordinance be passed creates an emergency and public necessity and the rule requiring this Ordinance be read on three separate occasions be, and the same is hereby, waived and this Ordinance shall be in full force and effect from and after its passage and approval and publication, as the law in such cases provides.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, BY A VOTE OF ____ TO ____, ON THIS THE 19TH DAY OF SEPTEMBER, 2016.

APPROVED:

Rudy Durham, MAYOR

ATTEST:

Julie Heinze, CITY SECRETARY

APPROVED AS TO FORM:

Lizbeth Plaster, CITY ATTORNEY

Exhibit A
Property Description

Exhibit B
Narrative
Development Plan
Paving and Demolition Plan
Landscape Plan
SUP Fencing Plan
Elevations
Illustrative Photos

FILED FOR RECORD
91 AUG 30 11:28

MARRY H. CARTER
VOL. 8 PG. UNKNOWN
ZONEL A.O.

HERMAN L. & THOS. W. FIELDS
VOL. 164, PG. 373
ZONED A.O.

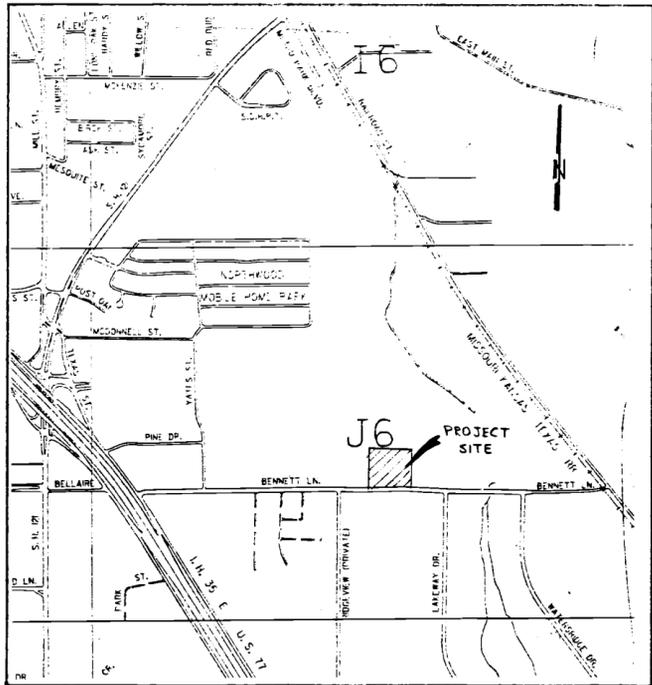
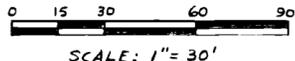
P.O.B.

S 87° 46' 56" E 409.94'

F.I.R.

H-372

J.D. DAVIS
VOL. 204, PG. 91
ZONED A.O.



VICINITY MAP
SCALE: 1"=1000'

JOHNSON ADDITION
LOT 1 - BLOCK A
ZONED L.I.

JACK W. HAWTHORNE JR.
VOL. 2533, PG. 802
ZONED A.O.

JACK W. HAWTHORNE JR.
VOL. 1914, PG. 719
ZONED L.I.

EXHIBIT A PROPERTY DESCRIPTION

FINAL PLAT

FOR:

JOHNSON CRANE RENTAL AND EQUIPMENT

LOT 1 - BLOCK "A"
JOHNSON ADDITION
3.8069 ACRES GROSS
3.5910 ACRES NET

ZONED L.I.

IN THE
EDMUND A. DAY SURVEY, ABSTRACT NO. 11
VOLUME 399 - PAGE 115
CITY OF LEWISVILLE, DENTON COUNTY, TEXAS

OWNER/DEVELOPER:
CHARLES JOHNSON
P.O. BOX 110821
CARROLLTON, TX. 75011-0821
PHONE: (214) 620-2884

PROJECT ADDRESS:
553 BENNETT LANE
LEWISVILLE, TX. 75067

ENGINEER:
CHECKMATE
ENGINEERING
607 S. MILL STREET
LEWISVILLE, TEXAS 75057
(214) 221-8736



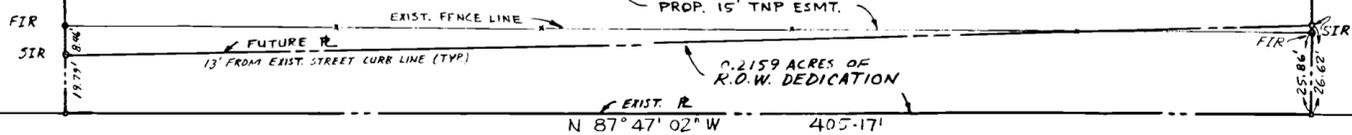
SURVEYOR:
Texas National
Surveying Co.
P.O. Box 399988, Lewisville, TX 75077-2988
(214) 520-7878, Mon-Fri 784-1223
FAX (214) 520-1788

SCALE: 1" = 30'	APPROVED BY	DRAWN BY
DATE: 5-2-91		Mike Rastandeh
REVISIONS: REVISED ACCORDING TO THE CITY COMMENTS 6-12-91 DELETED NOTE FOR 15 FT. TNP ESMT. 7-23-91		
DRAWING NUMBER		P-1

SURVEYING JOB NO. 158791.01

NOTE:
THIS SITE IS IN ZONE "X" AND CONSIDERED
TO BE OUTSIDE 500 YEAR FLOOD PLAIN
ACCORDING TO THE FEMA MAP
PANEL NO. 480195-0020-C
DATED: OCTOBER 18, 1988.

BENNETT LANE
(44' F.F., 70' R.O.W.)
ACCORDING TO 1978 BENNETT LN. AS-BUILT PLAN



F.G. CAGLE
VOL. 610
PG. 658
ZONED A.O.

N 02° 01' 08" E 406.90'
378.65'

S 02° 41' 23" W 406.90'
381.04'

EXIST. 20' ACCESS ESMT.

388-1

F-096-1a

FILED FOR RECORD 063218 91 AUG 30 AM 11:20

CLERK COUNTY CLERK DENTON CO. TEX BY DEPUTY H-573

OWNERS CERTIFICATE AND DEDICATION

STATE OF TEXAS COUNTY OF DENTON

WHEREAS, CHARLES JOHNSON, is the owner a 3.8069 Acre tract of land situated in the Edmund A. Day Survey, Abstract No. 11, Volume 399, Page 115, Denton County, Texas; said tract being located in the City of Lewisville, Texas, and being a Johnson Addition, an addition to the City of Lewisville, as recorded in Denton County Deed Records, said 3.8069 Acre tract being more particularly described as follows:

BEING ALL THAT CERTAIN LOT, TRACT, OR PARCEL OF LAND SITUATED IN THE EDMUND A. DAY SURVEY, ABSTRACT NUMBER 11, IN THE CITY OF LEWISVILLE, DENTON COUNTY, TEXAS, BEING ALL THAT CERTAIN TRACT OF LAND CONVEYED BY DEED FROM J.W. BURRIS, TO ELDON KIRKLAND, RECORDED IN VOLUME 399, PAGE 115, DEED RECORDS OF DENTON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at an iron rod found for the northeast corner of the herein described tract;

THENCE S 02° 41' 23" W, along the east line of the herein described tract, passing an iron rod near the base of a fence corner post at 381.04 feet, said fence corner also being the existing north line of Bennett Lane, a public roadway, a total distance of 406.90 feet to a point for corner in said Lane;

THENCE N 87° 47' 02" W, along the south line of the herein described tract, 405.17 feet with said Lane to a point for corner, said point also being the southwest corner of said Kirkland tract;

THENCE N 02° 01' 08" E, passing at 28.25 feet an iron rod near the base of a fence corner post for said north line of said Lane, a total distance of 406.90 feet to an iron rod found near the base of a fence corner post for the northwest corner of the herein described tract;

THENCE S 87° 46' 56" E, along the north line of the herein described tract, 409.09 feet with a fence to the PLACE OF BEGINNING and containing 3.8069 acres or 165,830 square feet of land.

CONTAINING, 165,830 square feet of 3.8069 acres of land, more or less.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, CHARLES JOHNSON, do hereby adopt this plat, designating the herein described property as the FINAL PLAT OF JOHNSON ADDITION, LOT 1, BLOCK A, an Addition to the City of Lewisville, Texas and does hereby dedicate to the public use forever, the street shown thereon. The easements shown hereon are hereby reserved for the purposes indicated. The utility and fire lane easements (if any) shall be open to the public, fire and police unites, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire lane easements is the responsibility of the property owners. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements as shown, said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. All, and any public utility shall have the right to remove and keep removed any improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system, or systems on the easements and all public utilities shall have at all times the rights of ingress and egress to and from and across the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility).

Water main and sanitary sewer easements shall also include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation or maintenance of manholes, cleanouts, fire hydrants, water services and sewer services from the main to the curb or pavement line, and the description of such additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Lewisville, Texas.

WITNESS my hand at Dallas, Texas, this the 24 day of July, 1991.

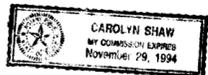
Charles Johnson Charles Johnson/owner

STATE OF TEXAS COUNTY OF DALLAS

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Charles Johnson, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 24 day of July, 1991.

Carolyn Shaw Notary Public in and for Dallas County, Texas Commission Expiration 11-29-94



SURVEYORS CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

THAT I, ARTHUR DEAN HODDE, R.P.S. #4260, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the approved Platting Rules and Regulations of the City of Lewisville.

Arthur Dean Hodde Registered Professional Surveyor No. 4260

STATE OF TEXAS COUNTY OF DENTON

BEFORE ME, LINDA KERR RICHEY, the undersigned authority, a Notary Public in and for the State of Texas, County of Denton, on this day personally appeared ARTHUR DEAN HODDE, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

GIVEN UNDER MY AND SEAL OF OFFICE THIS THE 25 day of July, 1991.

Linda Kerr Richey/Notary Public Commission Expiration 8-7-95



STATE OF TEXAS

All variances (if any) from General Development Ordinance Approved by City Council.

Approved and Accepted

Patt Rowles 8-6-91 Chairman, Planning and Zoning Commission City of Lewisville, Texas

The undersigned, the City Secretary of the City of Lewisville, Texas, hereby certifies that the foregoing final plat of the Lot 1, Block A, Johnson Addition, an Addition to the City of Lewisville was submitted to the appropriate Planning and Zoning Commission or City Council as required by the ordinances of the City of Lewisville on the 16 day of August, 1991, and such body by formal action, then and there, accepted the dedication of streets, alleys, parks, easements, public places and water and sewer lines, as shown and set forth in and upon said plat, and said body further authorized the acceptance thereof by signing as hereinabove subscribed in the capacity stated.

Witness my hand this 8th day of August, 1991.

Marty Hendrix City Secretary City of Lewisville, Texas



FINAL PLAT

FOR

JOHNSON CRANE RENTAL AND EQUIPMENT

LOT 1 - BLOCK "A" JOHNSON ADDITION 3.8069 ACRES GROSS 3.5910 ACRES NET

ZONED L. I.

IN THE EDMUND A. DAY SURVEY, ABSTRACT NO. 11 VOLUME 399 - PAGE 115 CITY OF LEWISVILLE, DENTON COUNTY, TEXAS

OWNER/DEVELOPER: CHARLES JOHNSON P.O. BOX 110821 CARROLLTON, TX. 75011-0821 PHONE: (214) 620-2884

PROJECT ADDRESS: 553 BENNETT LANE LEWISVILLE, TX. 75067

CHECKMATE ENGINEERING 622 E. MILL STREET LEWISVILLE, TEXAS 75007 (214) 221-8736

Surveyor Texas National Surveying Co. P.O. Box 228244 Lewisville, TX 75022-2244 (214) 526-7878 Main 724-1225 Fax (214) 526-1706

Table with 3 columns: SCALE, DATE, REVISION, APPROVED BY, DRAWING NUMBER. SCALE: NO SCALE, DATE: 6-12-91, REVISION: ADDED SHR 2/2 FOR BETTER LEGIBILITY 6-12-91, DRAWING NUMBER: P-2

388-2

F-096-1B

EXHIBIT B - NARRATIVE



SITE PLANNING CIVIL ENGINEERING PLATTING
CONSULTANTS, LLC
LAND SURVEYING LANDSCAPE ARCHITECTURE

TBPE Firm No. 1798

TBPLS Firm No. 10047700

July 19, 2016

Nika Reinecke
Director of Economic Development and Planning
City of Lewisville
151 W. Church Street
Lewisville, TX 75057

**RE: Vista Ridge Concrete Pumping – Special Use Permit
Letter of Intent
G&A Job No. 16107**

Dear Ms. Reinecke:

Please accept this letter, on behalf of Mr. Bob Guevremont, as an explanation of the proposed Special Use Permit Request for approximately 3.6 acres of land generally located off of Bennett Lane between Ridgeview Drive and Lakeway Drive.

This site is currently zoned Light Industrial, which allows heavy equipment parking uses with a Special Use Permit. We respectfully request a Special Use Permit to allow this site and its existing structures to be adapted to allow for this use. Any improvements to the property are expected to be completed in a single phase.

Mr. Guevremont currently owns a concrete-pumping business with an office and vehicle storage facility on Vista Ridge Drive. Due to the expansion of his business over the past few years, his current site does not provide enough storage space for the trucks or enough room for necessary maintenance, and he has been obligated to rent space on F.M. 407 to accommodate overflow. The proposed site will be used as a maintenance and storage facility, where minor repairs and tune-ups will be completed in the existing building, and trucks will be parked on the property until they are rented. Types of proposed maintenance have been provided with this submittal.

Proposed improvements to the site include installing additional landscaping along the Bennett Lane frontage and rear property line, replacing portions of the existing chain link fence with a board-on-board fence, and upgrading the existing paving on the site. Mr. Guevremont is also proposing to improve the south and west facades of the existing metal building with a stucco or EIFS finish. We believe the proposed improvements to the site will enhance the overall feel of the neighborhood and provide a standard for future redevelopment in this area.

Vista Ridge Concrete Pumping has been a successful corporate citizen of Lewisville for the past 21 years. Their success is partially due to the favorable business environment in Lewisville, and they would like to continue their positive relationship with the City. Thank you in advance for your consideration of this

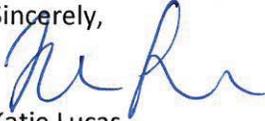
Vista Ridge Concrete Pumping - SUP

July 19, 2016

Page 2 of 2

request. Please do not hesitate to contact me with any questions or comments regarding this application.

Sincerely,



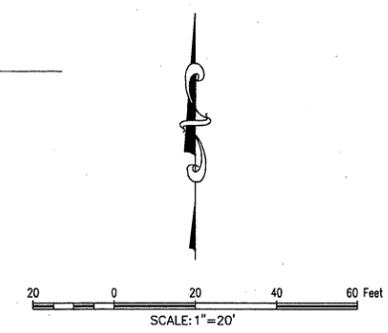
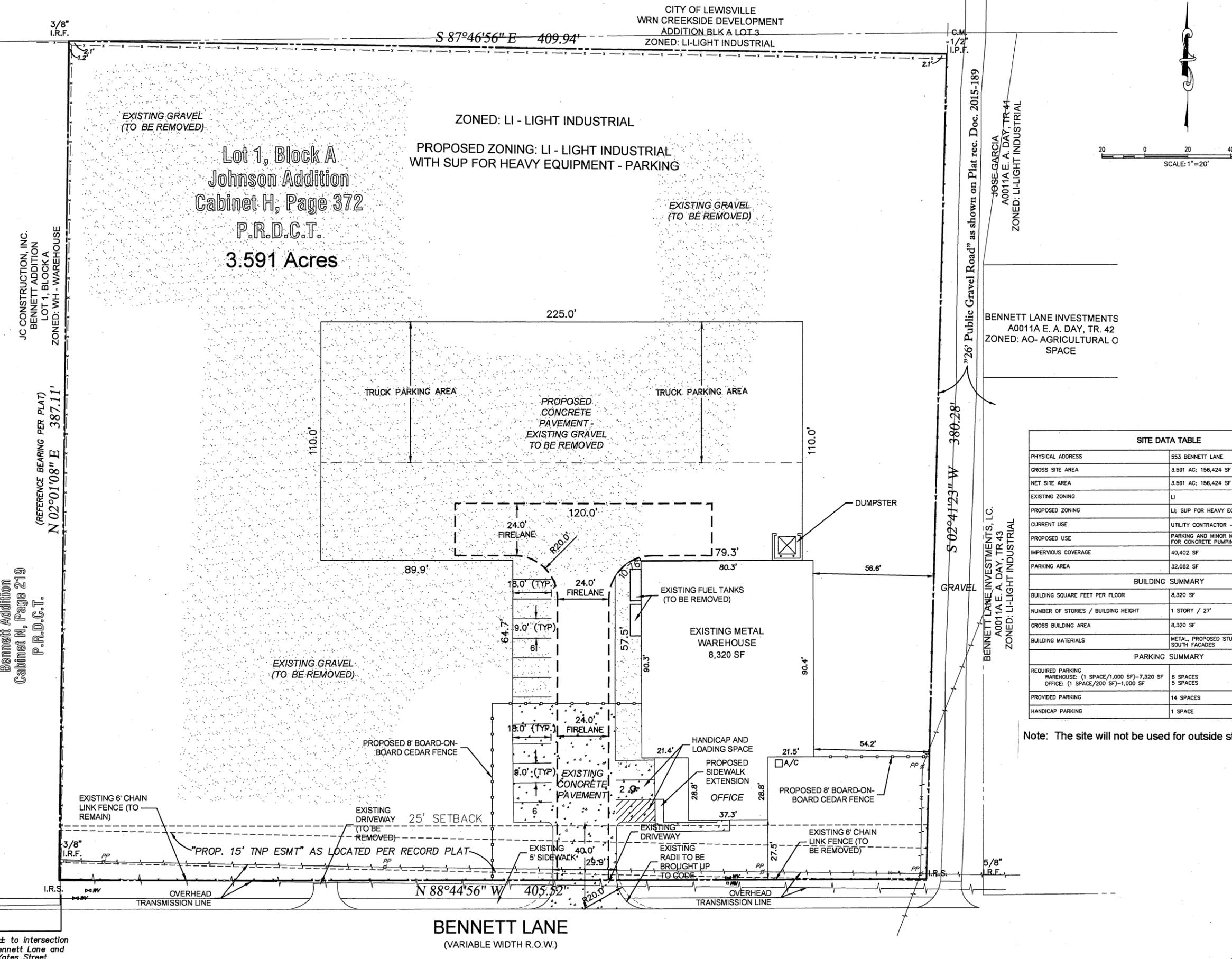
Katie Lucas

cc: Bob Guevremont

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Vehicular Maintenance Uses – Vista Ridge Concrete Pumping

- Inspections and replacements of parts, such as lights, mud flaps, and gauges
- Ensure all safety devices are properly installed and working properly
- Check all functions of mechanical boom breaks
- Inspect turret bolts for tightness
- Check unit mounting hardware
- Check hydraulic pressures
- Check accumulator pre-charge
- Grease boom zerks
- Check tire for sufficient tread, proper inflation, cuts, and loose lug nuts
- Inspect boom and outrigger structure for deformations, cracks, and damage



SITE DATA TABLE	
PHYSICAL ADDRESS	553 BENNETT LANE
GROSS SITE AREA	3,591 AC; 156,424 SF
NET SITE AREA	3,591 AC; 156,424 SF
EXISTING ZONING	LI
PROPOSED ZONING	LI; SUP FOR HEAVY EQUIPMENT - PARKING
CURRENT USE	UTILITY CONTRACTOR - OUTDOOR STORAGE
PROPOSED USE	PARKING AND MINOR MAINTENANCE AND REPAIRS FOR CONCRETE PUMPING TRUCKS
IMPERVIOUS COVERAGE	40,402 SF
PARKING AREA	32,082 SF
BUILDING SUMMARY	
BUILDING SQUARE FEET PER FLOOR	8,320 SF
NUMBER OF STORIES / BUILDING HEIGHT	1 STORY / 27'
GROSS BUILDING AREA	8,320 SF
BUILDING MATERIALS	METAL, PROPOSED STUCCO VENEER ON WEST AND SOUTH FACADES
PARKING SUMMARY	
REQUIRED PARKING WAREHOUSE: (1 SPACE/1,000 SF)-7,320 SF OFFICE: (1 SPACE/200 SF)-1,000 SF	8 SPACES 5 SPACES
PROVIDED PARKING	14 SPACES
HANDICAP PARKING	1 SPACE

Note: The site will not be used for outside storage.

STA. PLANNING CIVIL ENGINEERING PLATTING
CONSULTANTS, LLC
 LAND SURVEYING LANDSCAPE ARCHITECTURE
 1111 Main Street - Lewisville, TX 75057 - P: 972.458.9725 - F: 972.458.9715
 144 Old Town Blvd. North, Suite 2 - Argyle, TX 75026 - P: 817.246.1012 - F: 817.246.1028
 TBE# 1988 TBE# 1989 TBE# 1990 TBE# 1991 TBE# 1992 TBE# 1993 TBE# 1994 TBE# 1995 TBE# 1996 TBE# 1997 TBE# 1998 TBE# 1999 TBE# 2000

VISTA RIDGE CONCRETE PUMPING EXPANSION
 Lot 1, Block A
 JOHNSON ADDITION
 ZONED LI - LIGHT INDUSTRIAL
 3.591 Acres
 In the
 EDWARD A. DAY SURVEY, ABSTRACT NO. 11
 CITY OF LEWISVILLE
 DENTON COUNTY, TEXAS

SUP DEVELOPMENT PLAN

PRELIMINARY PLANS
 THIS DOCUMENT IS FOR INTERIM REVIEW AND IS NOT INTENDED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES.
 G&A CONSULTANTS, F-1798
 R. VON BEOUGHER, P.E. #69087
 DATE 8/11/2016

Drawn By: KL
Date: 05/25/2016
Scale: 1"=20'
Revisions:
05/24/2016
07/19/2016
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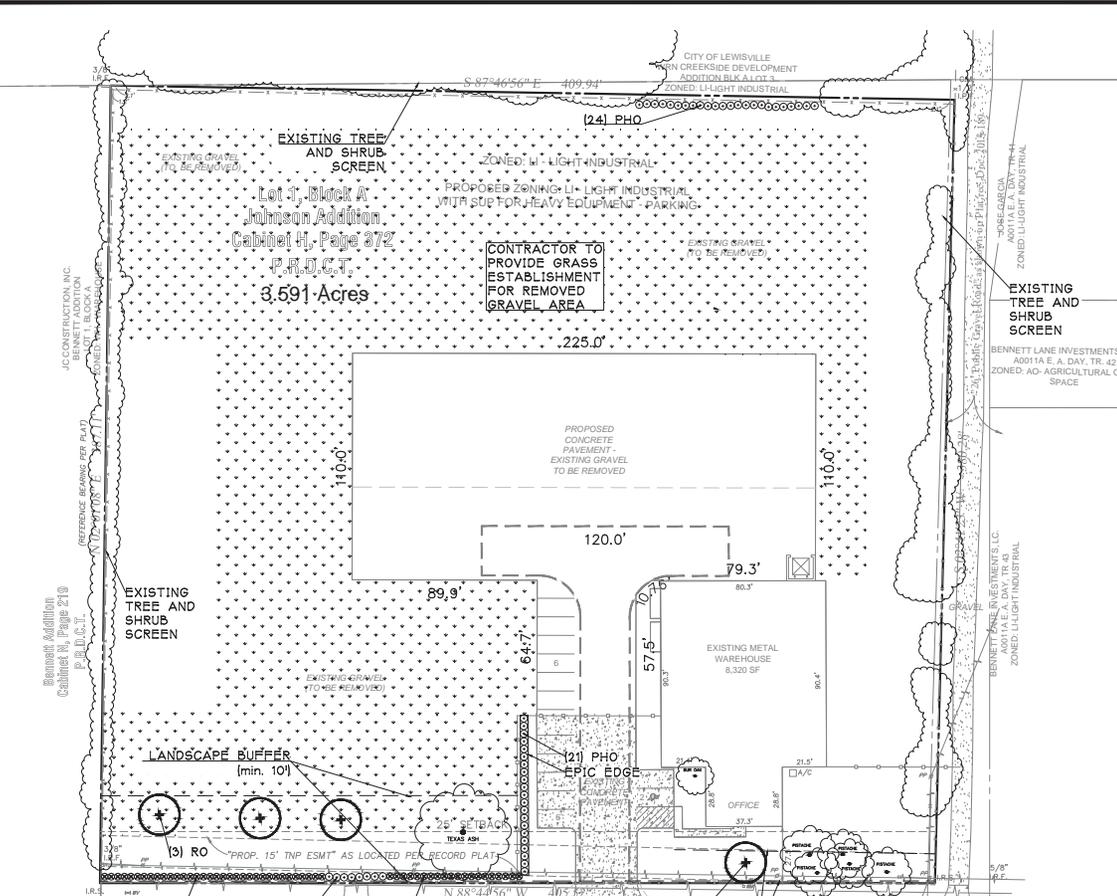
OWNER/DEVELOPER
 VISTA RIDGE
 CONCRETE PUMPING
 P.O. BOX 293266
 LEWISVILLE, TX 75029
 PH. (972) 518-0148
 Contact: BOB GUEVREMONT

16107

SUP

VISTA RIDGE CONCRETE PUMPING EXPANSION

File: E:\VISTA\16107\16107.dwg Plot Date: 05/25/2016 10:58:11 AM
 Plotted by: jgarcia Plot Scale: 1/2"=20' Plot Size: 17.0000 x 11.0000



City of Lewisville LANDSCAPE REQUIREMENTS COMPLIANCE
AVILON-MEMORY CARE

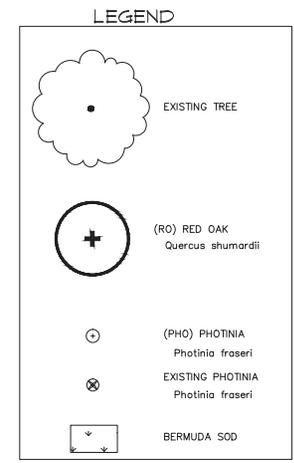
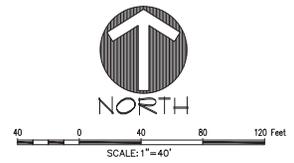
Landscape Strip:
 A landscape strip shall be provided adjacent to all public and private streets. The landscape strip shall be a minimum of 10 feet, exclusive of street right-of-way.
Required: Bennett Lane - minimum 10' width
Provided: Variable width landscape strip (10' minimum)

Street Trees:
 Within the landscaped strip, one shade tree (2 1/2" caliper minimum) shall be provided per five hundred square feet of required landscape strip.
Required: Bennett Lane - 4014 s.f. / 500 = 8 trees
Provided: 4 new (2.5" cal.) trees + 6 existing trees = 10 trees

PARKING LOT TREES:
 Interior parking areas shall be landscaped in addition to the required landscaped strip. Trees must be provided in each parking lot at a minimum average density of one shade tree (2" caliper minimum) for each 15 parking spaces.
Required: 13 Parking spaces = 1 tree
Provided: Requirements met with existing conditions

Parking Lot Screening:
 Where parking lots and drives abut the landscape strip along street right-of-way, evergreen shrubs must be provided for screening. The screening must be a minimum of 2' high and extend along the entire street frontage of the parking lot. If a parking lot is located 50' from the street R.O.W. line, no shrubs will be required.
Required: 2 high screening shrubs
Provided: Requirements met with existing conditions

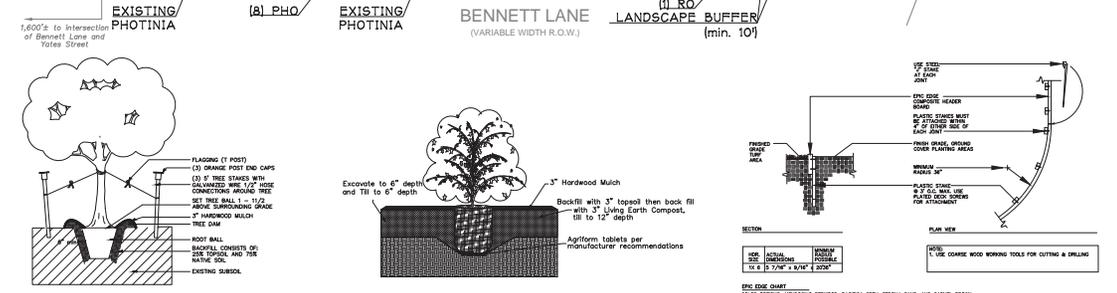
*All landscape shall be 100% watered by underground automatic irrigation system. Irrigation system shall have a freeze sensor. Contractor to ensure that all existing irrigation is operable, restored and meets all of TCEQ requirements. Any new irrigation will be added to existing system if applicable.



PLANT LIST

QUANT.	COMMON NAME	BOTANICAL NAME	SIZE	MIN. HT.	SPACE	REMARKS
4	RED OAK	Quercus shumardii	3" cal.	10'-12'	56" per plan	Single trunk
55	PHOTINIA	Photinia x fraseri	5 gal.	24"	56" o.a.	Full

- LANDSCAPE NOTES:**
- Contractor shall stake out tree locations and bed configuration for approval approval by owner prior to installation.
 - Contractor is responsible for verifying location of all underground utilities prior to construction.
 - It is the responsibility of the contractor to advise the owners representative of any condition found on site which prohibits installation as shown on these plans.
 - All shrub and groundcover beds shall have a minimum of 3" of hardwood bark mulch.
 - Landscape edging shall be located as noted on plan.
 - Trees overhanging walks and parking areas shall have a clear trunk height of seven feet.
 - Multi trunk and ornamental trees will be allowed in the city's right of way with staff approval only. Must be outside any visibility triangles.
 - A visibility triangle must be provided at all intersections as required by the thoroughfare standards code. Trees will have a minimum clear trunk branching height of nine feet.
 - All plant material shall be maintained in a healthy and growing condition, and must be replaced with plant material of similar variety and size if damaged, destroyed, or removed.
 - Landscape areas shall be kept free of trash, litter and weeds.
 - An automatic irrigation system shall be provided to maintain all landscape areas. Over spray on streets and walks is prohibited. A permit from the building inspection department is required for each irrigation system. Impact fees must be paid to the development for separate irrigation meters prior to any permit release.
 - Irrigation Controller to have a Rain and Freeze Stat.
 - All landscape is to be greater than 8 feet from all underground utilities.
 - All areas of grading disturbances are to have grass reestablished at 75% coverage prior to letter of acceptance from the city. Means and methods of grass establishment and application of water for grass establishment are at the discretion of the owner and contractor.



1. TREE STAKING NOT TO SCALE
 2. SHRUB DETAIL NOT TO SCALE
 3. EPIC EDGE COMPOSITE HEADER BOARD DETAIL #210 SCALE: 1/8" = 1'-0"

ENVIRON GROUP
 LANDSCAPE ARCHITECTURE
 1111 HARRIS DRIVE, SUITE 100, LEWISVILLE, TX 75057
 P: 972.231.6278 | F: 972.648.9971

VISTA RIDGE CONCRETE PUMPING EXPANSION
 Lot 1, Block A, JOHNSON ADDITION
 Zoned: L-1 LIGHT INDUSTRIAL
 Survey Area: 3.591 ACRES
 EDWARD A. DAY ARCHITECT NO. 11
 CITY OF LEWISVILLE
 CENTRAL COUNTY, TEXAS

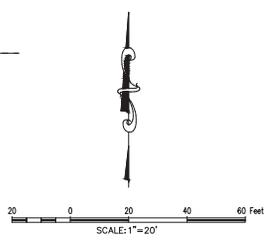
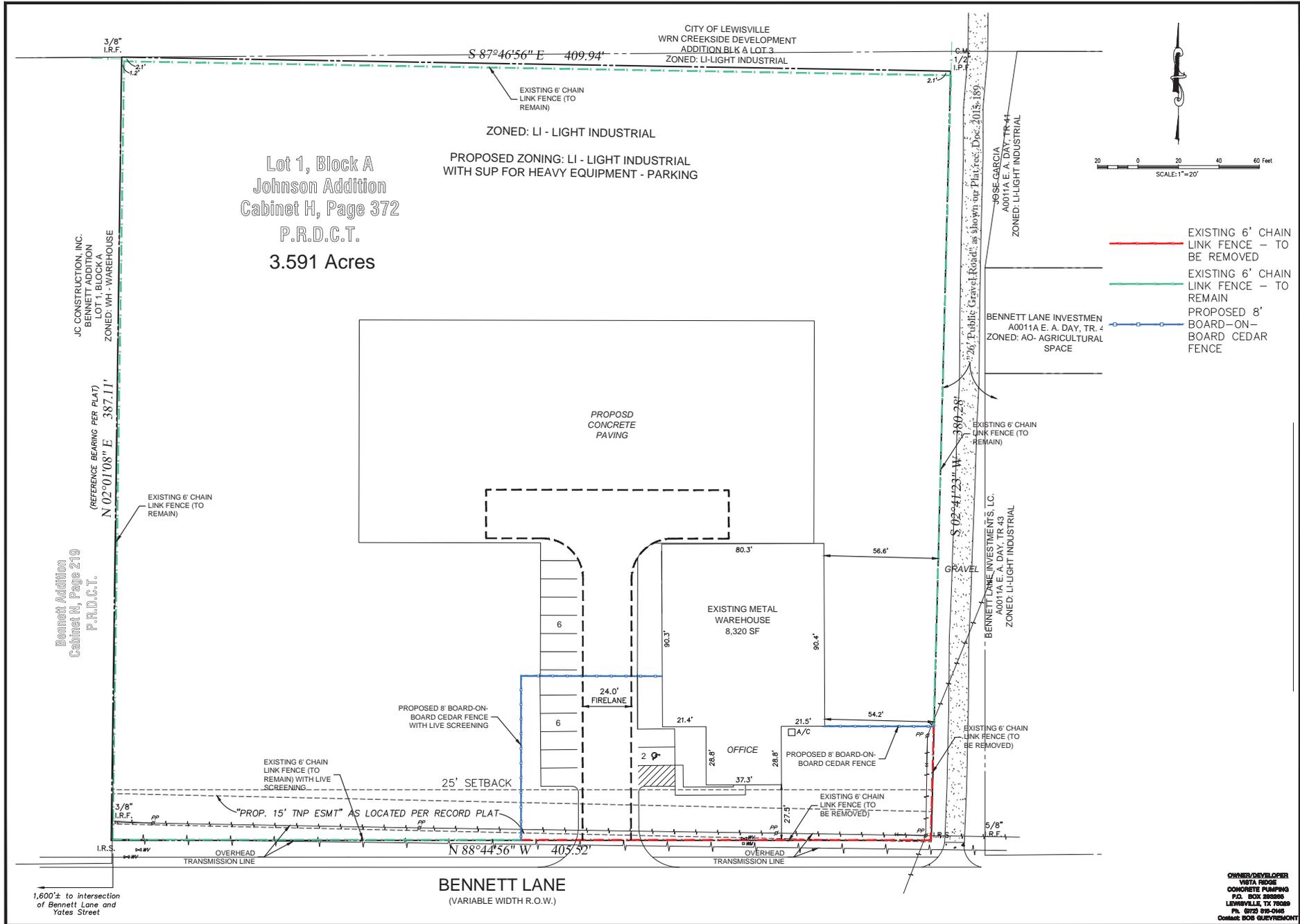
LANDSCAPE PLAN

PRELIMINARY PLANS
 THIS DOCUMENT IS FOR PRELIMINARY REVIEW AND IS NOT INTENDED FOR CONSTRUCTION, BIDDING, OR PERMITTING. ANY CHANGES TO THESE PLANS SHALL BE MADE BY THE ARCHITECT. DATE: 5/5/2016
 STATE OF TEXAS
 ARCHITECT'S SEAL

Drawn By: MS
 Date: 5/25/2016
 Scale: 1"=30'
 Revisions:

16107
 L1.0

OWNER/DEVELOPER
VISTA RIDGE CONCRETE PUMPING
 P.O. BOX 285836
 LEWISVILLE, TX 75028
 Ph: 972-288-0948
 Contact: BOB GUYERMAN



- EXISTING 6' CHAIN LINK FENCE — TO BE REMOVED
- EXISTING 6' CHAIN LINK FENCE — TO REMAIN
- PROPOSED 8' BOARD-ON-BOARD CEDAR FENCE

CONSULTANTS, LLC
LANDSCAPE ARCHITECTURE

VISTA RIDGE CONCRETE PUMPING EXPANSION

SUP FENCING PLAN

PRELIMINARY PLANS
THIS DOCUMENT IS FOR INTERNAL REVIEW AND IS NOT INTENDED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES. CONSULTANTS, F-1798
R. VON BUEGLER, P.E. #69087
DATE 6/11/2016

Drawn By: KL	Date: 06/24/2016
Scale: 1"=20'	Revisions:

16107

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OWNER/DEVELOPER
VISTA RIDGE CONCRETE PUMPING
P.O. BOX 888888
LEWISVILLE, TX 75089
PH. 972.916.0148
CONTACT BOB GUEVREMOVIC

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Front façade



West façade



Center of site, looking northeast



North Façade



Back of site, looking south along the east façade of the building



Front of site, looking east



East façade



Existing parking lot, looking west











MEMORANDUM

TO: Donna Barron, City Manager
FROM: Brenda Martin, Director of Finance
DATE: September 7, 2016
SUBJECT: **Approval of Finance Policy 3.0 VI Investment Policy**

BACKGROUND

The Public Funds Investment Act (Act), also known as Texas Government Code 2256, was originally approved in 1987 and is usually amended every session by the legislature. The Act defines the standards and requirements by which local governments and other public agencies must comply with before investing their funds. Components of the Act include criteria for investment policies, investment officers and training, authorized investments and standards of care.

One such requirement of the Act is that the City's Investment Policy be approved annually by the governing body. Since the Legislature of the State of Texas operates under the biennial system and convenes its regular sessions in January of odd-numbered years, there was no legislative session to propose changes and recommendations to the city's current investment policy. The city's investment committee also is not proposing additional updates at this time. Therefore, this year the policy is being submitted for approval with no changes.

ANALYSIS

The 2016 annual submission of the city's investment policy is being presented with no recommended changes.

RECOMMENDATION

It is City staff's recommendation that the City Council approve the Investment Policy to comply with Texas Government Code 2256.

Effective Date: _____
Approval: _____

**CITY OF LEWISVILLE
POLICY STATEMENTS**

TOPIC: FINANCE
REFERENCE: 3.0 VI

VI. INVESTMENTS

Pursuant to Chapter 2256 of the Texas Government Code, also known as the Public Funds Investment Act, an investment policy shall be submitted and approved by the governing body on an annual basis. The following are City Council policy statements regarding the investments of City funds:

A. Scope

1. The investment policy applies to the investment activities of the Government of the City of Lewisville. These policies serve to satisfy the statutory requirement to define and approve a formal investment policy.
2. Funds Included – All financial assets of all funds, including the General Fund, Water and Sewer Utility Fund, the Capital Projects Funds, the Special Revenue Funds, the Self Insurance Funds, the Debt Service Funds, and all other funds that may be created from time to time not identified in Section A.3 below, shall be administered in accordance with the provisions of these policies.
3. Funds Excluded – All financial assets of all funds associated with an Other Post Employment Benefits (OPEB) Trust.

B. Investment Strategy

1. The City of Lewisville maintains a consolidated pooled investment portfolio that utilizes specific investment strategy considerations designed to address the investment objectives of the individual fund types represented in the pooled investment portfolio. Fund types within the consolidated investment pool include the general fund, special revenue funds, debt service fund, capital project fund, internal service fund, and expendable trust funds. Additionally, the City may maintain separate investment portfolios for the

water and sewer and health insurance proprietary funds, or include them with the fund types of the consolidated investments mentioned above.

2. In order to minimize risk of loss due to interest rate fluctuations, investment maturities will not exceed a maximum of three (3) years. Investment strategy for each of the investment portfolios have as their primary objective to assure that anticipated cash flows are consistent with adequate investment liquidity. The second objective is to create a portfolio structure that will experience minimal market volatility during economic cycles. These objectives are to be accomplished by investing in high quality, short-term securities in combination with investing in a qualified investment pool that provides same day liquidity and income earning fully collateralized bank accounts.

C. Objectives

1. Safety – Safety of principal is the foremost objective of the City of Lewisville. Investments of the City of Lewisville shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. To attain this objective, diversification is required in order that potential losses on individual securities or pooled securities do not exceed the income generated from the remainder of the portfolio.
2. Liquidity – The City's investment portfolio will remain sufficiently liquid to enable the City to meet operating requirements that might be reasonably anticipated.
3. Yield – Funds held for future capital projects shall be invested in securities that reasonably can be expected to produce enough income to offset inflationary construction cost increases.

D. Investment Committee

1. Members – There is hereby created an Investment Committee, consisting of the Director of Finance, Fiscal Services Manager, an Assistant City Manager, and four others to be designated by the City Manager. The Investment Committee shall meet at quarterly intervals to determine general strategies and to monitor results. The Investment Committee shall be authorized to invite advisors to the meetings as needed including the City Attorney and outside advisors.
2. Committee Scope – The Investment committee shall include in its deliberations such topics as: economic outlook, portfolio diversification, maturity structure, potential risk to the City's funds, and authorized brokers and dealers.

3. Procedures – The Investment Committee shall provide for minutes of its meetings. Any two members may request a special meeting, and four members shall constitute a quorum. The Investment Committee shall establish its own rules of procedure.

E. Investment Officers

1. The following positions: Finance Director and the Fiscal Services Manager are exclusively designated as Investment Officers by the City Council.
2. Investment Officers may, on behalf of the City, execute purchases and sales of investments as permitted by the Investment Policy.
3. Investment officers are required to adhere to training guidelines in accordance with the Government Code 2256.008.
4. Investment Officers will additionally submit signed quarterly reports to the City Council and the City Manager.

F. Responsibility and Control

1. Delegation – Management responsibility for the investment program is hereby delegated to the Director of Finance, who shall establish written procedures for the operation of the investment program, consistent with this investment policy. Such procedures shall include explicit delegation to persons responsible for investment transaction accounting.
2. Management and Internal Controls – The Director of Finance shall establish a system of internal controls, which shall be documented in writing. The internal controls shall be reviewed by the investment committee and with the independent auditor. The controls shall be designed to reasonably prevent losses of public funds arising from fraud, employee error, mis-representation by third parties, unanticipated changes in financial markets, or imprudent actions by employees and officers of the City of Lewisville.
3. Controls and managerial emphasis deemed most important that shall be employed where practical are:
 - a. Control of collusion.
 - b. Separation of duties.
 - c. Separation of transaction authority from accounting and record keeping.
 - d. Custodian safekeeping receipts records management.

- e. Avoidance of bearer-form securities.
 - f. Documentation of investment bidding events.
 - g. Written confirmation of telephone transactions.
 - h. Accurate and timely reports.
 - i. Adequate training and development of investment officials.
 - j. Review of financial condition of all brokers, dealers, and depository institutions.
 - k. Staying informed about market conditions, changes, and trends that require adjustments in investment strategies.
 - l. No less than quarterly, the Investment officer(s) shall review with the committee the credit ratings of the investment instruments contained within the portfolio to ensure adherence to PFIA credit standards and the credit standards of this policy. Should a particular investment fall below minimum credit standards, the committee and Investment officer(s) shall exercise prudent judgment with regards to immediate liquidation of the investment.
4. Transaction Authority – Certain signatory responsibilities are required to transact investments. Positions authorized as depository signatories shall be established by the City Manager.
- a. The persons holding these positions are also designated as authorized to transact wire transfers, buy/sell, and trade investments in accordance with the goals and objectives of the City's investment strategy.
 - b. Bonding of all those individuals authorized to place, purchase, or sell investment instruments shall be required.
5. Prudence – Investments shall be made with the exercise of due care, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment considering the probable safety of their own capital as well as the probable income to be derived. Prudence extends beyond the consideration of single investments to include the prudence of the entire portfolio structure.
6. Investment Officers acting in accordance with written procedures and exercising due diligence shall be relieved of personal responsibility for an

individual security's credit risk or market price dangers, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

G. Ethics

1. Conflicts of Interest – Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Conflict of interest provisions in state law shall apply to the selection of depositories.
2. Disclosure – Employees and Investment Officials shall disclose to the City Manager any material financial interests in financial institutions that conduct business with the City of Lewisville, and shall further disclose any large personal financial or investment positions that could be related to the performance of the City's portfolio. Employees and Investment Officials shall subordinate their personal investment transactions to those of this jurisdiction, particularly with regard to the timing of purchases and sales.

H. Reporting Investment Earning Evaluation

1. Quarterly Reports – The Investment Officers shall submit quarterly, an investment report that:
 - a. Describes in detail the investment position of the City on the date of the report;
 - b. Must be prepared jointly by all Investment Officers of the entity;
 - c. Must be signed by each Investment Officer of the City;
 - d. Contains a summary statement of each pooled fund group that states:
 - (1) Beginning market value for the reporting period;
 - (2) Ending market value for the period; and
 - (3) Fully accrued interest for the reporting period.
 - e. State the book value and market value of each separately invested asset at the end of the reporting period by the type of asset and fund type invested;
 - f. State the maturity date of each separately invested asset that has a maturity date;

- g. State the City's pooled fund group (Consolidated, Water/Sewer, Health) for which each individual investment was acquired; and
 - h. States compliance of the portfolio in aspect to investment strategy.
2. Annual Report – Within 60-days of the end of the Fiscal Year, the Director of Finance shall present an annual report on the investment program activity. The annual report shall include 12-month performance information, and shall suggest improvements that might be made in the investment program.

I. Investments

1. Strategy Statement – The City intends to pursue an active vs. a passive portfolio management philosophy. That is, securities may be sold before they mature if market conditions present an opportunity for the City to benefit from the trade. The maximum maturity terms for individual securities will not exceed three years. The maximum weighted average maturity for the composite portfolio is one and one-half years.
2. Eligible Investments – Financial assets of the government of the City of Lewisville may be invested in:
- a. Obligations of the United States or its agencies and instrumentalities; and
 - b. Direct obligations of the State of Texas or its agencies, and instrumentalities; and
 - c. Other obligations, the principal of and interest on which are unconditionally guaranteed or insured by, or backed by the full faith and credit of, the State of Texas or the United States or its agencies and instrumentalities, including obligations that are fully guaranteed or insured by the Federal Deposit Insurance Corporation or by the explicit full faith and credit of the United States.
 - d. Fully collateralized direct repurchase agreements meaning a simultaneous agreement to buy, hold for a specified time, and then sell back at a future date, obligations described by Subsection (a) of this section or a combination of cash and obligations described in Subsection (a) of this section, the principal and interest of which are guaranteed by the United States or any of its agencies, market value of not less than the principal amount of the funds disbursed. Repurchase agreements include direct security repurchases and reverse security repurchase agreements not exceeding 90 days after the date delivered. Such repurchase securities shall be pledged to the

City and deposited with a third party selected and approved by the City, and placed through a primary government securities dealer, as defined by the Federal Reserve, or a bank domiciled in this state.

- f. Up to a legal limit of 15% of operating fund can be placed in a no load money market mutual fund that is regulated by the Federal Securities and Exchange Commission with a dollar weighted average stated maturity of 90 days or less and whose investment objectives include seeking to maintain a stable net asset value of \$1 per share up to a maximum of 80 percent of the aggregate monthly average fund balance, excluding bond proceeds in money market funds. The City's account may not exceed 10 percent of the total assets of the money market mutual fund.

- g. Public Funds Investment Pools created to invest public funds jointly on behalf of the entities that participate in the pool and whose investment objectives in order of priority are: first, safety of principal; second, liquidity; and third, income. The pool may consist of assets authorized through the Public Funds Investment Act (Government Code 2256) and have an established advisory board composed of participants and other qualified persons. A public fund investment pool must be continuously rated no lower than AAA or AAA-m or at an equivalent rating by at least one nationally recognized rating service. The Council must approve a resolution authorizing investment in the particular pool following Finance Director evaluation of an offering circular containing the following comprehensive information: the pools qualified investments; maximum average dollar-weighted maturity allowed based on the stated maturity date; maximum stated maturity date of any investment security within the pool portfolio; objectives of the pool; size of the pool; names and terms of the advisory board; custodian bank used for safekeeping pool assets; pool intent to maintain a net asset value of one dollar and the risk of market price fluctuation; whether the only source of payment is the assets of the pool at market value or whether there is a secondary source of payment, such as insurance or other described guarantees; the name and address of the pool's independent auditor; deposit and withdrawal guidelines; and performance history. An investment pool shall invest the funds it receives from entities in authorized investments permitted by the Public Funds Investment Act. An investment pool that is created to function as a money market mutual fund must maintain a maximum weighted average maturity not to exceed 60 days. Any investment pool that does not meet the requirements of one that is created to function as a money market mutual fund must maintain a maximum average dollar weighted maturity that does not

exceed 365 days (or 366 in the case of a leap year) and must provide a fixed interest rate and a fixed maturity term for each pool position.

Additionally, approved pools are required to furnish a monthly report with the following minimum information:

- (1) The types and percentage breakdown of securities in which the pool is invested;
 - (2) The current average dollar-weighted maturity, based on the stated maturity date, of the pool;
 - (3) The current percentage of the pool's portfolio in investments that have stated maturities of more than one year;
 - (4) The book value versus the market value of the pool's portfolio, using amortized cost valuation;
 - (5) The size of the pool;
 - (6) The number of participants in the pool;
 - (7) The custodian bank that is safekeeping the assets of the pool;
 - (8) A listing of daily transaction activity of the entity participating in the pool;
 - (9) The yield and expense ratio of the pool; including a statement regarding how yield is calculated.
 - (10) The portfolio managers of the pool; and
 - (11) Any changes or addenda to the offering circular.
3. Length of Investments – The City of Lewisville shall invest in instruments with scheduled maturity of duration not to exceed three (3) years at the time of purchase. In the event a coupon security maturity exceeds the specified limit with a calculated duration of three (3) years, the instrument will satisfy this policy requirement.
4. Diversification – It shall be the policy of the City of Lewisville to diversify the investment portfolio. Diversification strategies shall be determined and revised periodically by the Investment Committee. In establishing specific diversification strategies, the following general constraints shall apply:

- a. Portfolio maturities shall be staggered to avoid concentration of assets in a specific maturity sector. The maximum weighted average maturity of the composite portfolio will not exceed one and one-half years.
- b. Portfolio investment instruments and issuers shall be diversified by type.
- c. The following maximum limits by instruments are established for the City's total portfolio:

(1)	U.S. Treasury Securities	100%
(2)	U.S. Agency and Instrumentalities	75%
(3)	Authorized pools	50%
(4)	Repurchase Agreements	25%
(5)	No-load Money Market Mutual Funds	15%
- d. Competitive quotes among dealers/pools for placement of investments must facilitate diversification. However, Repurchase Agreements shall be placed only with primary government securities dealers.

J. Selection of Depositories

- 1. Bidding Process – Depositories shall be selected through the city's banking services application process. Before awarding a depository services contract, the Council shall receive applications for the performance of depository services from one or more state or national banks, state or federal credit unions or state or federal savings associations.
 - a. Notice Content – The Director of Finance shall give notice to banks, credit unions, and savings associations requesting submission of application proposals to perform depository services. This notice to institutions must contain the responsible staff person's name and address, date and time the applications are to be received by staff, and the date, time, and place the Council will consider the selection of one or more depositories.
 - b. Notice Publication – Notice of the request for depository application proposals shall be published at least once no later than 21 days prior to the deadline for receipt of applications in the City's official newspaper.

2. Review of Applications – In reviewing applications, the Director of Finance shall consider the terms and conditions for the performance of depository services, including the type and cost of services to be provided to the City, consistent with this policy to include the following general criteria:
 - a. Sound capital and operating structure capable of providing a full range of depository services.
 - b. Ability to perform securities safekeeping custody and book entry securities clearance for the City's investment portfolio.
 - c. Continuous ability and contractual commitment to pledge acceptable collateral to guarantee public funds deposits.
 - d. Enhance treasury cash management performance by maximizing earnings on demand deposits, securities investments, and in the event of favorable market pricing, the placement of time deposits with the depository.
 - e. Competitive fees for depository services.
 - f. Active community reinvestment of public funds deposits back into the local economy through loans for businesses, property development, and improvements within Lewisville. Diversification of loan recipients and a Community Reinvestment Act rating of "Outstanding" are considered prerequisite.
3. Term, Conditions, and Additional Services – The City may approve, execute, and deliver any depository services contract whose term does not exceed five (5) years. The depository services contract(s) may contain terms and conditions approved by Council. In addition to depository services, the City may elect to contract with financial institutions under separate contract(s) if additional financial services are necessary in the administration, collection, investment, and transfer of City funds.
4. Qualification as Depository – The selected depository institution shall, not later than five (5) days before the commencement of the term of the depository services contract, provide security for the public funds.

K. Selection of Brokers, Dealers, and Pools

Primary Dealers and Approved List – For brokers and dealers of government securities, the Investment Committee shall select only those dealers reporting to the Market Reports Division of the Federal Reserve Bank of New York, also known as the "primary government securities dealers," unless a broker/dealer comprehensive

questionnaire and certification reveals that regional firms are adequately managed and financed to conduct public business. All brokers and dealers must be authorized by the Investment Committee. Investment officers shall not conduct business with any firm which has been removed from the approved list by the Investment Committee. An Investment Officer may not buy any securities from a firm which has not filed a written certification that the broker/dealer has received and thoroughly reviewed the government's investment policy and have implemented reasonable procedures and controls. All Brokers/Dealers should be reviewed and re-approved or removed annually by the Investment Committee.

L. Safekeeping and Custody

1. Insurance or Collateral – All deposits and investments of City funds with commercial banks shall be secured by pledged collateral with a market value equal to no less than 100% of the deposits or investments less an amount insured by the FDIC. Collateral shall be reviewed monthly to assure the market value of the securities pledged equals or exceeds the related bank balances. Master repurchase agreement shall be in place documenting the terms and conditions of the fully collateralized repurchase transactions placed only with primary dealers.
2. Pledged Collateral Safekeeping Agreement – All safekeeping arrangements shall be in accordance with a Safekeeping Agreement approved by the Investment Committee which clearly defines the procedural steps for gaining access to the collateral should the City of Lewisville determine that the City's funds are in jeopardy. The safekeeping institution, or Trustee, shall be the Federal Reserve Bank or a third party custodial institution, not a branch of the firm pledging the collateral. Collateral is to be deposited in the custodian account subject to the order and direction of the City as pledgee, and the written consent of the City shall be required before release from the custodian. The safekeeping agreement shall include the authorized signatures of the City of Lewisville, the depository pledging the collateral, and the custodian.
3. Collateral Defined – The City of Lewisville shall accept only the following securities as collateral:
 - a. Negotiable direct obligations of the United States with maturities under 10 years shall use current market value equal to 100% of total City deposits, OR with maturities over 10 years shall use current market value equal to 102% of total City deposits; or
 - b. Negotiable general obligations of the United States and backed by its full faith and credit with maturities under 10 years shall use current market value equal to 100% of total City deposits, OR with

maturities over 10 years shall use current market value equal to 102% of total City deposits; or

- c. Negotiable obligations, the principal of and interest on which are unconditionally guaranteed by the United States, with maturities under 10 years shall use current market value equal to 100% of total City Deposits OR with maturities over 10 years shall use current market value equal to 102% of total City deposits; or
 - d. Negotiable general or special obligations issued by the State of Texas or any county, city town or municipal corporation of the State of Texas or any other political subdivision of the State of Texas, payable from taxes, revenues, or a combination of taxes and revenues that has been rated as to investment quality by a nationally recognized rating agency and that has a current rating of not less than "A" or its equivalent with maturities under 10 years using current market value equal to 100% of total City deposits, OR with maturities over 10 years using current market value equal to 102% of total city deposits; or
 - e. Obligations of the United States or its agencies and instrumentalities including Federal Home Loan Bank letters of credit.
4. Subject to Audit – All collateral shall be subject to inspection and audit by the Director of Finance or the City's independent auditors.
 5. Delivery vs. Payments – Eligible investment securities shall be purchased using the delivery vs. payment method. That is, funds shall not be wired or paid until verification has been made that the security was received by the City Safekeeping/Clearance Agent. The security shall be held in the name of the City. The original copy of all safekeeping receipts shall be delivered to the City.

MEMORANDUM

TO: Donna Barron, City Manager

FROM: Melinda Galler, Assistant City Manager

DATE: September 14, 2016

SUBJECT: **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.**

BACKGROUND

The City of Lewisville has provided a health insurance plan through a partially self-insured program since 1990. The City has utilized Cigna to administer its plan of benefits and to provide individual and aggregate stop loss coverage since 2006. Each year the City sends out requests for proposals for stop loss coverage.

Currently under the City's partially self-insured plan, the City is responsible for the first \$150,000 of each claim with Individual Stop Loss (ISL) coverage for all claims in excess of this amount. Aggregate stop loss insurance provides overall plan protection by assuring that insurance coverage is provided when total claim payments exceed a specified amount. This specific amount is calculated by multiplying the number of lives on the plan by an attachment factor.

ANALYSIS

In July, staff sent out requests for proposals for stop loss insurance for the City's Comprehensive Group Health Plan. Three companies submitted proposals including Cigna, the current carrier, National Joint Powers Alliance (NJPA) and Gerber. All companies submitted a quote for \$150,000, \$175,000 and \$200,000 ISL.

This plan year to date, the City of Lewisville has received \$2.98 million in reimbursements under our current agreement with Cigna. Our premium for this plan year is estimated to be approximately \$1,098,705. Unfortunately, these results have significantly impacted the stop loss quotes resulting in large increases in the projected premiums.

Cigna's quote to continue the \$150,000 ISL was a 52% increase to the current stop loss rate. Gerber's quoted a lower premium; however, Gerber's quote included a \$450,000 ISL on the largest four claimants which when added to the premium costs, represented a greater liability to

the City. Based on the additional exposure, staff eliminated Gerber as a potential provider. NJPA's \$150,000 quote was over 19% higher than the Cigna quote.

Staff has evaluated the quotes at the three ISL levels of \$150,000, \$175,000 and \$200,000, and is recommending that the City accepts Cigna's quote moving to the \$175,000 stop loss level or next plan year. Cigna's quote is \$153,619 less than NJPA's quote for \$175,000 ISL. This change reduces Cigna's premium increase to 37%.

The chart below illustrates what the cost to the City would have been each of the last three years had the ISL been at \$175,000. Two out of the three years, the additional cost to the plan would have been less than the \$155,683 premium savings.

	Cigna (1)		Cigna (2)
Stop Loss Level	150,000		175,000
Specific Premium	\$1,674,377		\$1,507,682
Aggregate Premium	\$43,147		\$54,159
Total	\$1,717,524		\$1,561,841
Difference (Renewal vs Option)	n/a		\$155,683
Actual Claims Exceeding \$170,000		Claimants	Additional Annual Cost to City
2013-14		4	\$78,297
2014-15		5	\$125,000
2015-16 Year to Date		9	\$186,585
Expected Savings - Actual Results			*Savings
2013-14			\$77,386
2014-15			\$30,683
2015-16 Year to Date			(\$30,902)

*** Difference from \$175k ISL Savings in premiums vs. Actual Large Claims Costs over three years - \$77,167**

Based on the experience over the last three years, staff is recommending that the City accept the proposal increasing the Individual Stop Loss to \$175,000 for FY 2016-17. Based on Cigna's proposed attachment factor of \$1,141.90, the aggregate limit is \$9,633,103. The plan is protected from paying out any claims in excess of this amount. The fixed annual cost of the contract is \$1,561,841.

Subject: Proposal for Health Insurance Stop Loss
September 14, 2016
Page 3

RECOMMENDATION

It is City staff's 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.

CITY OF LEWISVILLE
PARTIAL SELF FUNDED HEALTH PLAN BEST AND FINAL OFFERS

Recommended

	2015 / 2016 Current	2016 / 2017 Renegotiated Renewal	2016 / 2017 Option - \$150k	2016 / 2017 Option - \$150k	2016 / 2017 Option - \$175k	2016 / 2017 Option - \$175k	2016 / 2017 Option - \$175k	2016 / 2017 Option - \$200k	2016 / 2017 Option - \$200k	2016 / 2017 Option - \$200k
TPA:	Cigna	Cigna	Cigna	Cigna	Cigna	Cigna	Cigna	Cigna	Cigna	Cigna
STOP LOSS CARRIER:	Cigna	Cigna	SA / Gerber	NJPA	Cigna	SA / Gerber	NJPA	Cigna	SA / Gerber	NJPA
PBM:	Cigna	Cigna	Cigna	Cigna	Cigna	Cigna	Cigna	Cigna	Cigna	Cigna
PPO:	Cigna PPO	Cigna PPO	Cigna PPO	Cigna PPO	Cigna PPO	Cigna PPO	Cigna PPO	Cigna PPO	Cigna PPO	Cigna PPO
SPECIFIC STOP LOSS DEDUCTIBLE:	\$150,000	\$150,000	\$150,000	\$150,000	\$175,000	\$175,000	\$175,000	\$200,000	\$200,000	\$200,000
SPECIFIC STOP LOSS LIFETIME MAXIMUM	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited
SPECIFIC CONTRACT :	Paid (M,Rx)	Paid (M,Rx)	24/12 (M, Rx)	24/12 (M, Rx)	Paid (M,Rx)	24/12 (M, Rx)	24/12 (M, Rx)	Paid (M,Rx)	Paid (M,Rx)	24/12 (M, Rx)
AGGREGATE CONTRACT CORRIDOR:	120%	120%	120%	120%	120%	120%	120%	120%	120%	120%
AGGREGATE CONTRACT MAXIMUM:	Unlimited	Unlimited	\$2,000,000	\$1,000,000	Unlimited	\$1,000,000	\$2,000,000	Unlimited	Unlimited	\$1,000,000
AGGREGATE CONTRACT:	Paid (M,Rx)	Paid (M,Rx)	24/12 (M, Rx)	24/12 (M, Rx)	Paid (M,Rx)	24/12 (M, Rx)	24/12 (M, Rx)	Paid (M,Rx)	Paid (M,Rx)	24/12 (M, Rx)
SPECIFIC PREMIUM: (Per Employee)	\$130.24	\$198.48	\$161.25	\$236.75	\$178.72	\$146.03	\$196.93	\$160.32	\$129.87	\$172.71
MONTHLY TOTAL	\$91,559	\$139,531	\$113,359	\$166,435	\$125,640	\$102,662	\$138,442	\$112,705	\$91,299	\$121,415
ANNUAL TOTAL	\$1,098,705	\$1,674,377	\$1,360,305	\$1,997,223	\$1,507,682	\$1,231,950	\$1,661,301	\$1,352,460	\$1,095,583	\$1,456,982
AGGREGATE PREMIUM (Per Employee):	\$6.28	\$6.30	\$5.39	\$5.36	\$6.42	\$5.89	\$5.52	\$6.53	\$6.51	\$5.68
MONTHLY TOTAL	\$4,415	\$4,429	\$3,789	\$3,768	\$4,513	\$4,141	\$3,881	\$4,591	\$4,577	\$3,993
ANNUAL TOTAL	\$52,978	\$53,147	\$45,470	\$45,217	\$54,159	\$49,688	\$46,567	\$55,087	\$54,918	\$47,916
AGGREGATE STOP LOSS FACTOR:										
Per Employee	\$913.50	\$1,103.08	\$1,058.95	Pending	\$1,141.90	\$1,091.75	Pending	\$1,171.59	\$1,113.02	Pending
Monthly Aggregate Accumulation	\$642,193	\$775,464	\$744,442	Pending	\$802,759	\$767,500	Pending	\$823,630	\$782,453	Pending
Annual Aggregate Accumulation	\$7,706,311	\$9,305,569	\$8,933,302	Pending	\$9,633,103	\$9,210,003	Pending	\$9,883,562	\$9,389,437	Pending
Projected Claims (IPS Advisors, Inc.)	n/a	\$8,540,210	\$8,540,210	\$8,540,210	\$8,540,210	\$8,540,210	\$8,540,210	\$8,540,210	\$8,540,210	\$8,540,210
% Above IPS Projected	n/a	9.0%	4.6%	Pending	12.8%	7.8%	Pending	15.7%	9.9%	Pending
Medical / Rx / Vision Administration:	\$19.82	\$17.82	\$19.97	\$19.82	\$17.82	\$17.82	\$17.82	\$17.82	\$17.82	\$0.00
Medical Network Access Fee / UR / CM	\$11.76	\$11.76	\$11.76	\$11.76	\$11.76	\$11.76	\$11.76	\$11.76	\$11.76	\$0.00
PHS+	n/a	\$2.00	\$2.00	\$2.00	\$2.00	\$2.00	\$2.00	\$2.00	\$2.00	\$2.00
Dental Administration	\$2.03	\$2.03	\$2.03	\$2.03	\$2.03	\$2.03	\$2.03	\$2.03	\$2.03	\$0.00
Dental Network Access Fee	\$0.70	\$0.70	\$0.70	\$0.70	\$0.70	\$0.70	\$0.70	\$0.70	\$0.70	\$0.00
HRA Fee	\$4.94	\$4.94	\$4.94	\$4.94	\$4.94	\$4.94	\$4.94	\$4.94	\$4.94	\$0.00
HSA Fee	\$4.94	\$4.94	\$4.94	\$4.94	\$4.94	\$4.94	\$4.94	\$4.94	\$4.94	\$0.00
24 Hour Nurse Line	included	included	included	included	included	included	included	included	included	included
Printing Booklets / SPDs	included	included	included	included	included	included	included	included	included	included
Stop Loss Interfacing Fee	n/a	n/a	\$1.20	\$1.20	n/a	\$1.20	\$1.20	n/a	\$1.20	\$1.20
MONTHLY TOTAL	\$26,188	\$26,188	\$27,032	\$27,032	\$26,188	\$27,032	\$27,032	\$26,188	\$27,032	\$27,032
ANNUAL TOTAL	\$314,257	\$314,257	\$324,380	\$324,380	\$314,257	\$324,380	\$324,380	\$314,257	\$324,380	\$324,380
FIXED COSTS MONTHLY TOTAL	\$122,162	\$170,148	\$144,180	\$197,235	\$156,342	\$133,835	\$169,354	\$143,484	\$122,907	\$152,440
FIXED COSTS ANNUAL TOTAL	\$1,465,940	\$2,041,781	\$1,730,155	\$2,366,820	\$1,876,098	\$1,606,018	\$2,032,249	\$1,721,804	\$1,474,882	\$1,829,278
LASER LIABILITY	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
AGGREGATING SPECIFIC LIABILITY	\$0	\$0	\$450,000	\$0	\$0	\$450,000	\$0	\$0	\$450,000	\$0
MAXIMUM MONTHLY FUNDING	\$764,354	\$945,612	\$926,121.47	Pending	\$959,100	\$938,835.11	Pending	\$967,114	\$942,859.90	Pending
MAXIMUM ANNUAL FUNDING	\$9,172,251	\$11,347,350	\$11,113,458	Pending	\$11,509,201	\$11,266,021	Pending	\$11,605,366	\$11,314,319	Pending
PERCENTAGE Δ FROM CURRENT	n/a	23.7%	21.2%	Pending	25.5%	22.8%	Pending	26.5%	23.4%	Pending
DOLLAR CHANGE FROM CURRENT	n/a	\$2,175,099	\$1,941,207	Pending	\$2,336,950	\$2,093,770	Pending	\$2,433,115	\$2,142,068	Pending

MEDICAL CALCULATIONS BASED ON:	703	YTD Stop Loss	Firm and Final	Firm and Final	Updated Claims	Firm and Final	Firm and Final	Updated Claims	Firm and Final	Firm and Final	Updated Claims
HRA ENROLLMENT:	314	Reimbursements	No Lasers	\$450K Agg Spec	through 8/31	No Lasers	\$450K Agg Spec	through 8/31	No Lasers	\$450K Agg Spec	through 8/31
HSA ENROLLMENT:	145	Equal \$2.98 Million	on 4 Claimants	required to finalize		on 4 Claimants	required to finalize		on 4 Claimants	required to finalize	
CAT ENROLLMENT:	244			Spec and Agg			Spec and Agg			Spec and Agg	
DENTAL ENROLLMENT:	630			Premiums and Factors			Premiums and Factors			Premiums and Factors	

MEMORANDUM



TO: Donna Barron, City Manager

FROM: Bob Monaghan, Parks and Leisure Services Director

DATE: August 25, 2016

SUBJECT: **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.**

BACKGROUND

For the past 13 years, the Lewisville Citizens Police Academy Alumni Association has been conducting the Battle of the Badge Benefit Softball Tournament. The tournament consists of local police and fire departments in the Dallas Ft Worth area. Last year over 200 citizens attended the event as well as local media.

ANALYSIS

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. The CACDC is a non-profit agency that serves victims of sexual abuse or very serious physical abuse and their non-offending family members. The agency works closely with law enforcement, Child Protective Services, the District Attorney's Office, and sexual assault nurse examiners on the investigation and prosecution of severe child abuse cases. The Advocacy Center also provides free counseling and support services to the children and their families.

Battle of the Badge will take place on October 15, 2016 at The Toyota of Lewisville Railroad Park. Hot dogs and other refreshments will be available for purchase. A \$5 entrance fee for spectators will be charged at the event and children 12 and under are free. The event will also feature an array of family activities such as a bounce house, clowns, crafts, face painting and a silent auction. The event proceeds will be split with 70% going directly to the CACDC and 30% to be used by the Lewisville Citizens Police Academy Alumni Association on other various community projects.

As the sponsoring organization, the Lewisville Citizens Police Academy Alumni Association provides liability insurance that meets the City's requirements. Field rental for the Lewisville teams to practice is estimated at \$260, field rental for the tournament is estimated at \$240, and the Temporary Event Permit is \$15 for an estimated total of \$565.

RECOMMENDATION

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

Fwd: REQUEST TO WAIVE FEES

Inbox x

12:13 PM (16
minutes ago)

From: "Sasso, Karen" <karen.sasso@optioncare.com>
Date: September 14, 2016 at 12:12:54 PM CDT
To: "Ramiro Espinosa, Jr." <respinosa@cityoflewisville.com>
Subject: REQUEST TO WAIVE FEES

In regards to our Benefit Softball Tournament – Battle of the Badge Softball Tournament scheduled for Saturday October 15, 2016. I would like to request that the Fees for use of the Toyota of Lewisville Rail Road Park Softball Complex be waived. This Fundraiser is a benefit Tournament for the Lewisville Citizen Police Academy Alumni Association and the Children's Advocacy Center for Denton County.

Thank you for your consideration.

Karen Sasso
LCPAAA Event Coordinator
[469-688-4539](tel:469-688-4539)

Thank You

***KAREN SASSO, MA, CPHT
PATIENT SERVICES REP
PATIENTS: R-Z***

Option Care
6611 N. Belt Line Rd., Suite 100
Irving, TX 75063
Phone: [\(972\) 536-7355](tel:(972)536-7355)
Direct: [\(972\) 505-4964](tel:(972)505-4964)***
Fax: [\(972\) 505-4976](tel:(972)505-4976)
E-mail: karen.sasso@optioncare.com
www.optioncare.com

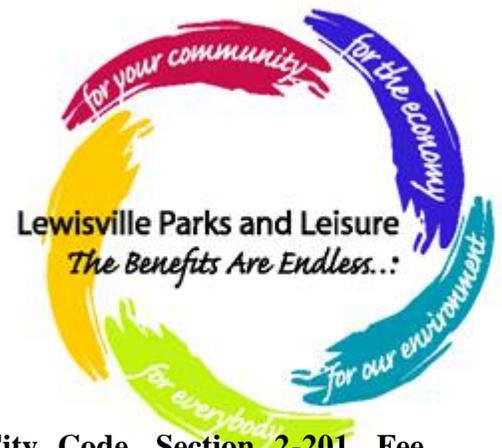
MEMORANDUM

TO: Donna Barron, City Manager

FROM: Bob Monaghan, Parks and Leisure Services Director

DATE: August 25, 2016

SUBJECT: **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.**



BACKGROUND

Jamboree-on-the-Air, or JOTA, is the largest Scouting event in the world. It is held annually the third full weekend in October. JOTA uses amateur radio to link Scouts and hams around the world. This jamboree requires no travel, other than to a nearby amateur radio operators ham location. Many times the hams will assist by setting up a station at a local park.

Scouts of any age can participate, from Cub Scouts to Boy Scouts and Venturers, including girls. Once at the ham radio station, the communication typically involves talking on a microphone and listening on the station speakers. However, many forms of specialized communication may also be taking place, such as video communication, digital communication (much like sending a message on your smartphone but transmitted by radio), or communication through a satellite relay or an earth-based relay (called a repeater). The exchanges include such information as name, location, Scout rank, age, and hobbies. The stations communicated with can be across town, across the country, or even around the world! The World Scout Bureau reported that nearly 1 million Scouts and almost 20,000 amateur radio operators participated in the 2015 JOTA, from more than 17,776 stations in 151 countries.

ANALYSIS

The Lewisville Amateur Radio Association works with the Lewisville Office of Emergency Management on various outreach events such as the Fire Department Open House and during severe weather as the SKYWARN Storm Spotters. Association members are donating their time and use of their personal equipment to conduct the Jamboree-on-the-Air event and provide the opportunity for local scouts to participate. The Lewisville Amateur Radio Association has requested the waiver of the pavilion rental fees associated with the event scheduled for October 15th at L.L. Woods Park. Pavilion rental is \$50 for the day, and the Temporary Event Permit is \$15 for a total of \$65.

RECOMMENDATION

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

Special Request

Inbox x



Ron Ford <rfavcon@verizon.net>

Aug
26

Dear Mr. Monaghan,

I am a member of the Lewisville Amateur Radio Association and we are planning to host a session for Scouts to join in on the annual World Scouting Jamboree-on-the-Air on October 15. This is the first time we have hosted this event and are hoping for a good turnout. If you are not familiar with the Jamboree it is an event where there will be several radio stations set up that will allow the scouts to make contacts with other scouts around the world. In addition, we will have several merit badge counsellors available to assist boys who are working on the Radio Merit Badge. We are planning to use the shelter at L.L. Woods park and would like to request that PALS waive the usage fee for this event. I have also spoken to the Fire Department requesting use of the Mobile Command vehicle for the day. I and several other of our members are also members of the Reserve Division of the Fire Department and will be responsible for the care and operation of all city facilities for this event.

Thank you in advance for your consideration in this matter.

Sincerely,
Ron Ford

MEMORANDUM

TO: Donna Barron, City Manager

FROM: Gina Thompson, Director of Strategic Services

DATE: September 14, 2016

SUBJECT: SUPPLEMENTAL APPROPRIATIONS

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 the following new supplements:

Utility Fund:

An appropriation of \$334,395 is required to cover increased raw water and electricity costs at the Water Plant related to increased water consumption, and increased electricity costs at the Wastewater Treatment Plant due to increased infiltration/treatment costs.

Health and Insurance Risk Funds:

Due to the uncertainty associated with medical claims and IBNR (incurred but not reported claims), it is important that the Health budget have additional budget authority to fund any unexpected medical claims that may hit at the end of the budget year. An appropriation of \$800,000 is requested for this purpose (\$500,000 available in the Health Fund reserves, and \$300,000 transferred from the Risk Fund reserves). The Risk Fund has been used historically to support the Health Insurance Fund. This is a somewhat routine supplement as it is difficult to predict the number of claims and the cost associated with those claims.

Recreation Fund:

An appropriation of \$5,000 is requested to account for a donation received at the Library this fiscal year.

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, AMENDING THE PREVIOUSLY ADOPTED AND APPROVED BUDGET ORDINANCE FOR THE FISCAL YEAR OCTOBER 1, 2015 TO SEPTEMBER 30, 2016; BY PROVIDING SUPPLEMENTAL APPROPRIATIONS TO THE VARIOUS FUNDS; PROVIDING AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

WHEREAS, there exists a growing public necessity, and it is an emergency expenditure to meet unusual and unforeseen conditions which could not by reasonable, diligent thought and attention be included in the original budget; and,

WHEREAS, the various supplemental appropriations were deemed necessary and approved individually for operations during Fiscal Year 2015-2016, and,

WHEREAS, additional supplemental appropriations to the 2015-16 fiscal year budget are required for the Recreation, Utility, Health, and Insurance Risk Funds, and can be found in the comprehensive listing (Exhibit A); and,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, THAT:

SECTION 1. AMENDMENTS. The Ordinance adopting the budget for the Fiscal Year, October 1, 2015 to September 30, 2016, be amended by the supplemental appropriations approved by the City Council throughout the 2015-16 fiscal year including those in Exhibit A, and that these supplemental appropriations are allocated for expenditures, and the estimates of income are acceptable and proper and sufficient to pay such expenditures.

SECTION 2. EFFECTIVE DATE. This Ordinance shall become effective immediately upon its passage.

SECTION 3. EMERGENCY. It being for the public welfare that this Ordinance be passed creates an emergency and public necessity, and the rule requiring this Ordinance be read on three separate occasions be, and the same is hereby waived and this Ordinance shall be in full force and effect from and after its passage and approval and publication, as the law in such cases provides.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, BY A VOTE OF __ TO __, ON THIS THE 19th DAY OF SEPTEMBER, 2016.

APPROVED:

Rudy Durham, MAYOR

ATTEST:

Julie Heinze, CITY SECRETARY

APPROVED AS TO FORM:

Liz Plaster, CITY ATTORNEY

Exhibit A

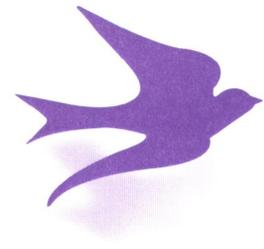
DATE	FUND		AMOUNT	DESCRIPTION
10/19/15	General Fund		\$7,608,463	Procuring a new P-25 compliant radio system
11/16/15	Grant Fund (for reimbursables)		\$130,000	Acceptance of the 2015 Homeland Security Grant Program's Area Security Initiative (UASI) Grant Award *Grant does not require a match \$130,000 is awarded for the design and assembly of a trailered equipment package to supplement Emergency Operations Center capability
12/7/15	General Fund		\$396,363	Prior Year Encumbrances
12/7/15	2025 Implementation/Incentives Fund		\$261,054	Prior Year Encumbrances
12/7/15	Hotel/Motel Fund		\$16,494	Prior Year Encumbrances
12/7/15	Recreation Fund		\$2,726	Prior Year Encumbrances
12/7/15	PEG Programming Fund		\$125,803	Prior Year Encumbrances
12/7/15	Asset Forfeiture-State Fund		\$209,643	Prior Year Encumbrances
12/7/15	Grants Fund		\$31,354	Prior Year Encumbrances
12/7/15	Crime Control & Prevention District Fund		\$141,979	Prior Year Encumbrances
12/7/15	Utility Fund		\$348,392	Prior Year Encumbrances
12/7/15	Maintenance & Replacement Fund		\$90,169	Prior Year Encumbrances
12/7/15	Self-Insurance Risk Fund		\$8,436	Prior Year Encumbrances

Exhibit A

DATE	FUND		AMOUNT	DESCRIPTION
12/7/15	Health Insurance Trust Fund		\$3,399	Prior Year Encumbrances
05/16/16	General Fund		\$1,600,000	Mid-Year Changes Re-appropriate Bank renovation capital project
05/16/16	Utility Fund <i>(Wastewater Treatment Plant \$260,768)</i> <i>(Water Treatment Plant \$25,670)</i>		\$286,438	Mid-Year Changes \$260,768 - Increased pumping costs at WWTP \$25,670 - Emergency replacement of equipment at WTP
05/16/16	Health Fund		\$1,500,000	Mid-Year Changes Health plan has 36 participants who have exceeded \$50,000
05/16/16	4B		\$123,796	Mid-Year Changes Reimburse Operational accounts due to Lake Park soccer field renovation bid coming in over projection
05/16/16	Lewisville 2025 Fund	\$165,500 (Neighborhood Incentives) \$60,481 (Economic Development Incentives) \$150,000 (Old Town Incentives)	\$375,981	Mid-Year Changes Appropriations lapsed at the end of FY 14/15 and need to be re-appropriated
05/16/16	Police and Fire Training Fund		\$94,458	Mid-Year Changes Allows fund balance in the Fire & Police Training Fund related to fire donations to be moved to the donation fund.
05/16/16	Hotel Motel Fund <i>(transfer to Public Arts Capital Project)</i>		\$50,492	Mid-Year Changes Transfer \$50,492 to the Public Arts Capital Project due to FY 14/15 audit

Exhibit A

DATE	FUND		AMOUNT	DESCRIPTION
05/16/16	Recreation Fund		\$56,262	Mid-Year Changes Due to addition of City's management involvement in LLELA City is overseeing recreation classes at LLELA – anticipated expenditures \$56,262
05/16/16	Community Activities Fund		\$61,550	Mid-Year Changes Western Days Headliner additional costs & speaker replacement at MCL Grant Performance Hall – additional funding
05/16/16	Court Security Fund		\$27,050	Mid-Year Changes Warrant Round Up overtime \$4,000 Court Building security modifications \$23,050
08/15/16	Capital Projects	Local Funding – Kealy, Valley Ridge Blvd	\$4,700,000	Accept appropriation \$4,700,000 for Valley Ridge and Re-Appropriate \$4,700,000 for Kealy Avenue
09/12/16	Community Activities Fund		\$70,608	Piano
09/19/16	Health Fund		\$500,000	Increases in claims costs
09/19/16	Insurance Risk Fund		\$300,000	Transfer to Health Fund to cover increases in claims costs
09/19/16	Utility Fund		\$334,395	Increased water consumption and increased costs related to infiltration/treatment
09/19/16	Recreation Fund		\$5,000	Library Donation



LEWISVILLE

Deep Roots. Broad Wings. Bright Future.

MEMORANDUM

TO: Mayor and Council

FROM: Donna Barron, City Manager

DATE: September 19, 2016

SUBJECT: Consideration of an Ordinance Adopting the FY 2016-17 Operating Budget

BACKGROUND

This action adopts the City's annual budget for all funds beginning October 1, 2016 and ending September 30, 2017. Any supplements not included in this budget require future City Council approval.

A draft budget document with updated fund summaries is available to the public on the City's website.

Please contact me if you have additional questions.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, ADOPTING AND APPROVING A BUDGET FOR THE CITY OF LEWISVILLE, TEXAS FOR THE YEAR BEGINNING OCTOBER 1, 2016, AND ENDING SEPTEMBER 30, 2017; PROVIDING FOR AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

WHEREAS, a budget for the fiscal year beginning October 1, 2016, and ending September 30, 2017, has been prepared by the City Manager, as Budget Officer for the City of Lewisville; and,

WHEREAS, said budget has been presented by the City Manager, together with his budget commentaries as provided for in Article 9 of the City Charter; and,

WHEREAS, public notice of the public hearings upon this budget have been duly and legally published as provided for in the City Charter and under the budget statute of the State of Texas; and,

WHEREAS, this proposed budget has been filed with the City Secretary; and,

WHEREAS, FURTHER, after full and final consideration, two public hearings have been held on said budget and it is in the opinion of the Mayor and City Council that the budget, as filed, is balanced and does meet the requirements of the City of Lewisville for the proper and sustained operation of the services of the City, and should be approved as presented;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, THAT:

SECTION 1. The budget for fiscal year 2016-2017 be adopted and approved, and that the sums of money indicated below be approved as listed, and that the estimate of income and financial support as shown be accepted as proper and sufficient to pay such expenditures and that the City Manager be authorized to transfer funds as needed not exceeding the following total fund appropriations:

General Fund	Expenditures	Debt Service	Total
Non-Departmental	1,676,245	-	1,676,245
Mayor / Council	126,202	-	126,202
Administration	1,445,126	-	1,445,126
Public Records	373,313	-	373,313
Legal	664,322	-	664,322
Police Department	23,376,303	-	23,376,303
Fire Department	19,072,306	-	19,072,306
Public Services	11,087,654	-	11,087,654
Parks & Leisure Services	6,212,113	-	6,212,113
Development Services	2,927,956	-	2,927,956
Finance	1,538,984	-	1,538,984
Human Resources	1,006,891	-	1,006,891
Community Relations / Tourism	1,328,858	-	1,328,858
Economic Dev. & Planning	1,003,524	-	1,003,524
Information Technology	2,900,117	-	2,900,117
Municipal Court	1,014,176	-	1,014,176
Emergency Management	179,825	-	179,825
Engineering	1,684,823	-	1,684,823
Library Services	1,593,342	-	1,593,342
Neighborhood Services	1,785,323	-	1,785,323
Expenditures Out of Reserves	4,647,578	-	4,647,578
	85,644,981	-	85,644,981
Utility Fund	Expenditures	Debt Service	Total
Non-Departmental	4,085,472	7,662,769	11,748,241
Public Services	17,994,276	-	17,994,276
Engineering	115,562	-	115,562
Finance	1,536,776	-	1,536,776
Expenditures Out of Reserves	3,141,473	-	3,141,473
	26,873,559	7,662,769	34,536,328

Other Funds	Expenditures	Debt Service	Transfers Out/One Time Expenditures Out of Reserves	Total
Debt Service Fund	-	14,584,275	-	14,584,275
Hotel / Motel Tax Fund	1,875,144	-	1,014,965	2,890,109
Recreation Fund	536,176	-	-	536,176
Grant Fund	1,891,231	-	-	1,891,231
CDBG Fund	680,647	-	-	680,647
PEG Programming Fund	100,000	-	-	100,000
Crime Control	3,582,448	-	-	3,582,448
Fire Services	7,228,525	-	-	7,228,525
Waters Ridge PID Fund	15,000	-	-	15,000
Court Security Fund	55,303	-	-	55,303
Court Technology Fund	136,572	-	-	136,572
Community Activities Fund	963,435	-	-	963,435
Fire and Police Training	78,079	-	-	78,079
Law Enf. Ofc. Educ. Stand. Fund	9,000	-	-	9,000
TIF No. 1	-	639,230	-	639,230
TIRZ No. 2	-	-	-	1,000,000
Juvenile Case Manager Fund	73,955	-	-	73,955
Insurance Risk Reserve Fund	1,617,654	-	96,068	1,713,722
Maintenance & Replacement Fund	1,921,271	-	-	1,921,271
Asset Forfeiture Fund - State	37,000	-	-	37,000
Asset Forfeiture Fund - Federal	109,434	-	-	109,434
Health Insurance Trust Fund	11,598,420	-	-	11,598,420
OPEB Liability Trust Fund	284,600	-	-	284,600
2025 Implementation/Incentives	308,139	-	-	308,139
4B Sales Tax Fund	3,393,328	2,971,621	3,000,000	9,364,949

SECTION 2. All appropriations shall lapse at the end of the fiscal year.

SECTION 3. All capital, grant, donation, and special event project appropriation balances as of September 30, 2016 shall roll forward to October 1, 2017.

SECTION 4. EMERGENCY. It being for the public welfare that this ordinance be passed creates an emergency and public necessity, and the rule requiring this ordinance be read on three separate occasions be, and the same is, hereby waived, and this ordinance shall now be placed on its third and final reading for passage, and shall be in full force and effect from and after its passage and approval and publication, as the law in such cases provides.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, BY A VOTE OF ____ TO ____, ON THIS THE 19th DAY OF SEPTEMBER, 2016.

APPROVED:

Rudy Durham, MAYOR

ATTEST:

Julie Heinze, CITY SECRETARY

APPROVED AS TO FORM:

Lizbeth Plaster, CITY ATTORNEY



LEWISVILLE

Deep Roots. Broad Wings. Bright Future.

MEMORANDUM

TO: Mayor Rudy Durham
Mayor Pro Tem T J Gilmore
Deputy Mayor Pro Tem Leroy Vaughn
Councilman R Neil Ferguson
Councilman Brent Daniels
Councilman Brandon Jones

FROM: Donna Barron, City Manager

DATE: September 8, 2016

SUBJECT: **Consideration of an Ordinance Adopting the FY 2016-2017 Tax Rate**

This action adopts the City's annual ad valorem tax rate for all taxable property at \$0.436086 per \$100 of assessed valuation. The rate must be adopted in two parts:

Maintenance and Operation	\$0.318766
Principal and Interest on Debt	<u>\$0.117320</u>
Total Tax Rate	\$0.436086

The total tax rate for FY 2016-2017 will be the same as the current fiscal year tax rate of \$0.436086 but does exceed the effective tax rate, \$0.419014 by 4.0743 percent. Likewise, the Maintenance and Operation (M&O) rate above exceeds the effective M&O rate (\$0.306286) by 4.0746 percent. The proposed rate does not exceed the rollback rate of \$0.448108. Specific language is required in the ordinance and the motion when the tax rates to be adopted exceeds the rollback rate or the effective rate. Additionally, when the proposed rate exceeds the effective rate, the vote on the ordinance setting the tax rate must be a record vote and must be approved by at least 60 percent of the members of the governing body. For the City of Lewisville, this equals at least four voting members.

It is City staff's 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."

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, ESTABLISHING THE TAX RATE AND TAX LEVY FOR THE CITY OF LEWISVILLE, TEXAS FOR THE YEAR 2016-2017, UPON ALL TAXABLE PROPERTY IN SAID CITY IN CONFORMITY WITH THE LAWS OF THE STATE OF TEXAS, AND THE CHARTER PROVISIONS AND ALL ORDINANCES OF SAID CITY; PROVIDING A REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, THAT:

SECTION 1. There shall be, and the same is hereby levied and assessed, to be collected for the taxable year 2016, an ad valorem tax of forty-three and six thousand, eighty-six ten-thousandths cents (\$0.436086) on each One Hundred Dollars (\$100) valuation of property located within the present city limits of the City of Lewisville, Texas made taxable by law, which said taxes when collected shall be appropriated among the funds and departments of said city government of the City of Lewisville, Texas, for Fiscal Year 2016-2017 for the purposes hereinafter set forth as follows, to wit:

Maintenance and Operation	\$0.318766
Principal and Interest on Debt of this City	<u>\$0.117320</u>
TOTAL TAX RATE	\$0.436086

SECTION 2. THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

THE TAX RATE WILL EFFECTIVELY BE RAISED BY 4.0746 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$12.48.

SECTION 3. The Finance Department of the City of Lewisville, Texas, is hereby directed to assess, extend, and enter upon the tax rolls of the City for the current taxable year 2016 the amounts and rates herein levied and same when collected shall be deposited in the depository of the City to be distributed in accordance with the provisions of this ordinance.

SECTION 4. REPEALER. Every ordinance or parts of ordinances found to be in conflict herewith are hereby repealed.

SECTION 5. SEVERABILITY. If any section, sentence, clause, or phrase of this ordinance shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining sections, sentences, clauses, or phrases of this ordinance, but they shall remain in effect.

SECTION 6. EFFECTIVE DATE. This ordinance shall become effective immediately upon its passage and publication as required by law.

SECTION 7. EMERGENCY. It being for the public welfare that this ordinance be passed creates an emergency and public necessity, and the rule requiring this ordinance be read on three separate occasions be, and the same is hereby waived, and this ordinance shall be in full force and effect from and after its passage and approval and publication, as the law in such cases provides.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, BY A VOTE OF ____ TO ____, ON THIS THE 19th DAY OF SEPTEMBER, 2016.

APPROVED:

Rudy Durham, MAYOR

ATTEST:

Julie Heinze, CITY SECRETARY

APPROVED AS TO FORM:

Lizbeth Plaster, CITY ATTORNEY

MEMORANDUM

TO: Donna Barron, City Manager

FROM: David Salmon, P.E., City Engineer & Lizbeth Plaster, City Attorney

VIA: Eric Ferris, Assistant City Manager

DATE: September 19, 2016

SUBJECT: **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 Lewisville Landfill, Block “A” on Valley Ridge Blvd. 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.**

BACKGROUND

In order to construct, access and maintain the Project, easements need to be acquired from parcel owners. The acquisition from the following owners is required, whether by donation, friendly purchase, or eminent domain:

Parcels

Parcel No	Owner	*WLE, TCE
1	Riverview Industrial Park, LP	WLE
2	Lewisville Landfill TX, LP	WLE and TCE

*WLE = Water Line Easement, TCE = Temporary Construction Easement

Subject: WL Easement Acquisition
August 15, 2016
Page 2

ANALYSIS

Property appraisals were requested and obtained for use in the easement acquisition needed for this project. Staff has met with the property owners: (1) to inform them of the pending improvements and (2) provide a copy of the appraisal report. Staff will make offers for purchase based on the appraisals and will attempt to negotiate a reasonable and fair price for the subject easements. Prior to the easement acquisition, the City Attorney has prepared this Resolution to properly authorize the purchase or use the power of eminent domain to acquire the required easements.

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):

FORM OF THE MOTION TO ADOPT THE RESOLUTION

“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 easement 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.”

RESOLUTION NO. ____

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 LEWISVILLE LANDFILL, BLOCK “A” ON VALLEY RIDGE BLVD. 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.

WHEREAS, the City Council desires that the City Manager and/or her designee (the “City Manager”), take all necessary steps to acquire easements on the property as described in and depicted on Attachment 1 attached hereto and incorporated herein for all purposes (the “Property”); and

WHEREAS, the City Council desires that the City Attorney and/or her designee (the “City Attorney”) assist the City Manager in negotiating the purchase of the easements and, if unsuccessful in purchasing the needed easements, to institute condemnation proceedings to acquire said easements.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS:

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Resolution as if fully set forth herein.

SECTION 2: Finding of public use and necessity. The City Council hereby finds and determines that the use of the easements for the Project is a public use, and that public necessity requires that the City of Lewisville, Texas (the “City”) acquire the easements for the Project together with all necessary appurtenances, additions, and improvements on, over, under, and through those certain lots, tracts, or parcels of land.

SECTION 3: Authorizing Acquisition and Determining Just Compensation. The City Manager or her designee (the “City Manager”) is hereby appointed the negotiator for the City and is authorized and directed to negotiate for and acquire the easements on the City’s behalf and in accordance with State and Federal law. As such, the City Manager is authorized and directed to do each and every act necessary to acquire the needed easements including, but not limited to, the authority to negotiate, give notices, make bonafide offers, have contracts prepared, retain and designate a qualified appraiser, as well as any other experts or consultants deemed necessary for the acquisition process. Further, the City Manager is specifically authorized to establish the just compensation for the acquisition of the easements, subject to the availability of funds appropriated by the City Council for such purpose.

SECTION 4: Authorizing the Use of Eminent Domain. Should the City Manager not be able to acquire the easements voluntarily from the landowners in accordance with the law, the City Attorney or her designee (the “City Attorney”) is hereby authorized and directed to file or cause to be filed eminent domain proceedings for the acquisition of the easements. In the event it is subsequently determined that additional persons other than those named herein have any interest in the Property, the City Attorney is authorized and directed to join said parties as defendants in said condemnation suit(s).

SECTION 5: Ratifying Prior Documents. The City Council hereby ratifies any documents executed, prior to the effective date of this Resolution, by the City Manager which were necessary for the acquisition of the easements.

SECTION 6: Disposal of Improvements. The City Manager is hereby authorized to sell such surplus improvements, if any, located on the easements acquired in connection with this Project, should they interfere with the City’s intended use and enjoyment of the Property.

SECTION 7: Source of Funds. The amount to be paid, if any, for acquiring the easements on the Properties for the Project will be appropriated from any and all lawful sources.

SECTION 8: Savings/Repealing Clause. All provisions of any resolution in conflict with this Resolution are hereby repealed; but such repeal shall not abate any pending matters of the repealed resolution. Any remaining portions of conflicting resolutions shall remain in full force and effect.

SECTION 9: Severability. Should any section, subsection, sentence, clause or phrase of this Resolution be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Resolution shall remain in full force and effect. The City hereby declares that it would have passed this Resolution, and each section, subsection, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional or invalid.

SECTION 10: Effective Date. This Resolution shall take effect immediately from and after its passage.

RESOLVED THIS THE 19th day of SEPTEMBER, 2016.

APPROVED:

Rudy Durham, Mayor

ATTEST:

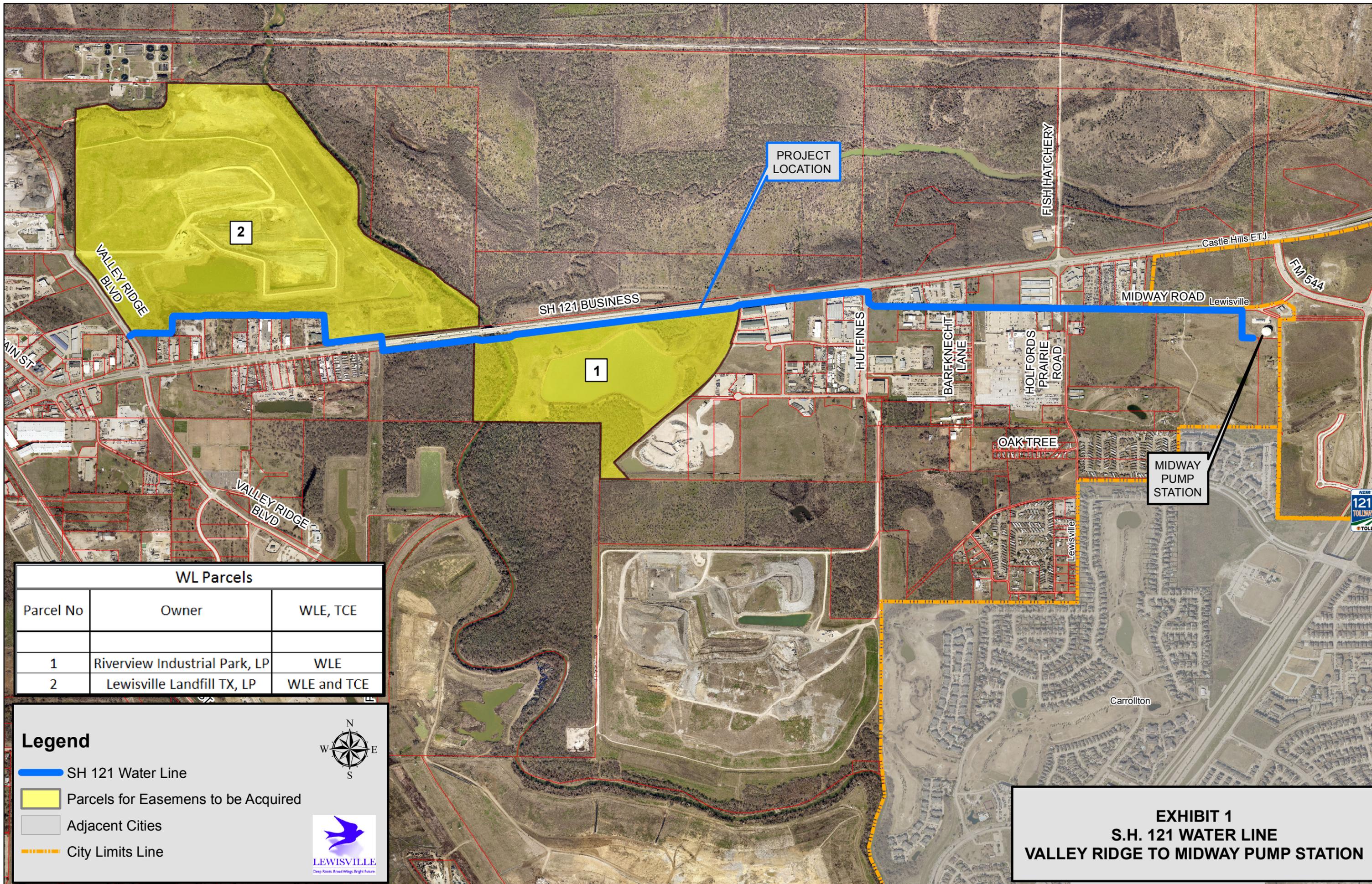
Julie Heinze, City Secretary

APPROVED AS TO FORM:

Lizbeth Plaster, City Attorney

Attachment 1

Parcel Description and Depiction



WL Parcels		
Parcel No	Owner	WLE, TCE
1	Riverview Industrial Park, LP	WLE
2	Lewisville Landfill TX, LP	WLE and TCE

Legend

- SH 121 Water Line
- Parcels for Easements to be Acquired
- Adjacent Cities
- City Limits Line

EXHIBIT 1
S.H. 121 WATER LINE
VALLEY RIDGE TO MIDWAY PUMP STATION

MEMORANDUM

TO: Donna Barron, City Manager

FROM: Gina Thompson, Director of Strategic Services

DATE: September 15, 2016

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

BACKGROUND

The purpose of this ordinance is to amend the Code of Ordinances, Chapter 2, Section 2-201 fee schedule. 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. These changes include items discussed at the Budget Workshop held on August 13th, as well as newly proposed modifications.

ANALYSIS

Administrative:

Cost rules were transferred from Chapter 111 to Chapter 70 several years ago. Language in the ordinance is being changed to reflect the current wording.

In addition, exemptions to special event fees are being added to the ordinance for LISD, City operated events, and Rock the Block trailer events. Wording reflecting the fact that no waiver of fees shall be granted, except by City Council, is also being added to the fee schedule to provide clarity.

Police:

Fees for renting the firearms simulator are being changed from a 4 hour minimum guarantee to a two-hour rental to better reflect actual practice. A long-term rental (maximum of 40 hours during the fiscal year, with an operator) is being added at a cost of \$3,500. That fee covers 40 hours of simulator time and the cost of police personnel to operate the simulator. Each segment of use must be a minimum of four hours.

Subject: Supplemental Appropriation
September 15, 2016
Page 2

The Police department is also proposing a fee for rental of the driving simulator (with an operator) to other law enforcement agencies. The simulator would be rented for \$300 for two hours. Each additional continuous hour would be charged at a rate of \$75. These charges include the cost of the police personnel to operate the simulator. As with the firearms simulator, a law enforcement agency may desire to rent the simulator long-term (40 hours maximum) to train more personnel. The department proposes allowing the agency to rent the simulator for a flat rate of \$3500.

Long-term use for the outdoor and indoor firing ranges are also proposed at \$800 for the outdoor range, and with \$1,000 or \$1,200 for the indoor firing range depending on whether static or “running man” targets are utilized.

Engineering:

Engineering is cleaning up the fee ordinance to remove outdated language regarding photostatic copies, standard Mylar sheets, published “maps”, bidding documents, blue line prints, and thermal plastic markings. The fee ordinance changes include updated language regarding the larger photostatic copies with related fee amounts, bidding documents with updated fee amounts, and published “manuals” (changed from maps) with updated fee amounts. There were two permit fees listed that should not be in the fee ordinance. The City driveway permit fee of \$25 here is a duplicate. And the ADA ramp painting fee of \$16.50 is not relevant as the City does not provide this service. Therefore, these fees are being removed.

Engineering is also changing the fee amounts for Traffic control devices from \$37.50 for signage per street name signs to \$21 and \$21 for signage per 30” stop sign to \$22.

Public Services:

All language and fees related to the emergency cleaning of private residential sanitary sewer lines is being deleted due to the City not providing this service.

The ordinance numbers related to industrial pre-treatment and stormwater operations is being added to the fee schedule. There is no change to actual fee amounts in these two categories.

Public Records:

Fees related to birth and death records are being deleted as the City no longer provides this service.

Development Services:

All food handlers permit fees are being deleted due to no longer being able to issue these permits due to a change in state law.

Food service and retail food fees are being changed to reflect the actual cost of providing the service as well as to become more in-line with what other cities are charging for this service. Mobile vendor permit fees are also being changed due to these reasons.

Pool health permit fees are currently \$150 per pool, plus \$75 for each additional pool, annually. The new ordinance will be \$150 per pool regardless of whether it is an additional pool.

The swimming pool operator's class fee is being increased from \$60 to \$100; backflow tester registration fees are being increased from \$60 to \$100, and waste hauler permit fees per truck are moving from \$150.00 for the first truck and \$75.00 for each additional truck to \$200 per truck. These are being increased based on the cost of providing the inspection/service.

Also under the Development Services section of the fee ordinance are adoption fees for sterilized animals. This ordinance adds a waiver for US Veterans if they meet certain criteria. It also will allow the City Manager or her designee to temporarily reduce the fee for adoption of animals in association with a special animal adoption event or upon the determination that such reduction is necessary to increase adoption rates in order to reduce overcrowding or capacity issues at the Animal Adoption Center. The ordinance will allow the City manager or her designee to reduce or not charge the adoption fee with respect to the adoption of an animal that has remained impounded for a period of more than 12 consecutive days upon a finding that such reduction is necessary to create an incentive to adopt said animal in order to reduce overcrowding or capacity issues at the Animal Adoption Center.

Fire:

The ordinance is being updated to include a fee for pump simulator rentals, if driven off site. The fee will be the normal rental fee plus an additional government mileage rate, plus one hour of base pay overtime rate for a Fire Captain.

Parks and Recreation:

LLELA entrance fees per vehicle, vehicle season pass, and friends of LLELA entrance fees are being changed to be equal to the LLELA fees established by agreement between UNT, City of Lewisville, and LISD including wording that the latest agreement can be found on the City's website. This does not affect campsite and pavilion rental fees.

Subject: Supplemental Appropriation
September 15, 2016
Page 4

Finance:

All water and sewer rates are being changed to reflect the 3.5% increase approved by the City Council during the budget workshop held on August 13th. The wastewater effluent sale rate is being changed from 50% of retail rate per 1,000 gallons to “the posted price for wholesale interruptible raw water offered by the City of Dallas” per the latest agreement with the Upper Trinity Regional Water District approved by Council in May of 2016.

Library:

Library is adding fees for overdue or lost inter-library loan items, specialty kit, laptop, and Wi-Fi hotspots and tablets. This ordinance also eliminates duplicate language regarding copies and printouts and adds a fee for faxes. Wording is being changed on several fees to update the language to today’s procedures.

Community Relations:

Fees for the newly acquired concert grand piano rental are being added to the fee ordinance. The fee will be \$375 for the first day plus \$50 for each additional day. There is also a re-tuning fee, if needed, of \$120. MCL Grand rental items and areas are being updated based on current market pricing and to be more inclusive of services available. Vendor fees for Holiday Stroll, Colorpalooza, and other events not specifically listed are being adjusted based on current market pricing.

If you have any questions on any of the fee modifications, please let me know.

RECOMMENDATION:

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

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS AMENDING THE LEWISVILLE CODE OF ORDINANCES, CHAPTER 2, SECTION 2-201 FEE SCHEDULE WITH VARIOUS FEES CHARGED BY SEVERAL DEPARTMENTS OF THE CITY; PROVIDING A REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

WHEREAS, the City Council of the City of Lewisville, Texas, has determined that for the health, welfare, and safety of its citizens, it is desirable that certain amendments to Chapter 2, Section 2-201 of the Code of Ordinances of the City of Lewisville, Texas, are necessary;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, THAT:

SECTION I. REPEAL

A. Code of Ordinances, Chapter 2, Section 2-201, Fee Schedule, is hereby amended by repealing the following fees and language:

Administrative:

Copies of readily available information (TAC stands for Texas Administrative Code, title 1, part 5, chapter 111, subchapter C, rule 111.70):	
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Police:

Firearms Simulator:	
4- hour minimum guarantee	300.00

Engineering:

Photostatic copies (11" × 17"):	
1—50 pages, per page	0.30
(8½" × 11" and 8½" × 14" copies are covered under "administrative")	
Photostatic copies (Xerox 3060):	
Six square feet (minimum)	5.00
Additional square foot	0.50
From roll, add	5.00
Microfilm reader/printed prints (11" × 17" maximum)	1.00
Blueline prints (from outside reprographics company):	
Six square feet (minimum)	5.00
Additional square foot	0.50
Stocked maps:	

Six square feet or less	2.00
Over six square feet (per sheet)	5.00
Bidding documents:	
Plans and specifications:	
50 or more sheets	40.00
Published maps	
Master water distribution map (b/w)	5.00
Master sanitary sewer collection system map (b/w)	5.00
City master maps on compact disk (CD)	3.00 per CD
Comprehensive drainage study map	4.00
Drainage criteria manual (gray book)	8.00
Comprehensive drainage study (tan book)	10.00

Standard mylar sheets:	
1—11 sheets	6.00
12 or more sheets	5.50
Permits:	
City driveway	25.00
Traffic control devices:	
ADA ramp painting, each	16.50
Traffic control devices:	
Signage per street name signs	37.50
Signage per 30" stop sign	21.00
Thermo plastic markings:	
4" yellow or white per linear foot of line	8.81

4" yellow or white skip line per linear foot of	3.30
8" white turn lane per linear foot	9.30
24" stop bar per linear foot	10.42
12" school zone entry line per linear foot	4.35
Standard pedestrian crosswalk per linear foot	4.35
Pavement markings (ceramic and reflective):	
Two-lane, double yellow, per linear foot of roadway	1.33
Solid lane line, per linear foot of roadway	1.25
Skip line per linear foot of roadway	1.27
Turn/decel lane per linear foot	2.50

Public Services:

Emergency cleaning of private residential sanitary sewer lines:	
On January 1 of each year, the customer utility account records listing the number of emergency cleanings shall be reset to zero. During each calendar year, the following fee schedule for each emergency cleaning shall apply:	
After hours/holidays/weekends (Charged even if it is the first or second occurrence. Charged in addition to fees for third, fourth, fifth or subsequent occurrences)	140.00
First occurrence	No charge
Second occurrence	No charge
Third occurrence	50.00
Fourth occurrence	75.00
Fifth and subsequent occurrence	100.00

Public Records:

Birth certificate, per copy	Fee to match Texas Administrative Code title 25 chapter 181 as it now exists or may hereafter be amended, plus the \$1.00 authorized by Texas Health and Safety Code 191.004(h) for the preservation of vital statistic records.
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Death certificate:	
First copy	Fee to match Texas Administrative Code title 25 chapter 181 as it now exists or may hereafter be amended, plus the \$1.00 authorized by Texas Health and Safety Code 191.004(h) for the preservation of vital statistic records.
Each additional copy	Fee to match Texas Administrative Code title 25 chapter 181 as it now exists or may hereafter be amended, plus the \$1.00 authorized by Texas Health and Safety Code 191.004(h) for the preservation of vital statistic records.

Development Services:

Health and code enforcement division:	
Food handler's permit fees:	
An establishment with:	
1—5 employees	50.00
6—10 employees	100.00
11—35 employees	250.00

36—75 employees	450.00
76 and above	625.00
Video deposit	75.00
Late fee per day	5.00
Individual permit	15.00
Food service and retail food:	
Annual fee	150.00
Plus, per employee, annually	2.50
Mobile vendor permit:	
Base rate, annually	60.00
Plus, per vehicle, annually	100.00
Pool health permit:	

Per pool	150.00
Plus, for each additional pool, annually	75.00
Swimming Pool Operator's Class Fee	60.00
Waste hauler permit fee:	
First truck	150.00
Plus, for each additional truck, annually	75.00
Backflow fees:	
Annual backflow tester registration	60.00

Parks and Recreation:

LLELA Fees	
Entrance	\$5 per vehicle
Vehicle Season Pass	\$60
Friends of LLELA Entrance	50% of Vehicle Season Pass based on minimum membership level

Finance:

Water rates:	
The monthly rates or charges for retail service furnished by the city water works system shall be as follows:	
Meter Size	Current Charge
¾-inch	14.28
1-inch	20.82
1½-inch	39.39
2-inch	65.44
3-inch	139.92
4-inch	244.13
6-inch	542.00
8-inch	959.00
10-inch	1,495.11
Volumetric rate	2.95
Sewer rates:	
Single-family dwelling:	
Current customers' rates shall be based upon the four-month winter average of monthly water consumption billed in the most recent December, January, February and March for such dwellings and charged:	

Monthly minimum bill (2,000 gallons)	8.65
Volume charge per 1,000 (over 2,000 gallons)	3.48
Non-single-family dwelling:	
Rates shall be based upon 100 percent of each month's water consumption and charged:	
Monthly minimum bill (2,000 gallons)	8.65
Volume charge per 1,000 (over 2,000 gallons)	3.48
New customers:	
All new residential customers shall be charged a flat fee per month until the winter average can be established.	22.58
All residential customers transferring their service to a new address in the city shall be charged a sewer charge based on their winter average at the prior service address until a new winter average is established at the new address.	
Sewer only customers:	
In instances where dwellings are not served by the city waterworks system, the charge for services furnished by the city sanitary sewer system shall be a flat fee per dwelling unit per month.	22.58
Denton County Fresh Water Supply District 1-A:	
Wholesale water sales (maximum demand charge)	349,314
Wholesale water sales (monthly demand charge)	29,109
Wholesale water sales (volume per 1,000 gallons)	1.90

Sewer wholesale rate (volume per 1,000 gallons)	2.78
Industrial surcharge:	
The factors per 1,000 gallons for the industrial surcharge ordinance are \$0.003697 per mgl of BOD and \$0.003174 per mgl of TSS for industrial/commercial customers whose sewage strengths exceed maximum allowance of 240 mgl.	
Transported liquid waste:	
The rate for sewage transported by vehicle from within the corporate limits of the city is \$8.65 for the first 2,000 gallons. Points of collection are restricted to portable sanitary units and septic systems approved by the city. A volume charge of \$3.48 per 1,000 gallons, in excess of 2,000 gallons, shall be in addition to the basic rate charged. The city may refuse any waste if material is non-conforming with pretreatment standards as adopted by the city.	
Wastewater effluent sale	50% of retail rate per 1,000 gallons

Library:

Overdue equipment, per day	3.00
Maximum charge not to exceed replacement cost	
Overdue notices, mailed:	
First two	No charge
Third and more, sent registered mail	Postage

Repair of damaged video	Replacement cost plus \$5.00 non-refundable processing fee
Copier—Black and white copies, per page	
Copier—Color copies, per page	
Computer printouts—Black and white copies, per page	.15
Computer printouts—Color, per page	.50

Community Relations:

Dance Floor, Marley	\$300.00
Orchestra Chairs/Music Stands (per set up to 10)	\$5.00
Orchestra Chairs/Music Stands (per set, quantity 11 to 50)	\$3.00
Orchestra Shell Set	\$300.00
Piano, Upright	\$36.00
Projector/Cart/Screen	\$165.00
Screen, portable (table top)	\$90.00
Tape, Gaff	\$14.00
Artisan exhibitor 10x10	\$150
Artisan exhibitor 10x20	\$250
Artisan exhibitor 10x30	\$350

Commercial services exhibitor 10x10	\$275
Commercial services exhibitor 10x20	\$350
Commercial services exhibitor 10x30	\$450
Non-profit exhibitor 10x10	\$100
Non-profit exhibitor 10x20	\$200
Non-profit exhibitor 10x30	\$300
On-site concessionaire (sales) 10x20	\$350 plus 20% commission
On-site concessionaire (sales) 10x30	\$450 plus 20% commission
On site concessionaire (sales) 10x40	\$550 plus 20% commission
Food exhibitor (sampling only) 10x10	\$200
Food exhibitor (sampling only) 10x20	\$300
Food exhibitor (sampling only) 10x30	\$400
Corner placement guarantee	\$50
Holiday Stroll:	
Artisan/Retail Exhibitor 10x10	\$150
Artisan/Retail Exhibitor 10x20	\$250
Artisan/Retail Exhibitor 10x30	\$350
Non-profit 10x10	\$100
Non-profit 10x20	\$200
Non-profit 10x30	\$300

Food exhibitor packaged (sampling) 10x10	\$200
Food exhibitor packaged (sampling) 10x20	\$300
Food exhibitor packaged (sampling) 10x30	\$400
Onsite concessionaire food sales 10x20	\$350
Onsite concessionaire food sales 10x30	\$450
Onsite concessionaire food sales 10x40	\$550
Colorpalooza – A celebration of Spring:	
Artisan/Retail exhibitor 10x10	\$75
Artisan/Retail exhibitor 10x20	\$135
Artisan/Retail exhibitor 10x30	\$185
Non-profit exhibitor 10x10	\$50
Non-profit exhibitor 10x20	\$90
Non-profit exhibitor 10x30	\$125
Food Exhibitor (pre-packaged) 10x10	\$125
Food Exhibitor (pre-packaged) 10x20	\$225
Food Exhibitor (pre-packaged) 10x30	\$325
On-site Concessionaire food sales 10x20	\$200
On-site Concessionaire food sales 10x30	\$300
On-site Concessionaire food sales 10x20	\$400
Events not listed with expected attendance of less than 1,000 people:	
Artisan/Retail exhibitor 10x10	\$25

Artisan/Retail exhibitor 10x20	\$45
Non-profit exhibitor 10x10	\$20
Non-profit exhibitor 10x20	\$35
Food Exhibitor (pre-packaged) 10x10	\$50
Food Exhibitor (pre-packaged) 10x20	\$35
On site food concessionaire 10x20	\$100
On site food concessionaire 10x30	\$150
Events not listed with expected attendance of 1,000 to 10,000 people:	
Artisan/Retail exhibitor 10x10	\$75
Artisan/Retail exhibitor 10x20	\$135
Artisan/Retail exhibitor 10x30	\$185
Non-profit exhibitor 10x10	\$50
Non-profit exhibitor 10x20	\$90
Non-profit exhibitor 10x30	\$125
Food Exhibitor (pre-packaged) 10x10	\$125
Food Exhibitor (pre-packaged) 10x20	\$225
Food Exhibitor (pre-packaged) 10x30	\$325
On site concessionaire 10x20	\$200
On site concessionaire 10x30	\$300
On site concessionaire 10x40	\$400
Artisan/Retail exhibitor 10x10	\$150

Artisan/Retail exhibitor 10x20	\$250
Artisan/Retail exhibitor 10x30	\$350
Non-profit exhibitor 10x10	\$100
Non-profit exhibitor 10x20	\$200
Non-profit exhibitor 10x30	\$300
Food Exhibitor (pre-packaged) 10x10	\$200
Food Exhibitor (pre-packaged) 10x20	\$300
Food Exhibitor (pre-packaged) 10x30	\$400
On site concessionaire 10x20	\$350 plus 20% sales
On site concessionaire 10x30	\$450 plus 20% sales
On site concessionaire 10x40	\$550 plus 20% sales
Commercial services exhibitor 10x10	\$275
Commercial services exhibitor 10x20	\$350
Commercial services exhibitor 10x30	\$450
Electricity 110v/30 amps or less	\$50
Electricity 110v/31-60 amps or less	\$100
Electricity 220v/60 amps or less	\$150
Electricity 220v/61 to 100 amps	\$300
Concert Grand Piano (per day)	\$180

SECTION II. AMENDMENTS.

A. Code of Ordinances, Chapter 2, Section 2-201, Fee Schedule, is hereby amended by adding the following fees and language:

Administrative:

Copies of readily available information (TAC stands for Texas Administrative Code, title 1, part 3, chapter 70, as amended):	
Special Event Fees	
Lewisville Independent School District shall be exempt from all fees	
City operated events shall be exempt from all fees	
All Rock the Block party trailer events shall be exempt from all fees	
No waiver of fees shall be granted, except by the City Council	

Police:

Firearms Simulator:	
2-hour rental (LPD facility representative included to operate simulator)	300.00
Long-term firearms simulator rental (maximum 40 hours during the fiscal year); LPD facility representative included to operate the simulator	3500.00
Driving Simulator:	
2-hour rental (LPD facility representative included to operate simulator)	300.00

Every hour (continuous) fee thereafter	75.00
Long-term driving simulator rental (maximum 40 hours during the fiscal year); LPD facility representative included to operate the simulator	3500.00
Outdoor Firing Range:	
Long-term outdoor range use (40 hour maximum during fiscal year); plus one LPD facility representative (during business hours, no trained LPD personnel to monitor range use necessary if renting department provides a firearms instructor and clean up)	800.00
Indoor Firing Range:	
Option 3:	
Long-term indoor range use (40-hour maximum during fiscal year); static targets only plus one LPD facility representative (during business hours, no trained LPD personnel to monitor range use necessary if renting department provides a firearms instructor and clean up)	1000.00
Option 4:	
Long-term indoor “running man” target system use (40-hour maximum during the fiscal year); LPD facility representative on site operating target system.	1200.00, plus LPD facility representative fee

Engineering:

Photostatic copies :	
22”x34” black & white per sheet	6.00
22”x34” color per sheet	7.00
Larger than 22” x 34” black & white per linear foot	3.00

Larger than 22" x 34" color per linear foot	4.00
Bidding documents:	
50-100 sheets	50.00
101 – 200 sheets	85.00
201 or more sheets	130.00
Published manuals	
Master water distribution map (b/w)	7.00
Master sanitary sewer collection system map (b/w)	7.00
Comprehensive drainage study map	6.00
Drainage criteria manual (gray book)	12.00
Comprehensive drainage study (tan book)	15.00
Traffic control devices:	
Signage per street name signs	21.00
Signage per 30" stop sign	22.00

Public Services:

Industrial pre-treatment	Ordinance No. 3734-01-2010
Stormwater Fees	Ordinance No. 3770-05- 210

Development Services:

Health and code enforcement division:	
Food service and retail food:	
Annual Fee	250.00
Plus, Per employee, Annually	3.00
Mobile vendor permit:	
Per vehicle, annually	300.00
Per cart, annually	200.00
Pool health permit:	

Per pool	150.00
Swimming Pool Operator's Class Fee	100.00
Backflow fees:	
Annual backflow tester registration	100.00
Waste Hauler fees:	
Waste Hauler Permit Fee, per Truck	200.00
Adoption fee for sterilized animals	
Adoption fee is waived for US Veterans if they meet all the other requirements for adoption, and at the time of adoption, present one of the following documents that pertain to their military service:	
<ul style="list-style-type: none"> • Military ID; • Form DD214 Military Discharge Certificate; • Honorable Discharge Certificate • Letter from a U.S. Military Center in St. Louis, Missouri, or; • Letter from the Maryland Department of Veterans Affairs Services and Benefits Program. 	

<p>The City Manager or his/her designee is authorized to temporarily reduce the fee for adoption of animals in association with a special animal adoption event or upon the determination that such reduction is necessary to increase adoption rates in order to reduce overcrowding or capacity issues at the animal shelter.</p>	
<p>The City Manager or his/her designee is authorized to reduce or not charge the adoption fee with respect to the adoption of an animal that has remained impounded for a period of more than 12 consecutive days upon a finding that such reduction is necessary to create an incentive to adopt said animal in order to reduce overcrowding or capacity issues at the animal adoption center.</p>	

Fire:

<p>Pump Simulator rental</p>	
<p>If driven off site</p>	<p>Rental fee plus additional government mileage rate plus one hour of base pay overtime rate for a Fire Captain</p>

Parks and Recreation:

<p>LLELA: (other than campsite fees and pavilion rental fee)</p>	
	<p>LLELA fees are established by agreement between UNT, City of Lewisville, and LISD. The latest agreement</p>

	can be found on the City's website.
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Finance:

Water rates:	
The monthly rates or charges for retail service furnished by the city water works system shall be as follows:	
Meter Size	Current Charge
¾-inch	14.78
1-inch	21.55
1½-inch	40.77
2-inch	67.73
3-inch	144.82
4-inch	252.67
6-inch	560.97
8-inch	992.57
10-inch	1,547.44
Volumetric rate	3.04
Sewer rates:	
Single-family dwelling:	
Current customers' rates shall be based upon the four-month winter average of monthly water consumption billed in the most recent December, January, February and March for such dwellings and charged:	
Monthly minimum bill (2,000 gallons)	8.95

Volume charge per 1,000 (over 2,000 gallons)	3.60
Non-single-family dwelling:	
Rates shall be based upon 100 percent of each month's water consumption and charged:	
Monthly minimum bill (2,000 gallons)	8.95
Volume charge per 1,000 (over 2,000 gallons)	3.60
New customers:	
All new residential customers shall be charged a flat fee per month until the winter average can be established.	23.36
All residential customers transferring their service to a new address in the city shall be charged a sewer charge based on their winter average at the prior service address until a new winter average is established at the new address.	
Sewer only customers:	
In instances where dwellings are not served by the city waterworks system, the charge for services furnished by the city sanitary sewer system shall be a flat fee per dwelling unit per month.	23.36
Denton County Fresh Water Supply District 1-A:	
Wholesale water sales (maximum demand charge)	365,928
Wholesale water sales (monthly demand charge)	30,494
Wholesale water sales (volume per 1,000 gallons)	1.94
Sewer wholesale rate (volume per 1,000 gallons)	2.23
Industrial surcharge:	

<p>The factors per 1,000 gallons for the industrial surcharge ordinance are \$0.003595 per mgl of BOD and \$0.003083 per mgl of TSS for industrial/commercial customers whose sewage strengths exceed maximum allowance of 240 mgl.</p>	
<p>Transported liquid waste:</p>	
<p>The rate for sewage transported by vehicle from within the corporate limits of the city is \$8.95 for the first 2,000 gallons. Points of collection are restricted to portable sanitary units and septic systems approved by the city. A volume charge of \$3.60 per 1,000 gallons, in excess of 2,000 gallons, shall be in addition to the basic rate charged. The city may refuse any waste if material is non-conforming with pretreatment standards as adopted by the city.</p>	
<p>Wastewater effluent sale</p>	<p>The posted price for wholesale interruptible raw water offered by the City of Dallas</p>

Library:

<p>Maximum overdue charge not to exceed replacement cost or \$10.00, whichever is less</p>	
<p>Overdue specialty kit, per day</p>	<p>3.00</p>
<p>Maximum overdue charge not to exceed replacement cost</p>	
<p>Overdue Laptop, per hour or any portion of an hour</p>	<p>10.00</p>

Maximum overdue charge not to exceed replacement cost or \$50 if returned within 24 hours	
Overdue Wi-Fi hotspots and tablets, per day	3.00
Maximum overdue charge not to exceed replacement cost	
Overdue inter-library loan items, per day	3.00
Maximum charge not to exceed lending library replacement cost and fee	
Account notices, mailed:	
If needed, sent registered mail	Postage
Lost specialty kit or piece of specialty kit	Replacement cost plus a \$5.00 non-refundable processing fee
Lost laptop, Wi-Fi hotspot, or tablet	Replacement cost plus a \$5.00 non-refundable processing fee
Copies and printouts:	
Black and white, per page	
Color, per page	
Faxes, per page	0.50

Community Relations:

Batteries (per box)	\$20.00
Curtain, Classroom Blackout	\$25.00
Dance Floor, Marley	\$400.00
Hazer (with 2-litre bottle of fluid)	\$60.00
Hazer Fluid (2-liter bottle)	\$50.00
Lighting Gel (per sheet)	\$10.00
Mirror, Portable	\$15.00
Music Stands	\$2.50
Orchestra Shell Set	\$400.00
Plaza Lighting Rig (daily)	\$250.00
Piano, Upright	\$50.00
Plot Restore	\$120.00
Popcorn Machine	\$15.00
Portable Walls, 8' (each)	\$20.00
Projector/Cart/Screen	\$100.00
Rebooking Fee	\$25.00
Rigging Package	\$100.00
Screen, portable (table top)	\$50.00
Tape, Gaff	\$16.00
Artisan exhibitor 10x10	\$200
Artisan exhibitor 10x20	\$300

Artisan exhibitor 10x30	\$400
Commercial services exhibitor 10x10	\$325
Commercial services exhibitor 10x20	\$400
Commercial services exhibitor 10x30	\$500
Non-profit exhibitor 10x10	\$125
Non-profit exhibitor 10x20	\$225
Non-profit exhibitor 10x30	\$325
On-site concessionaire (sales) 10x20	\$375 plus 20% commission
On-site concessionaire (sales) 10x30	\$475 plus 20% commission
On site concessionaire (sales) 10x40	\$575 plus 20% commission
Food exhibitor (sampling only) 10x10	\$250
Food exhibitor (sampling only) 10x20	\$350
Food exhibitor (sampling only) 10x30	\$450
Corner placement guarantee	\$75
Holiday Stroll:	
Artisan/Retail Exhibitor 10x10	\$200
Artisan/Retail Exhibitor 10x20	\$300
Artisan/Retail Exhibitor 10x30	\$400
Non-profit 10x10	\$125
Non-profit 10x20	\$225

Non-profit 10x30	\$325
Food exhibitor packaged (sampling) 10x10	\$250
Food exhibitor packaged (sampling) 10x20	\$350
Food exhibitor packaged (sampling) 10x30	\$450
Onsite concessionaire food sales 10x20	\$400
Onsite concessionaire food sales 10x30	\$500
Onsite concessionaire food sales 10x40	\$600
Colorpalooza – A celebration of Spring:	
Artisan/Retail exhibitor 10x10	\$125
Artisan/Retail exhibitor 10x20	\$185
Artisan/Retail exhibitor 10x30	\$235
Non-profit exhibitor 10x10	\$75
Non-profit exhibitor 10x20	\$115
Non-profit exhibitor 10x30	\$175
Food Exhibitor (pre-packaged) 10x10	\$150
Food Exhibitor (pre-packaged) 10x20	\$250
Food Exhibitor (pre-packaged) 10x30	\$375
On-site Concessionaire food sales 10x20	\$225
On-site Concessionaire food sales 10x30	\$325
On-site Concessionaire food sales 10x20	\$425
Events not listed with expected attendance of less than 1,000 people:	

Artisan/Retail exhibitor 10x10	\$45
Artisan/Retail exhibitor 10x20	\$65
Non-profit exhibitor 10x10	\$40
Non-profit exhibitor 10x20	\$55
Food Exhibitor (pre-packaged) 10x10	\$70
Food Exhibitor (pre-packaged) 10x20	\$55
On site food concessionaire 10x20	\$125
On site food concessionaire 10x30	\$175
Events not listed with expected attendance of 1,000 to 10,000 people:	
Artisan/Retail exhibitor 10x10	\$100
Artisan/Retail exhibitor 10x20	\$160
Artisan/Retail exhibitor 10x30	\$210
Non-profit exhibitor 10x10	\$75
Non-profit exhibitor 10x20	\$115
Non-profit exhibitor 10x30	\$150
Food Exhibitor (pre-packaged) 10x10	\$150
Food Exhibitor (pre-packaged) 10x20	\$250
Food Exhibitor (pre-packaged) 10x30	\$350
On site concessionaire 10x20	\$225
On site concessionaire 10x30	\$325
On site concessionaire 10x40	\$425

Artisan/Retail exhibitor 10x10	\$200
Artisan/Retail exhibitor 10x20	\$300
Artisan/Retail exhibitor 10x30	\$400
Non-profit exhibitor 10x10	\$150
Non-profit exhibitor 10x20	\$250
Non-profit exhibitor 10x30	\$350
Food Exhibitor (pre-packaged) 10x10	\$250
Food Exhibitor (pre-packaged) 10x20	\$350
Food Exhibitor (pre-packaged) 10x30	\$450
On site concessionaire 10x20	\$400 plus 20% sales
On site concessionaire 10x30	\$500 plus 20% sales
On site concessionaire 10x40	\$600 plus 20% sales
Commercial services exhibitor 10x10	\$325
Commercial services exhibitor 10x20	\$400
Commercial services exhibitor 10x30	\$500
Electricity 110v/30 amps or less	\$60
Electricity 110v/31-60 amps or less	\$110
Electricity 220v/60 amps or less	\$160
Electricity 220v/61 to 100 amps	\$310
Concert Grand Piano Rental	
First day	\$375

Plus, each additional day	\$50
If needed, re-tuning fee	\$120

SECTION II. REPEALER. Every ordinance or parts of ordinances found to be in conflict herewith are hereby repealed.

SECTION III. SEVERABILITY. If any section, sentence, clause, or phrase of this ordinance shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining sections, sentences, clauses, or phrases of this ordinance, but they shall remain in effect.

SECTION IV. EFFECTIVE DATE. This ordinance shall become effective on October 5, 2015.

SECTION V. EMERGENCY. It being for the public welfare that this ordinance be passed creates an emergency and public necessity, and the rule requiring this ordinance be read on three separate occasions be, and the same is hereby waived, and this ordinance shall be in full force and effect from and after its passage and approval.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, BY A VOTE OF ____ TO ____, ON THIS THE 19th DAY OF SEPTEMBER, 2016.

APPROVED:

ORDINANCE NO. _____

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Rudy Durham, MAYOR

ATTEST:

Julie Heinze, CITY SECRETARY

APPROVED AS TO FORM:

Lizbeth Plaster, CITY ATTORNEY