

A G E N D A

LEWISVILLE CITY COUNCIL MEETING JANUARY 8, 2007

LEWISVILLE CITY HALL
151 WEST CHURCH STREET
LEWISVILLE, TEXAS 75057

WORKSHOP SESSION - 5:30 P.M.
REGULAR SESSION - 7:00 P.M.

Call to Order and Announce a Quorum is Present.

WORKSHOP SESSION - 5:30 P.M.

- A. Restaurant Smoking Options
- B. Discussion of Regular Agenda Items and Consent Agenda Items
- C. Items of Interest to the Council

REGULAR SESSION - 7:00 P.M.

- A. **INVOCATION:** Councilman Tierney
- B. **PLEDGE TO THE FLAG:** Mayor Pro Tem Durham
- C. **VISITORS/CITIZENS FORUM:** At this time, any person with business before the Council not scheduled on the agenda may speak to the Council. No formal action can be taken on these items at this meeting.
- D. **CONSENT AGENDA:** All of the following items on the Consent Agenda are considered to be self-explanatory by the Council and will be enacted with one motion. There will be no separate discussion of these items unless a Council Member or citizen so request. For a citizen to request removal of an item, a speaker card must be filled out and submitted to the City Secretary.

1. **APPROVAL OF MINUTES: City Council Minutes of the December 18, 2006, Workshop Session and Regular Session.**
2. **Approval of a Bid Award for the Purchase of 130 Communication Headsets for the Fire Department to Quala-Tel Enterprises, San Diego, California, in the Amount of \$32,000.**

ADMINISTRATIVE COMMENTS:

A total of sixteen (16) bid invitations were issued, including nine (9) downloaded from DemandStar.com. Six (6) bids were received. The bids were evaluated and Quala-Tel Enterprises is being recommended on the basis of best value. These headsets will allow each firefighter to have their own assigned headset, reducing the need to share units between shifts. Funding is available in the FY 2007 General Fund Operating Budget.

RECOMMENDATION:

That the City Council approve a bid award for the purchase of 130 communication headsets for the Fire Department to Quala-Tel Enterprises, San Diego, California, in the amount of \$32,000.

3. **Approval of Bid Award and Associated Agreement for Meter Reading Services to AMS Utiliserv, Monroe, Louisiana, in the Amount of \$220,080; and Authorization for the City Manager to Execute the Agreement.**

ADMINISTRATIVE COMMENTS:

A total of seven (7) bid invitations were issued, including three (3) downloaded from DemandStar.com. Two (2) bids were received. The current agreement expires in January 2007. This contract provides for manual reading of approximately 16,594 water meters each month and the associated services (disconnects, reconnects, and re-reads). Funds are available in the FY 2007 Public Services Utility Fund Operating Budget.

RECOMMENDATION:

That the City Council approve a bid award and associated agreement for meter reading services to AMS Utiliserv, Monroe, Louisiana, in the amount of \$220,080; and authorize the City Manager to execute the agreement.

- 4. Approval of a Supplemental Budget Appropriation in the Amount of \$70,000 to the FY 2006/07 Police Forfeiture Fund for the Purchase of Rifles and Digital Cameras.**

ADMINISTRATIVE COMMENTS:

The current patrol rifles were purchased in 1998 and have proven to be unreliable and difficult to maintain. The Police Department proposes the purchase of 60 new rifles including magazines, slings and hard cases. The Department also proposes the purchase of 70 digital cameras to equip each patrol officer with a camera.

RECOMMENDATION:

That the City Council approve the supplemental budget appropriation in the amount of \$70,000 to the FY 2006/07 Police Forfeiture Fund for the purchase of rifles and digital cameras.

- 5. Approval of a Supplemental Budget Appropriation for Prior Year Encumbrances in the Following Amounts: General Fund - \$202,494; Hotel/Motel Fund - \$57,363; Public Improvement District Fund - \$2,805; Grant Fund - \$1,299,720; Water and Sewer Fund - \$448,601; Vehicle and Equipment Replacement Fund - \$270,465; Insurance Fund - \$15,610 and Parks and Library Development Fund - \$31,336.**

ADMINISTRATIVE COMMENTS:

Each year a recommendation is made to supplementally appropriate funds for open purchase orders from the prior fiscal year. As a result, when the items or services are received in the current fiscal year, they are charged to the current year budget. Unless the current fiscal year appropriations are amended to provide for these changes, funds in the affected line item account will be short at year-end.

RECOMMENDATION:

That the City Council approve the supplemental appropriation for prior year encumbrances in the following amounts: General Fund - \$202,494; Hotel/Motel Fund - \$57,363; Public Improvement District Fund - \$2,805; Grant Fund - \$1,299,720; Water and Sewer Fund - \$448,601; Vehicle and Equipment Replacement Fund - \$270,465; Insurance Fund - \$15,610 and Parks and Library Development Fund - \$31,336.

- 6. Approval of an Interlocal Agreement Between the City of Lewisville and the North Central Texas Council of Governments (NCTCOG) Implementing the Clean Vehicle Program; and Approval of a Supplemental Appropriation to the Grant Fund in the Amount of \$29,600; and Authorization for the City Manager to Execute the Agreement.**

ADMINISTRATIVE COMMENTS:

In April 2006, the Regional Transportation Council, through the North Central Texas Council of Governments, issued a call for projects designed to reduce nitrogen oxide emissions from local government fleet vehicles. The City submitted numerous project requests and in October of 2006, the City was selected to receive funding for two vehicles, not to exceed a total of \$29,600. A Toyota Prius Hybrid was approved, as was an F-150. These vehicles will be utilized by Code Enforcement personnel. The City is responsible for the 20% local match portion of the total cost of each vehicle purchase (estimated to be \$7,400). Funding for this match is available in the Vehicle and Equipment Replacement Fund. The NCTCOG will reimburse 80% of total expenditures once the purchases have been made.

RECOMMENDATION:

That the City Council approve the interlocal agreement between the City of Lewisville and the North Central Texas Council of Governments; and approve the supplemental appropriation in the amount of \$29,600; and authorize the City Manager to execute the agreement.

- 7. Approval of a Professional Services Agreement With Halff Associates, Inc. in the Amount of \$308,200 for Services Relating to the Railroad Street and Bennett Lane Project; Approval of a Total Project Design Amount of \$317,400, Which Includes \$9,200 for Contingencies; and Authorization for the City Manager to Execute the Agreement.**

ADMINISTRATIVE COMMENTS:

Railroad Street is a Capital Improvement Project approved by the City Council in conjunction with the development of the Railroad Street Athletic Complex. The project consists of replacing the existing asphaltic pavement with concrete paving, water, and storm sewer improvements. The current engineer's construction cost estimate for the Railroad Street and Bennett Lane Project is \$3,044,000. Staff has negotiated a Professional Services Agreement with Halff Associates, Inc. in the amount of \$308,200 to include design services, surveying, right-of-way determination, permitting from DART and geotechnical investigation. Funding is available in the Railroad Street Capital Project.

RECOMMENDATION:

That the City Council approve the Professional Services Agreement with Halff Associates, Inc., in the amount of \$308,200; approve a total project design amount of \$317,400, which includes \$9,200 for contingencies; and authorize the City Manager to execute the agreement.

8. Approval of Modifications to Administrative Policy 1.7.0, Benevolent Activity Fund.

ADMINISTRATIVE COMMENTS:

The City's Benevolent Fund Committees have met and reviewed the Benevolent Activity Fund Policy. The benevolent fund is made up of revenue from vending machines. Employee committees review requests for the use of these funds. Authorized categories of expenditures have been added to the policy to gain some consistency between departments and to clarify all options for use.

RECOMMENDATION:

That the City Council approve modifications to Administrative Policy 1.7.0, Benevolent Activity Fund.

E. REGULAR HEARINGS:

9. Consideration of Design Options for Roadway Improvements in the Westwood Estates Subdivisions, Related to the 2003 G.O. Bond Program.

ADMINISTRATIVE COMMENTS:

The Westwood Estates I and II projects are 2003 G.O. Bond projects relating to paving, drainage, water, and sewer improvements. Staff has completed the project details and limits of construction. Due to an increased interest and discussion regarding pavement widths in these older neighborhoods, staff is seeking the City Council direction regarding pavement width options.

RECOMMENDATION:

That the City Council approve the 30-foot pavement width design options for roadway improvements to Kingston Drive, Briarwood Drive, Ashwood Drive, Springwood Drive, Cedarwood Drive and Elmwood Drive in the Westwood Estates Subdivisions related to the 2003 G.O. Bond Program.

PRESENTATION: T.S. Kumar, City Engineer

10. Consideration of an Ordinance Adopting Provisions for Pre-payment for Gasoline and Diesel Fuel at Retail Fuel Businesses.

ADMINISTRATIVE COMMENTS:

Staff conducted research into a new trend by municipalities to enact ordinances preventing gas “drive-off” thefts at retail fuel businesses. An ordinance has been prepared which requires retail fuel businesses to receive payment in full prior to activating a gasoline or diesel fuel pump.

RECOMMENDATION:

That the City Council adopt the ordinance providing provisions for pre-payment for gasoline and diesel fuel at retail fuel businesses.

11. Consideration of Smoking Options in Restaurants.

ADMINISTRATIVE COMMENTS:

Staff presented various options related to incentives and disincentives for restaurants that ban or do not ban smoking. Staff is requesting City Council direction related to any required ordinance amendments needed to implement these incentives or disincentives.

RECOMMENDATION:

That the City Council direct staff regarding smoking options in restaurants.

- 12. Consideration of Declaring a Vacancy in Place No. 5 on the Community Development Block Grant Advisory Committee; and Consideration of an Appointment to Fill the Vacancy on the Community Development Block Grant Advisory Committee.**

ADMINISTRATIVE COMMENTS:

In accordance with the City Council's attendance policy, Ali Khan has missed three consecutive meetings (during the months of September, October, and November) of the Community Development Block Grant Advisory Committee and is automatically removed from membership on this committee. Mr. Khan has been contacted by City staff regarding the attendance policy and he is aware that pursuant to this policy he has been automatically removed from this committee. Data sheets for residents interested in this committee have been included in the City Council's backup material.

RECOMMENDATION:

That the City Council declare a vacancy in Place No. 5 on the Community Development Block Grant Advisory Committee; and consider an appointment to fill the vacancy on the Community Development Block Grant Advisory Committee.

F. REPORTS:

- ◆ Tax Increment Reinvestment Zone #1 Aesthetic Incentive Agreement
- ◆ Fourth Quarter Boards/Commissions/Committees Attendance Reports

G. EXECUTIVE SESSION: In Accordance with Texas Government Code, Subchapter D, Section 551.072 (REAL ESTATE):

1. Property Acquisition

Section 551.087 (ECONOMIC DEVELOPMENT):

2. Deliberation Regarding Economic Development Negotiations

**AGENDA
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H. **RECONVENE** into Regular Session and Consider Action, if Any, on Items Discussed in Executive Session.

I. **ADJOURNMENT**

The City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development).