

A G E N D A

**LEWISVILLE CITY COUNCIL MEETING
OCTOBER 1, 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. Castle Hills Development Overview by Chris Bright
- 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:** Deputy Mayor Pro Tem Thornhill
- B. **PLEDGE TO THE FLAG:** Councilman Durham
- C. **PROCLAMATIONS:** Declaring the Week of October 8-14, 2007, as "Fire Prevention Week".
- D. **PRESENTATIONS:** Life Saving Award to Officer Steve Dickens.
- E. **VISITORS/CITIZENS FORUM:** At this time, any person with business before the Council not scheduled on the agenda may speak to the Council. No formal action can be taken on these items at this meeting.

- F. **CONSENT AGENDA:** All of the following items on the Consent Agenda are considered to be self-explanatory by the Council and will be enacted with one motion. There will be no separate discussion of these items unless a Council Member or citizen so request. For a citizen to request removal of an item, a speaker card must be filled out and submitted to the City Secretary.

1. APPROVAL OF MINUTES:

- a. **City Council Minutes of the September 10, 2007, Workshop Session and Regular Session;**
- b. **City Council Minutes of the September 17, 2007, Workshop Session and Regular Session; and**
- c. **City Council Minutes of the September 24, 2007, Called-Special Session.**

2. **Approval of Agreements Between the City of Lewisville and Community Development Block Grant Sub-Recipients; Between the City of Lewisville and City Social Service Agency Fund Recipients; and Between the Community Development Department and Public Services Department for FY 2007-2008; and Authorization for City Officials to Execute the Agreements.**

ADMINISTRATIVE COMMENTS:

The City of Lewisville, a U.S. Department of Housing and Urban Development (HUD) Entitlement City, has submitted its 2007 Annual Action Plan as required by HUD to receive Community Development Block Grant (CDBG) funds. Agreements have been prepared for the City Manager to execute with each of the non-profit entities and a Letter of Agreement has been prepared for the Director of Community Development and Public Services to execute this agreement.

RECOMMENDATION:

That the City Council approve the resolution and authorize the City officials to execute the agreements.

- 3. Approval of a Resolution Authorizing the Suspension of the October 25, 2007, Effective Date of Atmos Energy Corp., Mid-Tex Division Requested Rate Change; Approving Cooperation With Atmos Cities Steering Committee and Other Cities in the Atmos Energy Corp., Mid-Tex Division Service Area to Hire Legal and Consulting Services and to Negotiate with the Company and Direct Litigation and Appeals.**

ADMINISTRATIVE COMMENTS:

Atmos Energy has filed a request for a \$52 million rate increase. If approved, the increase would raise rates for the average residential customer by nearly \$20 per year. The rate increase requested by Atmos will become effective on October 25, 2007, unless the city takes action to suspend the effective date. State law permits cities to extend the effective date by up to 90 days in order to study the filing. The city must take action to suspend the effective date by October 25, 2007. The purpose of this resolution is to suspend the effective date of the rate increase to allow time to evaluate the filing, determine whether the filing complies with the law, and what further strategy to pursue.

RECOMMENDATION:

That the City Council approve the resolution authorizing the suspension of the October 25, 2007, Effective Date of Atmos Energy Corp., Mid-Tex Division Requested Rate Change.

- 4. Acceptance of \$22,149 Loan Star Libraries FY 2008 Grant Award to Purchase Services, Staff Training, and Equipment; and Authorize the City Manager to Execute the Texas State Library and Archives Commission Contract.**

ADMINISTRATIVE COMMENTS:

The State grant award is based on local operating expenditure totals and is available to the City of Lewisville because we provide library services to all Texas residents. The Loan Star Libraries Grant will be used to purchase: equipment maintenance \$11,791; courier service \$1,475; staff training \$5,525; furniture \$3,358. No City march is required.

RECOMMENDATION:

That City Council accept the \$22,149 Loan Star Libraries FY 2008 Grant; and authorize the City Manager to execute the Texas State Library and Archives Commission contract.

- 5. Approval of an Interlocal Cooperation Agreement for Library Services with Denton County; Designation of the Library Manager as the Official Liaison for the City of Lewisville; and Authorization for the City Manager to Execute the Contract.**

ADMINISTRATIVE COMMENTS:

Denton County has requested that the Lewisville Public Library provide library services to all residents of Denton County. In exchange for such services October 1, 2007 – September 30, 2008, Denton County will pay the City of Lewisville \$0.751 per capita (\$109,300), based upon Lewisville's population in NCTCOG's figures. This is a decrease in the base allocation amount from FY 2006-2007's \$0.769 per capita.

RECOMMENDATION:

That the City Council approve the Interlocal Cooperation Agreement for Library Services with Denton County; designate Ann Wiegand as the official liaison for the City of Lewisville; and authorize the City Manager to execute the contract.

- 6. Approval of a Supplemental Appropriation to the Austin Ranch Elevated Storage Tank Project in the Amount of \$522,000 From Unallocated Revenue Bond Proceeds; Approval of a Bid Award for the Austin Ranch Elevated Storage Tank Project to Landmark Structures 1, L.P., Fort Worth, Texas in the Amount of \$2,879,427.83; and Authorization for the City Manager to Execute the Contract.**

ADMINISTRATIVE COMMENTS:

A total of six (6) bid invitations were issued, including three (3) downloaded from DemandStar.com. Two (2) bids were received and opened on September 13, 2007. This project consists of construction of a new two-million gallon elevated storage tank near the northwest corner of Windhaven Parkway and Trinity Drive. Funding is available from capital project accounts.

RECOMMENDATION:

That the City Council approve a supplemental appropriation to the Austin Ranch Elevated Storage Tank Project in the amount of \$522,000 from the Unallocated Revenue Bond Proceeds; approve a bid award for the Austin Ranch Elevated Storage Tank Project to Landmark Structures 1, L.P., Fort Worth, Texas, in the amount of \$2,879,427.83; and authorize the City Manager to execute the contract.

G. REGULAR HEARINGS:

- 7. Consideration of a Variance to the Lewisville City Code, Article VIII, Section 2-201, Fee Schedule, Regarding the Waiver of Facility Rental Fees and Deposits at the Vista Ridge Amphitheatre.**

ADMINISTRATIVE COMMENTS:

On October 10, 2007, Holt-Lunsford Commercial, a real estate services firm, will be hosting a development showcase at their newly developed property in the Vista Ridge area for approximately 500 attendees from major DFW real estate brokerage firms. The private party will host country music artist Jack Ingram as musical entertainment for the evening at the Vista Ridge Amphitheatre. As this function will benefit economic development efforts within the city by familiarizing key commercial brokers with this particular area, the firm is requesting that Council waive all fees and deposits for use of the amphitheatre.

RECOMMENDATION:

That the City Council approve the request to waive facility rental and deposit fees.

- 8. Tabled Item: Consideration of Appointment to Place No. 3 on the Transportation Board.**

ADMINISTRATIVE COMMENTS:

At the August 6, 2007 meeting, the City Council accepted the resignation of Coleen Davis from Place No. 3 on the Transportation Board. At the time of the meeting, no applications had been received for the Transportation Board during the most recent appointment process. The Transportation Board only meets quarterly and did not have a meeting scheduled until the third Thursday in October. Due to these two situations, the City Council tabled this item until a later date to allow time for additional applications to be submitted for this Board.

RECOMMENDATION:

That the City Council consider an appointment to fill the vacancy on the Transportation Board.

9. Discussion and Consideration of Place No. 7 on the Board of Directors of the Lewisville Parks and Library Development Corporation.

ADMINISTRATIVE COMMENTS:

The Articles of Incorporation for this board state that the board of directors be composed of seven (7) persons appointed by the City Council who are residents of the City and that no more than four (4) of the seven (7) members may be City employees, officers, or members of the City Council. Currently, the members serving on this corporation are Gene Carey, David Thornhill, Ken Judkins, Jeff Pelletier, Dean Ueckert, Rudy Durham, and Joe Molina. Joe Molina has now submitted his resignation from the Lewisville Parks and Library Development Corporation.

RECOMMENDATION:

That the City Council consider a new appointment to Place No. 7 on the Board of Directors of the Lewisville Parks and Library Development Corporation.

10. Consideration of Nominations to the Denton Central Appraisal District Appraisal Review Board.

ADMINISTRATIVE COMMENTS:

The Denton Central Appraisal District (DCAD) is requesting nominees for possible appointment to the Appraisal Review Board. Nominees will need to complete a questionnaire which must be returned to the Appraisal District by October 15, 2007. The DCAD Board of Directors will make their final decision at their December Board of Directors meeting. Each jurisdiction may nominate up to five persons.

RECOMMENDATION:

That the City Council consider nominations to the Denton Central Appraisal District Appraisal Review Board.

- 11. Consideration of Aesthetic Design Guidelines as Prepared by the Texas Department of Transportation for IH35E Reconstruction and Special Enhancement Opportunities for Bridge Structures Located Within the City Limits; and Provide Direction to Staff and Texas Department of Transportation for the Development of Plans, Specifications, and Cost Estimates for the Project.**

ADMINISTRATIVE COMMENTS:

In July 2007, TxDOT presented Conceptual Aesthetic Design Guidelines for the reconstruction of IH35 bridge structures. The presentation described three corridors or districts which would allow for independent paint and texture schemes, guardrail design and decorative signage for cross streets without additional cost to the City. The presentation also provided several bridge enhancements to create signature type bridges. Council reviewed the basic guidelines and proposed enhancements at the August 27, 2007 called special meeting. TxDOT is seeking direction and approval from the City regarding the design guidelines and any enhancements the City may desire to allow TxDOT to proceed with preparation of plans, specs, and cost estimates.

RECOMMENDATION:

That the City Council provide direction to staff and TxDOT regarding the base aesthetic design of bridge structures; and provide direction of recommended location and enhancements for signature bridges.

- 12. Third and Final Reading: Consideration of an Ordinance Amending Chapter 8 of the Lewisville City Code Concerning Miscellaneous Offenses by Adding Clauses to Prohibit the Public Display of Facsimile Firearms and Making Other Minor Changes to Simplify the Ordinance.**

ADMINISTRATIVE COMMENTS:

At the September 10, 2007, City Council meeting, the Council approved the subject ordinance. However, due to the lack of a 4/5's vote by the Council to adopt the ordinance on an emergency basis, the ordinance will have to be read on three separate days to meet the City Charter requirements. This will be the third and final reading of the ordinance.

RECOMMENDATION:

That the City Attorney provide the third and final reading of the ordinance.

H. REPORTS:

- ◆ Third Quarter Boards/Commissions/Committees Attendance Reports

**I. CLOSED 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

**J. RECONVENE into Regular Session and Consider Action, if Any, on Items
Discussed in Closed Session.**

K. 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>
