

A G E N D A

**LEWISVILLE CITY COUNCIL MEETING
DECEMBER 3, 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. Corridor Beautification
- B. Administrative Policies 2.7.4 and 2.12.5
- C. Discussion of Regular Agenda Items and Consent Agenda Items
- D. Items of Interest to the Council

REGULAR SESSION - 7:00 P.M.

- A. **INVOCATION:** Councilman Tierney
- B. **PLEDGE TO THE FLAG:** Councilman Watts
- C. **PROCLAMATION:** Recognizing December 3-7, 2007 as “Employee Learning Week”
- D. **PRESENTATION:** Achievement of Excellence in Procurement Award
- 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:** City Council Minutes of the November 19, 2007, Workshop Session and Regular Session.
 2. **Approval of a Supplemental Appropriation to the Grant Fund for the Timber Creek Hike and Bike Trail in the Amount of \$1,429,563; Approval of a Supplemental Appropriation to the General Fund in the Amount of \$37,427 for a Portion of the Cash Match; Approval of a Bid Award for the Timber Creek Trail Project to Northstar Construction, Inc., Fort Worth, Texas in the Amount of \$1,387,925; and Authorization for the City Manager to Execute the Contract.**

ADMINISTRATIVE COMMENTS:

A total of forty-four (44) bid invitations were issued, including seven (7) downloaded from DemandStar.com. Six (6) bids were received and opened on September 28, 2007. This project consists of construction of a hike and bike trail from Valley Parkway East along Timber Creek to Creekside Elementary School. This project is in the Grant Fund due to being 80% funded from TxDOT. The City's match is 20% of which \$248,486 is available in the CIP Fund and the remaining \$37,427 is needed through a supplemental appropriation to the General Fund.

RECOMMENDATION:

That the City Council approve a supplemental appropriation to the Grant Fund for the Timber Creek Hike and Bike Trail in the amount of \$1,429,563; approve a supplemental appropriation to the General Fund in the amount of \$37,427 for a portion of the cash match; approve a bid award for the Timber Creek Trail Project to Northstar Construction, Inc., Fort Worth, Texas in the amount of \$1,387,925; and authorize the City Manager to execute the contract.

- 3. Approval of the Fiscal Year 2007/2008 Ambulance Service Interlocal Cooperation Agreement Between Denton County and the City of Lewisville; and Authorization for the City Manager or His Designee to Execute the Agreement.**

ADMINISTRATIVE COMMENTS:

The Lewisville Fire Department provides emergency ambulance service to Denton County through an annual interlocal cooperation agreement. By providing ambulance service to designated unincorporated areas of Denton County, revenue is generated for the City in the amount of \$57,579.32, plus \$305.09 per ambulance run. The term of agreement is for the period of October 1, 2007 through September 30, 2008. The City Attorney's office has reviewed and approved the agreement as to form.

RECOMMENDATION:

That the City Council approve the FY 2007/2008 Ambulance Service Interlocal Cooperation Agreement between Denton County and the City of Lewisville; and authorize the City Manager or his designee to execute the agreement.

- 4. Approval of the Fiscal Year 2007/2008 Fire Protection Services Interlocal Cooperation Agreement Between Denton County and the City of Lewisville; and Authorization for the City Manager or His Designee to Execute the Agreement.**

ADMINISTRATIVE COMMENTS:

The Lewisville Fire Department provides fire protection services to Denton County through an annual interlocal cooperation agreement. By providing fire protection services to designated unincorporated areas of Denton County, revenue is generated for the City in the amount of \$10,000, plus \$390 per fire call. The term of agreement is for the period of October 1, 2007 through September 30, 2008. The City Attorney's office has reviewed and approved the agreement as to form.

RECOMMENDATION:

That the City Council approve the FY 2007/2008 Fire Protection Services Interlocal Cooperation Agreement between Denton County and the City of Lewisville; and authorize the City Manager or his designee to execute the agreement.

- 5. Approval of a Resolution for the Acceptance of a \$6,000 Grant From the Texas Department of Transportation for the Traffic Safety Program; Approval of a Supplemental Budget Appropriation to the Grant Fund in the Amount of \$6,000; and Authorization for the City Manager to Execute the Grant Document.**

ADMINISTRATIVE COMMENTS:

The Texas Department of Transportation is awarding the City of Lewisville \$6,000 in grant funds. The grant will enable the City to conduct a DWI enforcement program during selected holiday periods. The grant funds will pay the officers' salaries at their overtime rate. These expenses are 100% reimbursable.

RECOMMENDATION:

That the City Council approve the resolution to accept the Texas Department of Transportation Grant Award in the amount of \$6,000; approve the supplemental budget appropriation in the amount of \$6,000; and authorize the City Manager to execute the grant document.

- 6. Approval of Revisions to Administrative Policy 2.7.4 Employee Performance Evaluation/Compensation Plan**

ADMINISTRATIVE COMMENTS:

The Human Resources Department proposes changing the cities currently surveyed for the annual market analysis to include the cities who participate in the Metroplex Compensation Survey Group, Coppell, Flower Mound, Grapevine and Denton.

RECOMMENDATION:

That the City Council approve the revisions to Administrative Policy 2.7.4 Employee Performance Evaluation/Compensation Plan.

- 7. Approval of Changes to Administrative Policy 2.12.5 Extended Military Leave and Short-Term Military Leave**

ADMINISTRATIVE COMMENTS:

The Human Resources Department has proposed revisions to Administrative Policy 2.12.5 Extended Military and Short-Term Military Leave to provide paid military leave in the amount necessary to ensure no loss in wages between military pay and normal city salary for a period not to exceed two years in a five year period for all employees called to active duty.

RECOMMENDATION:

That the City Council approve revisions to Administrative Policy 2.12.5 – Extended Military and Short-Term Military Leave.

G. REGULAR HEARINGS:

- 8. Consideration of a Variance to the Lewisville City Code, Chapter 9.5 Old Town Development, to Allow Vinyl Siding on a Residential Building at 331 North Charles Street, as Requested by the Property Owner, Nena Kinney.**

ADMINISTRATIVE COMMENTS:

Ms. Kinney has installed vinyl siding on the majority of her home without obtaining a building permit. Upon notice from the City that a building permit is required, Ms. Kinney has stopped work and applied for a permit. However, since vinyl siding is not an allowable material in Old Town per the Old Town Development Ordinance (OTDO). Ms. Kinney was denied a letter of design approval by the Old Town Design Review Committee on November 12, 2007. Ms. Kinney is now requesting a variance from City Council to keep the vinyl siding on her home and finish the work.

RECOMMENDATION:

That the City Council consider the variance to the Lewisville City Code, Chapter 9.5 Old Town Development for Nena Kinney at 331 North Charles Street.

PRESENTATION: Sarah McLain, Economic Development Specialist

- 9. Consideration of the Final Plat for Castle Hills, Phase VI, a 163.81 Acre Tract Proposed for Townhouse Two (TH-2), Estate Townhouse (ETH) and Undesignated Commercial Uses Generally Bounded by S.H. 121 to the North, KCS Railroad to the Southwest, and a TXU Transmission Line to the Southeast; and Consideration of Two Variances to the Castle Hills Development Agreement as Requested by TRC Solutions, Inc., Representing the Property Owner.**

ADMINISTRATIVE COMMENTS:

Castle Hills is located in Lewisville's Extraterritorial Jurisdiction (ETJ) and, by the agreement put in place in 1996, is subject to be developed according to Lewisville's General Development Ordinance and Zoning Ordinance. The following variances were approved by the City Council on August 20, 2007 at the time of the preliminary plat; a) to allow TH-2 Zoning for Sections A, B, & C with a minimum dwelling size of 1400 square feet per deed restriction; b) to allow 41-foot street rights-of-way with 6-foot sidewalk and utility easements for sections A & B; c) to allow 44-foot street rights-of-way with 6-foot sidewalk and utility easements for sections C & D; and d) waive the alley requirement for sections A, B, C, & D. During the final design of the project, two more variances were identified. Variance e): To allow street designs to vary from the minimum allowable vertical curve design speed. Variance f): To allow street designs to vary from the minimum allowable horizontal curve design speed. The Planning and Zoning Commission, at their November 20, 2007 meeting, voted 7-0 to recommend in favor of the final plat and the requested variances.

RECOMMENDATION:

That the City Council approve the final plat and the requested variances "e" and "f".

PRESENTATION: David Salmon, P.E., Assistant City Engineer
Eric Stanley, Castle Hills Development Company

- 10. Consideration of an Ordinance Amending Chapter 15 of the Lewisville City Code Concerning Automated Traffic Signal Enforcement by Changing the Time Period to Request an Administrative Adjudication Hearing and to Provide Identifying Information of the Individual Who Rented or Leased the Motor Vehicle at Issue at the Time of the Alleged Offense.**

ADMINISTRATIVE COMMENTS:

On August 20, 2007, City Council adopted an ordinance governing the automatic traffic signal enforcement program (“the Program”). Thereafter, City staff met with representatives of the administrator of the Program to establish the business rules of the Program. The proposed amendment to the ordinance conform the deadlines for requesting an administrative adjudication hearing and for providing identifying information of the individual who rented or leased the motor vehicle at issue at the time of the alleged offense with the deadlines for such agreed to by the parties at their meeting.

RECOMMENDATION:

That the City Council adopt the proposed ordinance.

11. Consideration of a Resolution Casting Lewisville's Votes for Director to the Denton Central Appraisal District Board.

ADMINISTRATIVE COMMENTS:

The Denton Central Appraisal District furnished a list of nominated candidates for election to their Board of Directors, as well as their list outlining the 2007 Distribution of Votes. Votes may be cast for one or more candidates but cannot exceed the number allocated to the entity in total. The City of Lewisville has been allocated 132 votes. It takes 834 votes to guarantee election to the board. The five nominees receiving the most votes become the board. The City of Lewisville and the Lewisville Independent School District nominated Lee Baker and Doug Killough. Lewisville Independent School District cast 755 votes for Lee Baker and 834 for Doug Killough, thus guaranteeing Doug Killough’s election. Information sheets on nine of the eleven candidates were provided for Council's consideration.

RECOMMENDATION:

That the City Council consider casting Lewisville's votes for Director to the Denton Central Appraisal District Board.

12. Consideration of a Resolution Casting Lewisville's Vote for Director to the Dallas Central Appraisal District Board.

ADMINISTRATIVE COMMENTS:

By state law, the nomination process for persons to serve on the Dallas Central Appraisal District Board of Directors has been completed. The City of Lewisville is entitled to one vote. The six nominees and their nominating entities are included for Council's consideration. The City also received a letter from the City of DeSoto requesting the City of Lewisville's support for their nominated candidate, Mr. Michael Hurtt.

RECOMMENDATION:

That the City Council consider casting a vote to the Dallas Central Appraisal District Review Board.

H. **REPORTS:**

- ◆ Quarterly Investment Report – July 1, 2007-September 30, 2007

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>
