

A G E N D A

**LEWISVILLE CITY COUNCIL MEETING
JUNE 16, 2008**

**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. Wrecker Service
- 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:** Councilman Durham
- C. **PUBLIC HEARING:** Consideration of a Request to Annex a Five Foot Strip Totaling 0.275 Acres of 23.820 Acres Belonging to the Castle Hills Property Company Situated in the R.P. Hardin Survey Abstract 613, B. Schoonover Survey Abstract 1209, and the T. Wilson Survey Abstract 1352, as Requested by Castle Hills Property Company, the Property Owner.

ADMINISTRATIVE COMMENTS:

Castle Hills Property Company has acquired a 23.82 acre tract which was located in the Town of Hebron and on the fringe of the City of Lewisville's ETJ area. Castle Hills Property Company would like to add this property into the City of Lewisville's ETJ area, thereby consolidating all of their property into Lewisville's ETJ. The Town of Hebron disannexed the property in November 2007. This public hearing represents the second of two public hearings necessary before the annexation can be formally approved.

RECOMMENDATION:

That the City Council conduct this second of two public hearings on the proposed annexation.

PRESENTATION: Eric Ferris, Director of Community Development
Eric Stanley, Castle Hills Property Company

- 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 MINUTES:** City Council Minutes of the June 2, 2008, Workshop Session and Regular Session.
 2. **Authorization to Solicit a Donation for the 2008 Lewisville Public Library Summer Reading Program.**

ADMINISTRATIVE COMMENTS:

In previous years, local businesses and organizations have donated reading incentive prizes to be earned by children and teens who participate in the Summer Reading Program. Under Administrative Policy 1.7.2, Donations, approval is required to solicit a donation from Chili's for 800 food coupons valued at \$4.29 each/\$3,432 total. The food coupons will be used as incentives to reward reading at designated levels.

RECOMMENDATION:

That the City Council authorize staff to solicit donations for the 2008 Summer Reading Program

- 3. Approval of an Agreement for Ad Valorem Tax Billing and Collection Between the City of Lewisville and Denton County for Fiscal Year 2008-2009; and Authorization for the City Manager to Execute the Agreement.**

ADMINISTRATIVE COMMENTS:

The City entered into an agreement with the Denton County Tax Assessor-Collector to bill and collect City ad valorem taxes. Services provided have been satisfactory. Two substantive changes have been added to the agreement for fiscal year 2008-2009. A minimum charge of \$500, or 0.73, per statement mailed has been added for the October mailing, but should not effect the City due to the number of statements mailed out. A surcharge not to exceed \$0.25 per parcel on parcels outside of Denton County has also been added. The City has approximately 700 parcels in Dallas County. Funds are proposed to be budgeted in the 2008-2009 Finance Department Operating Budget.

RECOMMENDATION:

That the City Council approve the agreement for ad valorem tax billing and collection between the City of Lewisville and Denton County for Fiscal Year 2008-2009; and authorize the City Manager to execute the agreement.

- 4. Approval of a Resolution Approving the Fiscal Year 2009 Financial Plan of the Denco Area 9-1-1 District.**

ADMINISTRATIVE COMMENTS:

At their May 8, 2008 meeting, the Denco Area 9-1-1 District Board of Managers unanimously approved the FY 2009 draft financial plan. Pursuant to Section 772.309 of the Texas Health and Safety Code, Denco Area 9-1-1 is required to provide a draft of the FY 2009 financial plan to all participating jurisdictions. Any comments from participating jurisdictions are requested prior to the July 10, 2008, District Board of Manager's meeting where they will consider final approval of the 2009 financial plan. The plan provides for expanded services at the same rate that Denco has collected from district residents since its inception in 1987.

RECOMMENDATION:

That the City Council approve the resolution.

- 5. Approval of Acceptance of the 2007 Homeland Security UASI Grant; and Approval of a Supplemental Appropriation in the Amount of \$32,500 to the FY 2007-2008 Grant Fund.**

ADMINISTRATIVE COMMENTS:

The City of Lewisville Fire Department received notification of an award from the Division of Emergency Management, Office of the Governor. The City has have been awarded \$32,500 for the purchase of equipment for HazMat incidents, Emergency Mangement's KnoWhat2Do Program, and the Regional Dive/Rescue/Search Team. There is no matching amount required, and funds will be reimbursed after procurement of approved items.

RECOMMENDATION:

That the City Council approve acceptance of the 2007 Homeland Security UASI Grant; and approve a supplemental appropriation in the amount of \$32,500 to the FY 2007-2008 Grant Fund.

- 6. Approval of Final Acceptance of the Traffic Signal Improvements 2007 Project; and Authorization to Make Final Payment to Roadway Solutions Inc., in the Amount of \$17,869.34.**

ADMINISTRATIVE COMMENTS:

On June 18, 2007, the City Council awarded a contract to Roadway Solutions Inc., in the amount of \$347,951 for the construction of the Traffic Signal Improvements 2007 Project. The work has been completed and, in accordance with the contract documents, it is now in order to formally accept the project and make final payment. The final payment in the amount of \$17,869.34 is available in the Traffic Signal Improvements 2007 Capital Projects account. The warranty period is two years from the date of final acceptance of the City Council.

RECOMMENDATION:

That the City Council accept the Traffic Signal Improvements 2007 Project; and authorize final payment in the amount of \$17,869.34 to Roadway Solutions Inc.

F. REGULAR HEARINGS:

- 7. Consideration of the Final Plat of Windhaven Parkway, a 10.01-Acre Tract Designated as Right-of-Way, Generally Located South of SH 121, East of Standridge Boulevard and West of Josey Lane With a Requested Variance to the Castle Hills Development Agreement, as Requested by TRC Solutions, Inc., Representing the Property Owner.**

ADMINISTRATIVE COMMENTS:

The subject plat will establish and dedicate the right-of-way for Windhaven Parkway west of Josey Lane and east of Castle Hills Phase 6. This section of Windhaven Parkway is within Castle Hills located in the City of Lewisville Extra Territorial Jurisdiction (ETJ). By the development agreement approved in 1996, Castle Hills is to be developed in accordance to the City of Lewisville General Development Ordinance (GDO) and Zoning Ordinance. The developer proposes to construct Windhaven Parkway and associated utility improvements within the proposed right-of-way; and has applied for a variance to allow a lower design speed for Windhaven Parkway along with the final plat. The Planning and Zoning Commission voted 7-0 recommending in favor of the final plat and additional variances.

RECOMMENDATION:

That the City Council approve the final plat and the requested variance.

PRESENTATION: David Salmon, P.E., Assistant City Engineer

- 8. Consideration of Variances to the Lewisville City Code, Chapter 6, Land Use, Relating to Exterior Finish, Driveway Stacking, Driveway Spacing, and Street Design Criteria; Associated With the J.D. Morris Facility Expansion as Requested by G&A Consultants Inc., Representing the Owner.**

ADMINISTRATIVE COMMENTS:

The J.D. Morris manufacturing facility located on Valley Ridge Boulevard west of North Mill Street is planning an expansion to the existing building. Staff has reviewed the proposed engineering site plan prepared by G&A Consultants, Inc. and has identified the following variances: a) to waive the brick veneer requirement and allow the addition to match the exterior finish on the existing building; b) to waive the 40-foot stacking requirement at each driveway allowing the existing 20-30 feet of stacking at the existing driveways to remain; c) to allow existing driveways to remain with less than minimum spacing between adjacent driveways; and d) to allow dedication of a 5-foot wide street and utility easement instead of 5 feet of additional right-of-way on Valley Ridge Boulevard.

RECOMMENDATION:

That the City Council approve the requested variances.

PRESENTATION: David Salmon, P.E., Assistant City Engineer
Cleve Joiner, Building Official
R. Von Beougher, P.E., G&A Consultants Inc.

- 9. Consideration of a Variance to the Lewisville City Code Chapter 11, Signs, to Allow Size of a Wall Sign as Requested by Barbara Mebane of Dancers Workshop at 190 West Main Street.**

ADMINISTRATIVE COMMENTS:

The proposed sign is a tenant wall sign to be located on the north elevation of the building at 190 W. Main Street, Suite 103-105. According to the Sign Ordinance, in the Old Town Center District the maximum allowable size for a tenant sign is twelve square feet. The dimensions of the proposed wall sign are 16' x 2' at a total area of 32 square feet. Ms. Mebane is requesting a variance to the Sign Ordinance to allow the sign to exceed the maximum allowable area for a tenant sign because of the large area of façade for the space that her business occupies.

RECOMMENDATION:

That the City Council approve the variance request.

PRESENTATION: Sarah McLain, Economic Development Specialist
Barbara Mebane, Owner, Dancers Workshop

- 10. Consideration of a Variance to the Lewisville City Code, Sec. 6-101(b) Underground Utilities; as Requested by CoServ Electric for Proposed Overhead Service Located East of Holford's Prairie Road on a Segment of Future Corporate Drive Right-of-Way.**

ADMINISTRATIVE COMMENTS:

CoServ Electric applied for a permit on May 15, 2008 to upgrade existing and extend new overhead distribution lines in East Lewisville to provide a looped feed serving a proposed apartment complex within the Carrollton City Limits. Staff denied the permit for the overhead extensions citing the requirement that new distribution lines are required to be installed underground. CoServ Electric is requesting a variance to install overhead electric lines along the south boundary of Oak Point Mobile Home Park and adjacent to the right-of-way for the future extension of Corporate Drive.

RECOMMENDATION:

That the City Council consider the requested variance

PRESENTATION: David Salmon, P.E., Assistant City Engineer
Ben Crawford, CoServ Electric

- 11. Consideration of Approval of Establishment of an Ad Hoc Neighborhood Preservation Committee; and Appointment of Committee Members.**

ADMINISTRATIVE COMMENTS:

At the February 2008 retreat, the City Council requested that an Ad Hoc Neighborhood Preservation Committee of residents and other stakeholders be formed to examine issues such as street parking, occupancy limits, revitalization strategies, code enforcement, etc. Staff is recommending that an Ad Hoc Neighborhood Preservation Committee be appointed to define specific goals and action steps. The recommended committee could be composed of seven to nine members with suggested representatives from older neighborhoods and/or businesses, if possible. If City Council establishes this ad hoc committee, staff will need direction on how they wish to proceed with the appointment process of the members.

RECOMMENDATION:

That the City Council consider the establishment of an Ad Hoc Neighborhood Preservation Committee, and if established, consider appointments.

12. Discussion and Consideration of Appointments to Various City Boards/Commissions/Committees.

ADMINISTRATIVE COMMENTS:

On June 30, various terms of office on the City's boards, commissions, and committees will be expiring. Those positions have been identified and current appointees notified. The Board/Commission/Committee Appointment Process Notebooks have been created for City Council's review. Data sheets for members requesting reappointment and all new applicants have been included in the books.

RECOMMENDATION:

That the City Council proceed with the appointment process to the various City Boards/Commissions/Committees.

13. Consideration of a Resolution Urging the North Central Texas Council of Governments Regional Transportation Council and the North Texas Tollway Authority to Support the Original Alignment and Plans for the Dallas North Tollway Extension Along the Denton County and Collin County Border.

ADMINISTRATIVE COMMENTS:

On January 10, 2005 the Collin County Commissioners Court adopted a resolution accepting a "County Line" alignment between FM 428 and the Collin-Denton County lines as the alignment for the construction of a future extension of the Dallas North Tollway. The Collin County Commissioners Court has now revoked their original acceptance of this agreement and favors an alignment that brings the future road completely within their borders with no part traversing Denton County. The attached resolution urges the North Central Texas Council of Governments Regional Transportation Council and the North Texas Tollway Authority to support the original proposed alignment of the future Dallas North Tollway.

RECOMMENDATION:

That the City Council consider the resolution.

G. REPORTS:

**H. CLOSED SESSION: In Accordance with Texas Government Code,
Subchapter D,**

1. Section 551.072 (Real Estate): Property Acquisition
2. Section 551.074 (Personnel): Appointment of City Health Officer
3. Section 551.087 (Economic Development): Deliberation Regarding
Economic Development Negotiations

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

J. ADJOURNMENT

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