

A G E N D A

**LEWISVILLE CITY COUNCIL MEETING
MARCH 1, 2010**

**LEWISVILLE CITY HALL
151 WEST CHURCH STREET
LEWISVILLE, TEXAS 75057**

**WORKSHOP SESSION - 6:30 P.M.
REGULAR SESSION - 7:00 P.M.**

Call to Order and Announce a Quorum is Present.

WORKSHOP SESSION - 6:30 P.M.

- A. Discussion of Regular Agenda Items and Consent Agenda Items

REGULAR SESSION - 7:00 P.M.

- A. **INVOCATION:** Councilman Gorena
- B. **PLEDGE TO THE AMERICAN AND TEXAS FLAGS:** Councilman Thornhill
- C. **PRESENTATION:** 2009 Achievement of Excellence in Libraries Award From the Texas Municipal Library Directors Association
- 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.

**AGENDA
LEWISVILLE CITY COUNCIL
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1. APPROVAL OF MINUTES:

- a. City Council Minutes of the February 1, 2010, Workshop Session and Regular Session; and**
- b. City Council Minutes of the February 15, 2010, Workshop Session and Regular Session.**

2. Approval of a Bid Award for an Annual Requirements Contract for the Mowing of Right-of-Ways and Medians to Carruthers Landscaping Management, Inc., Dallas, Texas, for an Estimated Amount of \$330,104.57.

ADMINISTRATIVE COMMENTS:

A total of sixty-six (66) bid invitations were downloaded from Bidsync.com. Eleven (11) bids were received and opened January 26, 2010. This contract covers mowing of various rights of ways, medians, parkways throughout the City on a per cycle cost. Carruthers Landscaping Management, Inc., is being recommended for award based on best value. The term of the contract will be twelve (12) months, with an option to extend for up to two (2) additional twelve-month periods. Funding is available in the Parks Department General Fund Operating Budget.

RECOMMENDATION:

That the City Council approve the bid award as set forth in the caption above.

3. Authorization to Solicit Donations to the 2010 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. Request authorization per City Administrative Policies and Procedures; Administration, Donations: 1.7.2 to solicit donations from various businesses. Donations will be used as incentives to reward reading at designated levels.

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RECOMMENDATION:

That the City Council authorize staff to solicit donations for the 2010 Summer Reading Program.

- 4. Approval of an Appropriation to the General Capital Projects Fund in the Amount of \$19,298,583 in SH 121 Regional Toll Revenue Related to the Extension of Corporate Drive/Windhaven Parkway and Establishing the Capital Project Accounts for Each of the Seven (7) Segments of the Project.**

ADMINISTRATIVE COMMENTS:

On October 5, 2009, the City Council approved the Advance Funding Agreement between the City of Lewisville and Texas Department of Transportation (TxDOT) related to the SH 121 Regional Toll Revenue Funds. The City is in receipt of the funds from TxDOT in the total amount of \$19,298,583. The project consists of seven (7) separate segments and is assigned TxDOT project designations. The City capital project designations will require similar identifications.

RECOMMENDATION:

That the City Council approve the appropriation of SH 121 Regional Toll Revenue Funds as set forth in the caption above.

- 5. Approval of a Resolution Authorizing the City to Submit a Grant Application to the Texas Criminal Justice Division to Obtain 2010/2011 Funding for One Victim Assistance Officer; and Authorization for the City Manager or his Designee to Execute the Grant Application.**

ADMINISTRATIVE COMMENTS:

This grant position is assigned to the Criminal Investigation Division specializing in coordinating and managing services for victims of crimes. This grant, if successful, will fund police officer position from September 1, 2010 to August 31, 2011. The City's match could be \$20,604 or \$34,883. CJD will determine as part of the process later which of two funding sources will be used to fund our program. Accordingly, the award could range from \$64,131 to \$78,410 as one funding source requires a 21% match and the other a 35% match.

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RECOMMENDATION:

That the City Council approve the proposed resolution as set forth in the caption above.

- 6. Approval of a Resolution Authorizing the City to Submit a Grant Application to the Texas Criminal Justice Division to Obtain 2010/2011 Funding for One Family Violence Investigator; and Authorization for the City Manager or his Designee to Execute the Grant Application.**

ADMINISTRATIVE COMMENTS:

The grant position will be assigned to the Criminal Investigation Division and will specialize in investigation, prevention, and education of domestic violence crimes. This application is to fund the position from September 1, 2010 to August 31, 2010. The City's match could be \$22,009 or \$36,828. CJD will determine as part of the process later which of two funding sources will be used to fund our program. Accordingly, the award could range from \$64,217 to \$79,036 as one funding source requires a 22% match and the other a 37% match.

RECOMMENDATION:

That the City Council approve the proposed resolution as set forth in the caption above.

- 7. Approval of a Resolution Authorizing the City to Submit a Grant Application to the Texas Criminal Justice Division to Obtain 2010/2011 Funding for Enhancing Criminal Investigation Abilities Projects; and Authorization for the City Manager or his Designee to Execute the Grant Application.**

ADMINISTRATIVE COMMENTS:

This grant application is to seek funding for police programs and investigative training through the Texas Criminal Justice Division (CJD) grant. The grant funding period is from September 1, 2010 to August 31, 2011. The City's match could be \$22,463 or \$39,310. CJD will determine as part of the process later which of two funding sources will be used to fund our program. Accordingly, the award could be from \$73,004 or \$89,851 as one fund requires a 20% match and the other a 35% match.

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RECOMMENDATION:

That the City Council approve the proposed resolution as set forth in the caption above.

- 8. Approval of a Resolution Calling the May 8, 2010 Lewisville City Council General Election and Authorizing a Joint Election Agreement With Other Denton County Political Subdivisions; Approval of a Contract for Election Services With Denton County; Authorization for the City Manager to Execute the Agreement; Approval of an Election Calendar; and Authorization for the Mayor to Sign the Election Order.**

ADMINISTRATIVE COMMENTS:

An election calendar has been prepared for the May 8, 2010, City Council election, which will include Places 4 and 5 on the ballot. State law requires that canvassing of the election be held between the 3rd and 11th day following an election. City staff recommends conducting the canvassing at the regularly scheduled meeting on May 17, 2010. The proposed resolution authorizes the City Manager to execute an agreement for a joint election and contract for election services with Denton County.

RECOMMENDATION:

That the City Council approve the proposed resolution as set forth in the caption above; authorize the City Manager to execute the agreement; approve the election calendar; and authorize the Mayor to sign the election order.

F. REGULAR HEARINGS:

- 9. Consideration of a Final Plat of Kathryn Commons Addition, Lots 1 - 5, Block A, a 0.13 Acre Parcel Zoned Old Town Mixed Use - 2 (OTMU2) Located on the Northeast Quadrant of Main Street and Henrietta Street With Two Plat-Related Variances and Three Old Town Development Plan-Related Variances to the Lewisville City Code – Chapter 9.5, Old Town Development, as Requested by the Owner.**

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ADMINISTRATIVE COMMENTS:

The subject property is being re-platted for the purpose of constructing five single family attached townhomes. The applicant has applied for two plat-related variances: a) To allow a 20-foot wide private access easement in lieu of the required 24-foot minimum width; and, b) To allow private steps and landings to extend a maximum of four feet into the Main Street right-of-way. In addition, the applicant has applied for three Old Town Development plan-related variances: c) To allow a 5-foot driveway radius on the north side of the proposed access easement in lieu of the required 20-foot radius; d) To allow the north driveway radius to extend beyond the property line in front of the adjacent property; and e) To allow an alternate landscape plan. The Planning & Zoning Commission recommended approval of the plat and variances "a" and "b" (6-0) at their February 16, 2010 meeting.

RECOMMENDATION:

That the City Council approve the final plat of Kathryn Commons Addition, Lots 1-5, Block A and the requested variances as set forth in the caption above.

PRESENTATION: David Salmon, P.E., Assistant City Engineer
Jason Rose, JR Rose Development Companies

- 10. Consideration of the Adoption of an Ordinance Authorizing the Issuance and Sale of City of Lewisville, Texas, General Obligation Refunding Bonds, Series 2010; Levying a Tax in Payment Thereof; Authorizing the Execution and Delivery of a Purchase Agreement, a Paying Agent/Registrar Agreement and an Escrow Agreement; Calling Certain Bonds for Redemption; and Enacting Other Provisions Relating Thereto.**

ADMINISTRATIVE COMMENTS:

The issuance of an estimated \$9,605,000 of "City of Lewisville, Texas General Obligation Refunding Bonds, Series 2010" will provide funds for refunding the City's Series 1999 and 2001 General Obligation Bonds, Series 1997, 1998, 1999 Waterworks and Sewer System Revenue Bonds and the 1999 Waterworks and Sewer System Subordinate Lien Revenue Bonds. Chapter 1207 of the Texas Government Code gives authority to issue bonds without an election for refunding any legally outstanding bonds of the City.

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RECOMMENDATION:

That City Council approve the ordinance authorizing the issuance and sale of City of Lewisville, Texas, General Obligation Refunding Bonds, Series 2010; levying a tax in payment thereof; authorizing the execution and delivery of a purchase agreement, a paying agent/registrars agreement and an escrow agreement; calling certain bonds for redemption; and enacting other provisions relating thereto.

- 11. Third and Final Reading: Consideration of an Ordinance Amending the Lewisville City Code, Article IV, Parking Regulations; Section 15-126; Prohibited Parking on Specific Streets; Related to Prohibited Parking on Savage Street.**

ADMINISTRATIVE COMMENTS:

At the February 1, 2010, 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 has to be read on three separate days to meet the City Charter requirements. The second reading was conducted at the February 15, 2010 City Council meeting. This will be the third and final reading of the ordinance. The ordinance will become effective March 15, 2010.

RECOMMENDATION:

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

- 12. Consideration of Two Appointments to Denton County Transportation Authority's Project Advisory Team.**

ADMINISTRATIVE COMMENTS:

Starting in March, the Denton County Transportation Authority will begin an update to the Authority's Service Plan. To help with this effort, DCTA is forming a Project Advisory Team. As a participating city, DCTA would like two representatives from the City of Lewisville to serve on this team. These representatives can include elected or appointed officials and/or high-level staff members who have understanding of transportation, community and economic development and/or planning.

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RECOMMENDATION:

That the City Council appoint two people to serve on the Denton County Transportation Authority's Project Advisory Team.

- G. **REPORTS:** Reports about items of community interest regarding which no action will be taken.

◆ Selection Plan for Cultural Arts Center Floor Engraving

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

1. Section 551.072 (Real Estate): Property Acquisition
2. 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>
