

**A G E N D A**

**LEWISVILLE CITY COUNCIL MEETING  
JANUARY 9, 2012**

**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:** Mayor Ueckert
- B. **PLEDGE TO THE AMERICAN AND TEXAS FLAGS:**  
Mayor Pro Tem Durham
- C. **PROCLAMATION:** Declaring the Month of January, 2012, as “Lewisville’s 87th Birthday”.
- D. **PRESENTATION:** Presidential Awards to Spenser Roane and Chandler Roane for Community Service
- E. **PUBLIC HEARINGS:**
  - 1. **Public Hearing:** Consideration of an Ordinance Adopting Camp Standards of Care in Compliance With Texas Administrative Code 745.115(3) Municipal for Recreational Camp Programs.

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**ADMINISTRATIVE COMMENTS:**

In the State of Texas, no person may operate a child-care facility or child-placing agency without a license issued by the Department of Family and Protective Services, or a certificate to operate under accreditation issued by the Department of Family and Protective Services. The Parks and Leisure Services camp program meets all of the criteria for the municipal recreation program exemption with the Department of Family and Protective Services with the proposed standards of care and Council adoption of the proposed ordinance. The Texas Administration Code requires the Council's adoption of the Standards of Care ordinance each year. The proposed Standards of Care are the same as approved by Council last year.

**RECOMMENDATION:**

That the City Council approve the ordinance adopting the camp standards of care as set forth in the caption above.

2. **Public Hearing: Consideration of an Ordinance for a Zone Change Request From Agricultural Open Space to Light Industrial District Zoning on 3.42 Acres, Located North of Bennett Lane and West of Railroad Street; Further Identified as J. H. Haven Survey, Abstract 541 and E. Aday Survey, Abstract 11; as Requested by UST – Waters Ridge North, L.P., the Property Owner.**

**ADMINISTRATIVE COMMENTS:**

The 3.42-acre property is located north of Bennett Lane and west of Railroad Street within the Waters Ridge North Business Park. The subject property consists of four tracts, all of which are currently vacant. The applicant intends to combine this property with several other parcels for development of two 500,000 square foot speculative warehouse or build-to-suit facilities. In June 2007, the applicant obtained approval of a request to rezone another portion of the 90-acre project site from AO to LI. The Planning and Zoning Commission unanimously voted to approve the request at their meeting on December 6, 2011.

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**RECOMMENDATION:**

That the City Council consider the ordinance for a zone change request as set forth in the caption above.

**PRESENTATION:** Patia Boomsma, Planning Administrator

- F. **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.
- G. **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.
3. **APPROVAL OF MINUTES:** City Council Minutes of the December 19, 2011, Workshop Session and Regular Session.
4. **Approval of Acceptance of a U.S. Department of Homeland Security Grant of \$20,865; and Approval of a Supplemental Budget Appropriation to the Grant Fund in the Amount of \$20,865.**

**ADMINISTRATIVE COMMENTS:**

Under the Buffer Zone Protection Plan Program from the U.S. Department of Homeland Security, the City of Lewisville is eligible to receive an additional grant award of \$20,865 over and above the original amount of \$193,637, which we have received and spent on the Lewisville Lake Dam security project. The proposal is to purchase additional items that are in the original approved list which consists of security products to make the Lewisville dam less vulnerable to potential terrorist attacks.

**RECOMMENDATION:**

That the City Council approve the acceptance of the grant as set forth in the caption above.

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H. **REGULAR HEARINGS:**

5. **Consideration of an Ordinance Amending the Lewisville City Code, Section 15-87, Prohibiting U-Turns at Various Locations Within the City of Lewisville.**

**ADMINISTRATIVE COMMENTS:**

Staff has encountered certain issues related to U-turn movements causing hazardous traffic conditions on Edmonds Lane, at the intersection with Corporate Drive, and on SH 121 Business, at the intersection of Railroad Street. The Edmonds Lane at Corporate Drive conflicts are purely vehicular, whereas, the SH 121 Business at Railroad Street conflicts deal with the DCTA's railroad crossing and Quiet Zone, based on TxDOT and the Federal Railroad Administration's recommendations. The Transportation Board considered the Edmonds Lane at Corporate Drive issue at the September 6, 2011 meeting and voted 5-0 to recommend the approval.

**RECOMMENDATION:**

That the City Council adopt the ordinance as set forth in the caption above.

**PRESENTATION:** Kevin Nims, Graduate Traffic Engineer

6. **Consideration of an Amendment to the Interlocal Cooperation Agreement for the Operation and Maintenance of Traffic Signals Between the Texas Department of Transportation and the City of Lewisville to Add the Maintenance of the Signal at FM 2181 and FM 2499; and Authorization for the City Manager to Execute the Agreement.**

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**ADMINISTRATIVE COMMENTS:**

TxDOT has constructed a new traffic signal at the intersection of FM 2181 and FM 2499 within the City of Corinth. TxDOT has requested that the City of Lewisville include this signal with the other signals presently maintained along FM 2181 by the City, as part of the existing interlocal maintenance agreement. The City will be reimbursed for the maintenance of this signal at the same labor and materials rates as set forth in the existing agreement. The City presently maintains the on-system signals at Parkridge Drive, Garrison Street, Hickory Creek Boulevard, and the I-35E Service Road on FM 2181.

**RECOMMENDATION:**

That the City Council adopt the amendment and all other related items as set forth in the caption above.

**PRESENTATION:** Kevin Nims, Graduate Traffic Engineer

7. **Consideration of an Ordinance of the City Council Granting to Texas New-Mexico Power Company the Non-Exclusive Right to Use and Occupy Rights-of-Way Within the City of Lewisville for the Construction and Operation of an Electric Transmission and Distribution System; Prescribing Conditions Governing the Use of the Public Rights-of-Way and Providing for Compensation Therefor.**

**ADMINISTRATIVE COMMENTS:**

In 2005, an ordinance was executed by the City to Texas New Mexico Power Company (TNMP) for electric franchise privileges with a termination date of December 2009. Staff and legal counsel have been negotiating the franchise agreement and have reached consensus with TNMP. The existing franchise has remained in effect with TNMP providing franchise payments during this time. Based upon Charter requirements and the new franchise requirements, the effective date of the franchise will be April 21, 2012 and the franchise will expire on April 30, 2017.

**RECOMMENDATION:**

That the City Council approve the proposed ordinance as the first reading as set forth by the Charter and the caption above.

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- I. **REPORTS**: Reports about items of community interest regarding which no action will be taken.
  - ◆ Fourth Quarter 2011 Boards/Commissions/Committees Attendance Reports
- J. **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
- K. **RECONVENE** into Regular Session and Consider Action, if Any, on Items Discussed in Closed Session.
- L. **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).