

LEWISVILLE CITY COUNCIL

REGULAR SESSION

JANUARY 9, 2017

Present:

Rudy Durham, Mayor

Council Members:

TJ Gilmore, Mayor Pro Tem
Leroy Vaughn, Deputy Mayor Pro Tem
R Neil Ferguson
Brent Daniels (Absent)
Brandon Jones

City Staff:

Donna Barron, City Manager
Eric Ferris, Assistant City Manager
Claire Swann, Assistant City Manager
Melinda Galler, Assistant City Manager
Julie Heinze, City Secretary
Lizbeth Plaster, City Attorney

WORKSHOP SESSION – 5:40 P.M.

With a quorum of the Council Members present, the workshop session of the Lewisville City Council was called to order by Mayor Durham at 5:40 p.m. on Monday, January 9, 2017, in the City Council Conference Room of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas. All City Department Heads were in attendance.

Discussion of Capital Project Prioritization

(Agenda Item A)

City Manager Donna Barron advised that the cost estimates for the Multigenerational Center were beyond the budgeted amount and City staff wanted to review what was going on in the market that was driving this cost increase. At the request of City Manager Donna Barron, Chris Squadra, with Peak Program Value, LLC, conducted the attached PowerPoint Presentation regarding General Contractor Procurement Options – Benefits & Risks for City Council consideration.

At the request of City Manager Donna Barron, Chris Squadra, with Peak Program Value, LLC, conducted the attached PowerPoint Presentation regarding Construction Cost Escalation Overview - Dallas-Fort Worth Metroplex for City Council consideration.

WORKSHOP SESSION – 5:40 P.M.

**Discussion of Capital Project Prioritization
(cont'd)**

(Agenda Item A)

At the request of City Manager Donna Barron, Deputy City Manager Eric Ferris, conducted the attached PowerPoint Presentation regarding Capital Projects Prioritization for City Council consideration to determine which option they preferred.

City Manager Donna Barron reviewed the following slides with the City Council.

CURRENT PARK INVESTMENT CIP PROJECTS

- Park Improvements (\$4,886) - infrastructure improvements (4B)
- Park ADA Improvements (\$54,314) (4B)
- Lake Park Improvements (\$46,975) (4B)
- RR Park (\$10,739) – improvements to Toyota of Lewisville RR Park – camera replacement (4B)
- Lone star TOL RR Park (\$306,669) – Sponsorship funding to be used for one-time events/activities and improvements (Naming Rights Agreement)
- LLELA (\$106,327) – improvements to LLELA as needed (GF)
- Trail Development (\$279,503) – planned for future matches for trail grants (4B)
- FLAP Lake Park Improvements – (\$26,255) will be used for roadway and parking area improvements - this is part of the match to the grant (4B)

CURRENT PARK INVESTMENT CIP PROJECTS (cont'd)

- Pool repainting/coating (\$9,016) – will be used for pool surface coating (4B)
- Kayak Take Out Points – (\$1,699,844) – two access points to river for kayaking (4B)
- Nature Center (\$8,108,225) – amount currently set aside of \$20M needed (green centerpiece master strategy #33 denotes 17-18 for design and 19-20 for construction) (4B)
- MGC (\$973,432) – funding currently available for design work (G O Bond)
- Park Land Purchase (\$1,500,000) (C.O.s sold for park purposes)
- Garden Ridge Trail (\$2,059,506) – Grant and 4B City match funding for trail
- Lake Park Soccer Fields Turf Renovation (\$3,735) – completing project currently - may can be transferred to another like project (4B)
- Lake Park road improvements (\$282,000) (GF)

WORKSHOP SESSION – 5:40 P.M.

**Discussion of Capital Project Prioritization
(cont'd)**

(Agenda Item A)

PLANNED DEBT ISSUANCES

Current Schedule:

MGC*	\$33,705,000	2017-18	G O Bond
Lake Park Day Use	\$5,100,000	2019-20	G O Bond
Lake Park Campground/ Pavilion Imp	\$2,600,000	2020-21	G O Bond
Trail Development	\$2,007,000	2021-22	G O Bond
Trail Development	\$2,000,000	2022-23	G O Bond
Trail Development	\$3,093,000	2023-24	G O Bond
East Hill Park	\$8,000,000	2024-25	4B Bond
Herring Recreation Ctr	\$2,000,000	2024-25	4B Bond
Trail Development	\$7,000,000	2024-25	4B Bond

*Sold \$4.395M for design in FY 2015-16.

Decision point – priority of parks projects

1. MGC/Aquatic Facility
2. Nature Center
3. Valley Vista
4. Trails
5. Lake Park Improvements
6. Herring Rec Center Renovation*
7. Land Purchases
8. East Hill Park (have existing master plan (2002) that will need to redone)

*City Council will need to consider future use of center: PALS Admin offices, racquetball courts, gym, etc.

City Manager Donna Barron advised staff would need to know which option the City Council wanted.

Deputy Mayor Pro Tem Vaughn questioned which option City Manager Donna Barron would recommend. City Manager Donna Barron advised her recommendation would be Option 2 and if the bids came in lower, additional components could be added back taking it to the \$10.2 m mark. Deputy Mayor Pro Tem Vaughn advised that he liked Option 2 as it seemed to take care of the building as well as additional parking and would start to take care of the outside features that will be needed

WORKSHOP SESSION – 5:40 P.M.

**Discussion of Capital Project Prioritization
(cont'd)**

(Agenda Item A)

Councilman Jones advised that he agreed with Deputy Mayor Pro Tem Vaughn. He further indicated that he felt Option 5 should be removed from the table.

Councilman Ferguson advised that he was not in favor of Option 1 or Option 5 and was torn between Option 2 and Option 3. Discussion was held regarding how many more parking spaces could be done with Option 2 over Option 3. Deputy City Manager Eric Ferris advised there would be approximately 100 additional spaces. Councilman Ferguson advised he was more in favor of Option 2 than Option 3; however, he would need to see a more complete statement on how it would be funded and what would be moved around to fund Option 2 over Option 3.

Mayor Pro Tem Gilmore advised that he preferred Options 2 and 3; however, would also like to see an Option 2.5 that would do the northwest entry instead of expanding the parking to the extra 100 spaces. Deputy City Manager Eric Ferris reviewed changing the option to accomplish that comment. Mayor Pro Tem Gilmore advised that he did like the bioswale as part of an option.

City Manager Donna Barron reviewed the following slides regarding recommendations based on maximizing dedicated sources of funding for parks and maintaining G O Bond Program Planned Issuances:

Recommended Funding:

- MGC/Aquatic Facility - Reallocate \$8M in 4B cash currently allocated for Nature Center = \$46.1M
- Nature Center - \$2M 4B fund balance, reallocate \$1.5M C.O.s, \$480K Recreation fund balance, \$454K Park Development fees = \$4.434M for design of nature center. Sell \$15.566M in 4B bonds in 19-20 for construction.*
- Valley Vista Park - General Fund \$1,000,000
- ADA Lake Park Improvements – supplement will be requested at mid-year from 4B or General Fund Balance - \$222,569

*Hold Charrette process with partners in Winter/Spring 2017

WORKSHOP SESSION – 5:40 P.M.

**Discussion of Capital Project Prioritization
(cont'd)**

(Agenda Item A)

Impacts:

2024-25 4B Bonds previously discussed to be issued for trails, East Hill Park, and Herring Recreation Center renovation will be delayed 5 – 6 years; although Herring Recreation Center could be renovated utilizing General Fund dollars, if determined to be a higher priority. Lake Park/campground improvements would continue as planned.

Funding for land purchases would have to be re-programmed.

Mayor Durham confirmed with City staff that these options would be put out to bid as components that could be added.

The consensus of the City Council was they were all in agreement with the recommendations based on maximizing dedicated sources of funding for parks and maintaining G O Bond Program Planned Issuances as presented by City Manager Donna Barron.

**Discussion of Regular Agenda Items and
Consent Agenda Items**

(Agenda Item B)

Mayor Durham reviewed Agenda Item A, Invocation. There was no discussion on this item.

Mayor Durham reviewed Agenda Item B, Pledge to the American and Texas Flags. There was no discussion on this item.

Mayor Durham reviewed Agenda Item C, Proclamation: Recognizing Local Marathon Champion Keith Pierce. There was no discussion on this item.

Mayor Durham reviewed Agenda Item D-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. There was no discussion on this item.

Mayor Durham reviewed Agenda Item E, Visitors/Citizens Forum. There was no discussion on this item.

Mayor Durham reviewed Agenda Item F-2, Approval of City Council Minutes of the December 19, 2016, Workshop Session and Regular Session. There was no discussion on this item.

WORKSHOP SESSION – 5:40 P.M.

**Discussion of Regular Agenda Items and
Consent Agenda Items (cont'd)**

(Agenda Item B)

Mayor Durham reviewed Agenda Item F-3, Approval of a Professional Service Agreement with Marquis Restoration & Preservation, Ponder, Texas, for Rehabilitation Work to the Split Rail Fence Surrounding the 1850's Homestead Complex Located in the Lewisville Lake Environmental Learning Area, in the Amount of \$7,200; and Authorization for the City Manager to Execute the Agreement. There was no discussion on this item.

Mayor Durham reviewed Agenda Item F-4, Approval of a Resolution Calling the May 6, 2017 Lewisville City Council General Election; Authorization of an Election Calendar; and Authorization for the Mayor to Sign the Election Order. There was no discussion on this item.

Mayor Durham reviewed Agenda Item F-5, Approval of a Resolution Adopting the City's Legislative Agenda for the 2017 Texas Legislature and Authorizing the Mayor and City Manager to Communicate the City's Adopted Legislative Priorities. There was no discussion on this item.

Mayor Durham reviewed Agenda Item F-6, Approval of a Request by Denton County Transportation Authority (DCTA) for a Letter of Support on its Application for the Environmental Protection Agency's (EPA) Brownfields Assessment Grant. There was no discussion on this item.

Mayor Durham reviewed Agenda Item G-7, Consideration of a Variance to the Lewisville City Code, Section 4-28, Temporary Structures and Uses, Regarding a Temporary Sales and Marketing Trailer at 1216 Lake Falls Terrace Part of Lakewood Hills West Phase I, a Single Family Detached Development Located South of Windhaven Parkway West of Josey Lane, as Requested by Greg Olaniyan, Representing Pulte Group, the Property Owner. There was no discussion on this item.

Mayor Durham reviewed Agenda Item G-8, Consideration of an Ordinance Repealing Ordinance 3829-12-2010, Which Established the Arts Advisory Board, and Ordinance 3966-10-2012, Which Adds a Duty to the Board, and Replacing Said Ordinances in Their Entirety. There was no discussion on this item.

Mayor Durham reviewed Agenda Item G-9, Consideration of Declaring a Vacancy Exists in Place No. 3 of the Board of Directors of the Lewisville Local Government Corporation; and Consideration of an Appointment to Place No. 3 of the Board of Directors of the Lewisville Local Government Corporation. There was no discussion on this item.

WORKSHOP SESSION – 5:40 P.M.

**Discussion of Regular Agenda Items and
Consent Agenda Items (cont'd)**

(Agenda Item B)

Mayor Durham reviewed Agenda Item G-10, Provide Direction to City Staff Regarding a Potential Date for a Charter Amendment Election. There was no discussion on this item.

Mayor Durham reviewed Agenda Item G-11, Consideration of a Professional Services Agreement with Todd Bressi in the Amount of \$62,000 for Consulting Services Related to Creating a Public Art Master Plan. There was no discussion on this item.

Mayor Durham reviewed Agenda Item H, Reports. There was no discussion on this item.

Mayor Durham reviewed Agenda Item I-Closed Session. There was no discussion on this item.

With no further discussion, the workshop session of the Lewisville City Council was adjourned at 6:52 p.m. on Monday, January 9, 2017.

REGULAR SESSION – 7:00 P.M.

With a quorum of the Council Members present, the regular session of the Lewisville City Council was called to order by Mayor Durham at 7:00 p.m. on Monday, January 9, 2017, in the Council Chambers of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas.

Invocation

(Agenda Item A)

At the request of Mayor Durham, Councilman Ferguson gave the invocation.

Pledge to the American and Texas Flags

(Agenda Item B)

At the request of Mayor Durham, Councilman Ferguson gave the pledge to the American and Texas flags.

**Proclamation: Recognizing Local Marathon
Champion Keith Pierce**

(Agenda Item C)

Councilman Ferguson read and presented a proclamation recognizing local marathon champion Keith Pierce.

Mayor Durham advised that City Secretary Julie Heinze would now be handling the reading of the captions and administrative comments.

**Public Hearing: Consideration of Ordinance
No. 4344-01-2017 Adopting Camp Standards
of Care in Compliance With Texas
Administrative Code 745.115(3) Municipal
for Recreational Camp Programs**

(Agenda Item D-1)

The Department of Family and Protective Services provides an exemption to the license requirement for child-care facilities for municipal recreation programs. The City's camp program meets the criteria for said exemption but requires the Council's adoption of the proposed ordinance setting for the standards of care. This is the same standards of care as approved by City Council the past six years with the addition last year of the LLELA Nature Preserve Camps.

The City staff's recommendation was that the City Council approve the ordinance as set forth in the caption above.

Mayor Durham opened the public hearing.

MOTION: Upon a motion made by Deputy Mayor Pro Tem Vaughn and seconded by Councilman Jones, the Council voted four (4) "ayes" and no (0) "nays" to close the public hearing. The motion carried.

City Attorney Lizbeth Plaster read the ordinance caption into the record as follows:

"An Ordinance of the City Council of the City of Lewisville, Texas, Amending Chapter 10, Parks and Leisure Services, of the Lewisville City Code by Creating Article VII, "Standards of Care for Youth Recreation Programs"; Providing for a Repealer; Providing for Severability; Providing an Effective Date; and Declaring an Emergency."

MOTION: Upon a motion made by Councilman Ferguson and seconded by Mayor Pro Tem Gilmore, the Council voted four (4) "ayes" and no (0) "nays" to approve and adopt **Ordinance No. 4344-01-2017**, as previously captioned. The motion carried.

Visitors/Citizens Forum

(Agenda Item E)

No one appeared to speak at this time.

CONSENT AGENDA

(Agenda Item F)

MOTION: Upon a motion made by Mayor Pro Tem Gilmore and seconded by Councilman Ferguson, the Council voted four (4) “ayes” and no (0) “nays” to approve and adopt all remaining items on the Consent Agenda, as recommended and as follows:

2. APPROVAL OF MINUTES: City Council Minutes of the December 19, 2017, Workshop Session and Regular Session.
3. Approval of a Professional Service Agreement with Marquis Restoration & Preservation, Ponder, Texas, for Rehabilitation Work to the Split Rail Fence Surrounding the 1850’s Homestead Complex Located in the Lewisville Lake Environmental Learning Area, in the Amount of \$7,200; and Authorization for the City Manager to Execute the Agreement.
4. Approval of Resolution No. 4345-01-2017 (R) Calling the May 6, 2017 Lewisville City Council General Election; Authorization of an Election Calendar; and Authorization for the Mayor to Sign the Election Order.
5. Approval of Resolution No. 4346-01-2017 (R) Adopting the City’s Legislative Agenda for the 2017 Texas Legislature and Authorizing the Mayor and City Manager to Communicate the City’s Adopted Legislative Priorities.
6. Approval of a Request by Denton County Transportation Authority (DCTA) for a Letter of Support on its Application for the Environmental Protection Agency’s (EPA) Brownfields Assessment Grant.

The motion carried.

END OF CONSENT AGENDA

Consideration of a Variance to the Lewisville City Code, Section 4-28, Temporary Structures and Uses, Regarding a Temporary Sales and Marketing Trailer at 1216 Lake Falls Terrace Part of Lakewood Hills West Phase I, a Single Family Detached Development Located South of Windhaven Parkway West of Josey Lane, as Requested by Greg Olaniyan, Representing Pulte Group, the Property Owner

(Agenda Item G-7)

Pulte Homes is currently developing a 133-unit single family detached residential project on a 44.860-acre property zoned PUD, located south of Windhaven Parkway west of Josey Lane. The minimum unit size is 2,000 sf. A variance is being requested to place a temporary sales and marketing trailer on their site for the purpose of pre-sales before the model home is completed. The City of Lewisville building code does not allow portable buildings to be placed in the City for the purposes of sales offices of this type.

The City staff's recommendation was that the City Council approve the variance as set forth in the above caption not to exceed twelve (12) months or at the issuance of a Certificate of Occupancy of the model home located at 1216 Lake Falls Terrace, whichever occurs first.

Cleve Joiner, Director of Neighborhood Services, was present to respond to any questions posed by the City Council.

MOTION: Upon a motion made by Councilman Ferguson and seconded by Mayor Pro Tem Gilmore, the Council voted four (4) "ayes" and no (0) "nays" to approve a variance to the Lewisville City Code, Section 4-28, Temporary Structures and Uses, regarding a temporary sales and marketing trailer at 1216 Lake Falls Terrace part of Lakewood Hills West Phase I, a single family detached development located south of Windhaven Parkway west of Josey Lane, to place a temporary sales and marketing trailer on their site for the purpose of pre-sales before the model home is completed not to exceed twelve (12) months or at the issuance of a Certificate of Occupancy of the model home located at 1216 Lake Falls Terrace, whichever occurs first, as requested by Greg Olaniyan, representing Pulte Group, the property owner. The motion carried.

Consideration of Ordinance No. 4347-01-2017 Repealing Ordinance 3829-12-2010, Which Established the Arts Advisory Board, and Ordinance 3966-10-2012, Which Adds a Duty to the Board, and Replacing Said Ordinances in Their Entirety

(Agenda Item G-8)

City Council established the Arts Advisory Board by ordinance in 2010. This new ordinance will replace the existing one in order to add language clarifying the purpose of the Art Support Grants program and its intended connection to tourism. This change was discussed by City Council at its November 21, 2016, workshop.

The City staff's recommendation was that the City Council approve the ordinance as set forth in the caption above.

James Kunke, Community Relations & Tourism Director, was present to respond to any questions posed by the City Council.

City Attorney Lizbeth Plaster read the ordinance caption into the record as follows:

“An Ordinance of the Lewisville City Council Repealing Ordinance 3829-12-2010 Which Establishes the Arts Advisory Board and Ordinance 3966-10-2012 Which Adds a Duty to the Board and Replacing Said Ordinances In Their Entirety With This Ordinance; Providing for Severability; Providing a Penalty; Providing an Effective Date; and Declaring an Emergency.”

MOTION: Upon a motion made by Mayor Pro Tem Gilmore and seconded by Councilman Ferguson, the Council voted four (4) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 4347-01-2017**, as captioned previously. The motion carried.

**Consideration of Declaring a Vacancy Exists
in Place No. 3 of the Board of Directors of the
Lewisville Local Government Corporation;
and Consideration of an Appointment to
Place No. 3 of the Board of Directors of the
Lewisville Local Government Corporation**

(Agenda Item G-9)

When this Corporation was first formed, the City Council wanted to have five Council Members serve on this Corporation. A roster of the corporation members has been prepared for City Council review. Due to Greg Tierney no longer serving as a City Council Member, City Council will need to consider declaring a vacancy in Place No. 3 should they wish to maintain the original intention of having only City Council Members serve on this board. The Articles of Incorporation for this board state that the Board of Directors consist of five (5) persons who are residents of the City shall be appointed by the City Council and that the Board Members may be members of the City Council. Should the City Council declare the vacancy, Place No. 3 will need to be filled by either Mayor Pro Tem Gilmore or Councilman Jones.

The City staff's recommendation was that the City Council declare the vacancy and consider the appointment to Place No. 3 of the Board of Directors of the Lewisville Local Government Corporation.

MOTION: Upon a motion made by Mayor Pro Tem Gilmore and seconded by Councilman Ferguson, the Council voted four (4) "ayes" and no (0) "nays" to declare a vacancy in Place No. 3 on the Board of Directors of the Lewisville Local Government Corporation; and appoint Councilman Brandon Jones to Place No. 3 of the Board of Directors of the Lewisville Local Government Corporation. The motion carried.

**Provide Direction to City Staff Regarding a
Potential Date for a Charter Amendment
Election**

(Agenda Item G-10)

City Council reviewed the 2015 Charter Review Commission's final recommendations at the July 20, 2015, City Council workshop. Since no decision was made at that time related to the calling of a charter election, the topic was brought back for consideration at the January 25, 2016, City Council meeting. Direction was given at that time to bring the item back before the City Council in January 2017. At this time, City staff is requesting that this topic be discussed at the City Council Retreat scheduled for February 3 and 4, 2017.

The City staff's recommendation was that the City Council provide direction to City staff regarding a potential date for a Charter Amendment Election.

**Provide Direction to City Staff Regarding a
Potential Date for a Charter Amendment
Election (cont'd)**

(Agenda Item G-10)

MOTION: Upon a motion made by Deputy Mayor Pro Tem Vaughn and seconded by Councilman Ferguson, the Council voted four (4) “ayes” and no (0) “nays” to direct City staff to include this topic to be discussed at the City Council Retreat scheduled for February 3 and 4, 2017. The motion carried.

**Consideration of a Professional Services
Agreement with Todd Bressi in the Amount
of \$62,000 for Consulting Services Related to
Creating a Public Art Master Plan**

(Agenda Item G-11)

A selection team of city staff and arts community representatives reviewed proposals and chose Todd Bressi (with Meridith McKinley) to develop a public art master plan for the city. Bressi and McKinley have completed more than a dozen similar plans for other cities, including four in North Texas. Funding is available in the FY 2016-17 Hotel Fund budget. Completion of the Public Art Master Plan is anticipated by Fall of 2017.

The City staff’s recommendation was that the City Council approve the agreement as set forth in the caption above.

James Kunke, Community Relations & Tourism Director, was present to respond to any questions posed by the City Council.

MOTION: Upon a motion made by Councilman Ferguson and seconded by Councilman Jones, the Council voted four (4) “ayes” and no (0) “nays” to approve a Professional Services Agreement with Todd Bressi in the amount of \$62,000 for consulting services related to creating a Public Art Master Plan. The motion carried.

Reports

(Agenda Item H)

- Police Chief William Kerbow advised of Coffee with Cops being held on Tuesday, January 10th from 5:30 p.m. – 7:00 p.m. at The Perc Coffeehouse. He advised this was an opportunity for the community to meet with members of the Police Department in a neutral space.
- Director of Public Services Keith Marvin advised of the lake level.
- Mayor Pro Tem Gilmore advised that the annual passes for Lake Park and LLELA were now available and able to be used.
- Councilman Ferguson reviewed upcoming events at the MCL Grand Theatre.
- Mayor Durham thanked City Secretary Julie Heinze for handling the agenda reading. He also thanked the Police Officer for his presence at the meeting and service to the community.

There were no additional reports at this time.

Mayor Durham adjourned the regular session of the Lewisville City Council into Closed Session at 7:20 p.m. Monday, January 9, 2017, in accordance with the requirements of the Open Meetings Law.

Closed Session

(Agenda Item I)

In accordance with Texas Government Code, Subchapter D, the Lewisville City Council convened into Closed Session at 7:20 p.m. on Monday, January 9, 2017, City Council Conference Room of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas, in order to discuss matters pertaining to the following:

Section 551.071 (Consultation with Attorney)

1. Consideration of Settlement of Contractual Dispute with Atlas Barnett, LLC f/k/a Titan Operating, LLC

Section 551.072 (Real Estate)

2. Property Acquisition

Section 551.087 (Economic Development):

3. Deliberation Regarding Economic Development Negotiations

The Closed Session was adjourned at 7:39 p.m. on Monday, January 9, 2017.

**Reconvene into Regular Session and
Consider Action, if any, on Items Discussed
in Closed Session**

(Agenda Item J)

Mayor Durham reconvened the Regular Session of the Lewisville City Council at 7:39 p.m. on Monday, January 9, 2017, in the Council Chambers of the Lewisville City Hall.

Mayor Durham opened the floor for action to be taken on the items discussed in the Closed Session.

MOTION: Upon a motion made by Mayor Pro Tem Gilmore and seconded by Councilman Ferguson, the Council voted four (4) “ayes” and no (0) “nays” to accept Atlas Barnett, LLC formerly known as Titan Operating, LLC’s offer of \$100,000 to settle the contractual dispute regarding outstanding spud fees and authorize the Mayor or his designee and the City Attorney or her designee to sign any necessary documents. The motion carried.

There was no additional action taken on the items discussed during the Closed Session.

Adjournment

(Agenda Item K)

MOTION: Upon a motion made by Councilman Ferguson and seconded by Councilman Jones, the Council voted four (4) “ayes” and no (0) “nays” to adjourn the Regular Session of the Lewisville City Council at 7:40 p.m. on Monday, January 9, 2017. The motion carried.

These minutes approved by the Lewisville City Council on the 23rd day of January, 2017.

APPROVED

Rudy Durham
MAYOR

ATTEST:

Julie Heinze
CITY SECRETARY

GENERAL CONTRACTOR PROCUREMENT OPTIONS

BENEFITS & RISKS

CITY OF LEWISVILLE'S COUNCIL WORK SESSION
JANUARY 9, 2017

Awarding Contracts for Facilities

- Texas municipalities have about six options per statute
- Focus here will be on comparing 2 common methods:
 - Competitive Sealed Proposals
 - Construction Manager at Risk (Two Step Process)
- Just this comparison alone could be a day long seminar
- Simplified and presented quickly due to time constraints
- Contact the CMO's office with any follow-up questions

Competitive Sealed Proposals

- 100% Construction Documents Completed by Architect
- Ads Published & 100% CDs Issued to All Interested GCs
- GCs Send Docs > Subs; Receive Sub Bids & Collate
- Offers for Entire Project Received, Opened & Read
- Teams Ranked with Published City Criteria (Price is One)
- Negotiation Starts with Highest Ranked Firm, etc.

CMAR Two-Step Process

- Request for Qualifications Advertised & Issued to GCs
- Five Firms (or Less) Selected using City Criteria (No \$s)
- Request for Proposal > "Shortlist" (GC Fee & OH \$, etc.)
- Shortlisted Firms Interviewed & Ranked w/CoL Criteria
- GC Added to Team when Docs are ~ 25% Complete
- GC Advertises; Docs > Subs; Receive Sub Bids & Collate
- Guaranteed Maximum Price Prepared & Validated

Benefits & Risks

<u>Description</u>	<u>CSP</u>	<u>CMAR</u>
■ Most Traditional Method	√	
■ Input During Design		√
■ Sharing of Cost Risk		√
■ Best Advance Notice > Subs		√
■ Best Evaluation of Sub Bids		√
■ Less Adversarial Method		√

CMAR Selection & Services Schedule

Request for Quals JAN

Proposals Due MAR

Interviews Early APR

Council Vote 17 APR Mtg

CMAR
Starts
Preconstruction
Services

✓ Design Docs ~ 25% Done APR 2017

✓ Cost Estimating during Design

✓ Final Price > Owner MAR 2018

CONSTRUCTION COST ESCALATION OVERVIEW

DALLAS-FORT WORTH METROPLEX

CITY OF LEWISVILLE'S COUNCIL WORK SESSION
JANUARY 9, 2017

Construction Cost Escalation

- Dallas-Fort Worth one of the hottest markets now
- Has been for more than three years
- Escalation Rate now 0.8 %/month, or 9.6% per year
- Based on demand continuing to outstrip supply
- Demand for subcontractors drives; not mat'l/labor
- Common indices (e.g ENR, CPI, Davis-Bacon) miss it
- PPV's historic data, & recent market confirm this

Escalation Continued in 2016



concrete will increase \$8 per cubic yard

February 29, 2016

Dear Valued Customer,

We are extremely grateful for your continued business. With a year of record rainfall in DFW now behind us, Martin Marietta is well positioned and determined to deliver on your project needs.

While operational conditions are improving, ready mix suppliers continue to incur increasing raw material costs on cement, aggregate and fly-ash. Furthermore, the increasingly high demand for raw materials continues to impose challenges on availability throughout the material supply chain.

In order to keep pace with the ongoing demand and the increased cost of raw materials, Martin Marietta will be implementing the following pricing structure, effective April 1, 2016, for the DFW District:

- The price of ready-mix concrete will increase \$8 per cubic yard
- Full sack adjustments of cement will remain \$6 per cubic yard
- The cost for the use of straight cement mixes will remain \$3 per cubic yard
- Service Fee's will remain \$30 per load
- Opening fee's for Saturday's and Sunday's (subject to DOT hours of service)
- Cancellation fees for Saturday and Sunday pours will be imposed
- Recycle Plan rental fee structure (contact sales representative for pricing)
- Quotations issued post April 1, 2016 will reflect an increase on all ancillary fees

As a reminder, all project quotations will expire 30 days beyond the date of issue. Commitments made beyond the 30 day expiration date will be subject to further pricing negotiation. Projects under contract prior to April 1, 2016 will continue to be invoiced in accordance to the original purchase order agreement.

We truly appreciate your business.

Most respectfully,



Derek S. Gordon
Vice President/General Manager- Ready Mix
Dallas/FT. Worth District



Wes Marsh
District Sales Manager



To Our Valued Customers,

As we navigate through dynamic steel markets, we will attempt to help provide an understanding of the current and future market conditions.

Current environment:

- Pricing up over 50% since March 2016 (see attached)
- Global steel availability limitations and outages
- Impact of U.S. Department of Commerce determination of countervailing tariffs.
- Pricing on Fuel, Scrap and Iron Ore sharply rebound
- U.S. economic influences, Strong Automotive and Construction markets

Forecasting supply disruptions is impossible, but current market dynamics clearly have risk, with pricing skewed to the upside in the near term. In the past month, North Star and CDW suffered blast furnace outages limiting their production while US Steel has seen their #1 blast furnace hampered. Based on the mills flat rolled lead times and pricing strength, we believe current domestic hot dipped galvanized capacity utilization is above 90 percent.

As expected during price increases, unusually high ordering patterns (150% over normal) have caused lead-times to extend several weeks. Orders will reflect our price at the time of shipment and not when the order was placed.

Our Current 2016 Price Increases include the following:

April 15th 2016 - 10%

June 1st 2016 - 15%

July 1st 2016 - 15% - 20% depending on the market

August 2016 – To be determined by market

Next Steps

- Define Available Funding Today
- Publicize New Base Scope & Possible Alternates
- Stick to Cost Management Strategies
- Report Back as Each Project Bids to Subcontractors
- Publicize Final Scope to Stakeholders
- Break Ground
- Attend the Grand Opening Celebration !

CAPITAL PROJECTS PRIORITIZATION

JAN 9 2017

1

PRESENTATION OVERVIEW

- Overall CIP cost escalation, Chris Squadra, Peak Program Value, LLC
- Multi-Generational Center (MGC) process/options
- Park projects overview – current and planned
- Decisions regarding Overall Parks Projects Priority and Funding and Multi-Generational Center needed as a result of CIP construction cost increases and LISD not participating in Nature Center
- Street Projects
- Facility Projects
- Utility Projects

2

MGC CREATION

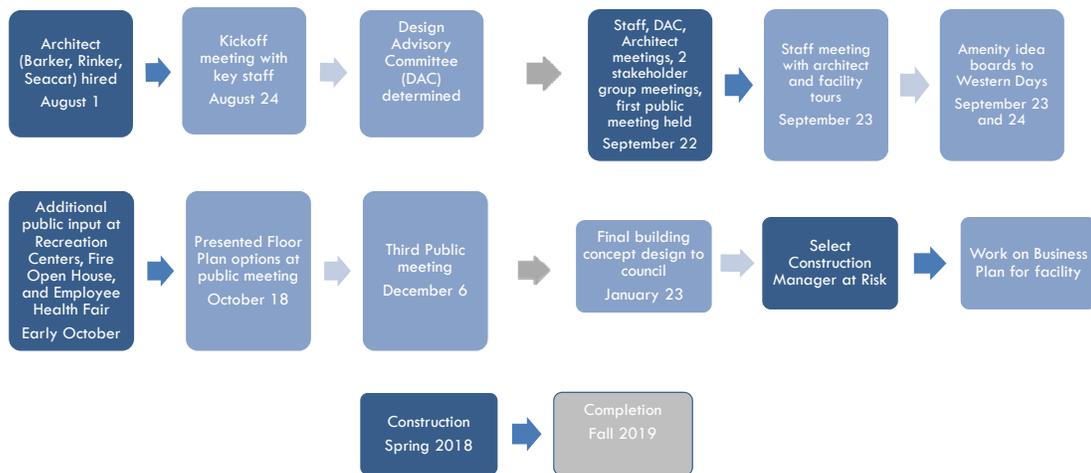
Project was created during Blue Ribbon/ Lewisville 2025 discussions

- Combine Memorial Park Recreation Center and Senior Center

- Bond Election held for MGC (\$25.1M) and Aquatics Facility (\$13M) approved for total of \$38.1M
 - Cost estimate based on Grapevine project results – cost per square foot
 - Escalated based on a 2016 start date
 - Assumed utilizing existing utilities (later determined to be not be feasible)

- Bond propositions related to park projects:
 - The issuance of \$39,900,000 for park, open space, public art and recreation improvements and facilities
 - The issuance of \$13,000,000 for an indoor aquatic center and water recreation facilities

MGC DESIGN CONCEPT, PUBLIC INPUT PROCESS



MGC PUBLIC INPUT



5



ORIGINAL SCOPE

Building – Provide additions to existing recreation and senior center buildings as shown in original bond project scope.

Site – Add additional parking to existing parking lot. Approximately 150 spaces.

During initial due diligence period, architect recommended that current facilities not be repurposed.

PARKING CAPACITY:

192 existing parking spaces
 150 new parking spaces
 342 total spaces

BUDGET IMPACT:

Further study of existing building condition would be necessary to determine budget impact. Initial due diligence noted potential problems with existing facilities that would be expensive to repair with minimal impact to available space. The issues noted included:

- Structural Foundation Issues
- Presence of former stock pond in parking lot / building footprint
- Outdated mechanical equipment that would not meet energy code
- Accessibility issues that would require total renovation of toilet rooms
- Compromises in building program to fit within available spaces in existing building
- Buildings at different elevations complicate accessibility issues
- Inefficient parking configuration

ORIGINAL SCOPE – SITE PLAN

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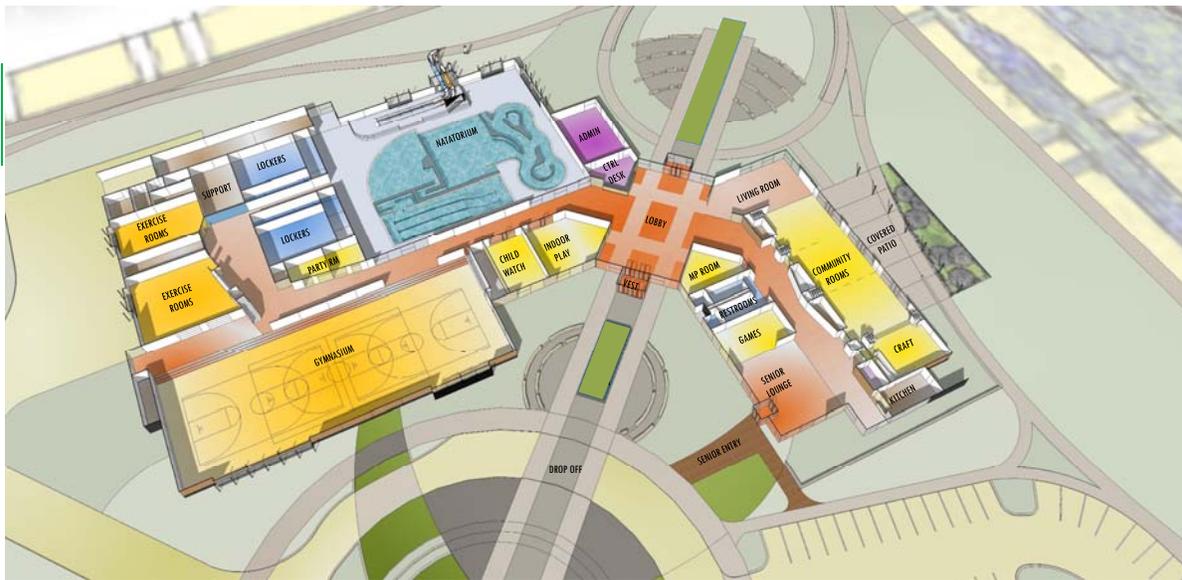
ORIGINAL SCOPE - FLOOR PLAN



MEMORIAL PARK

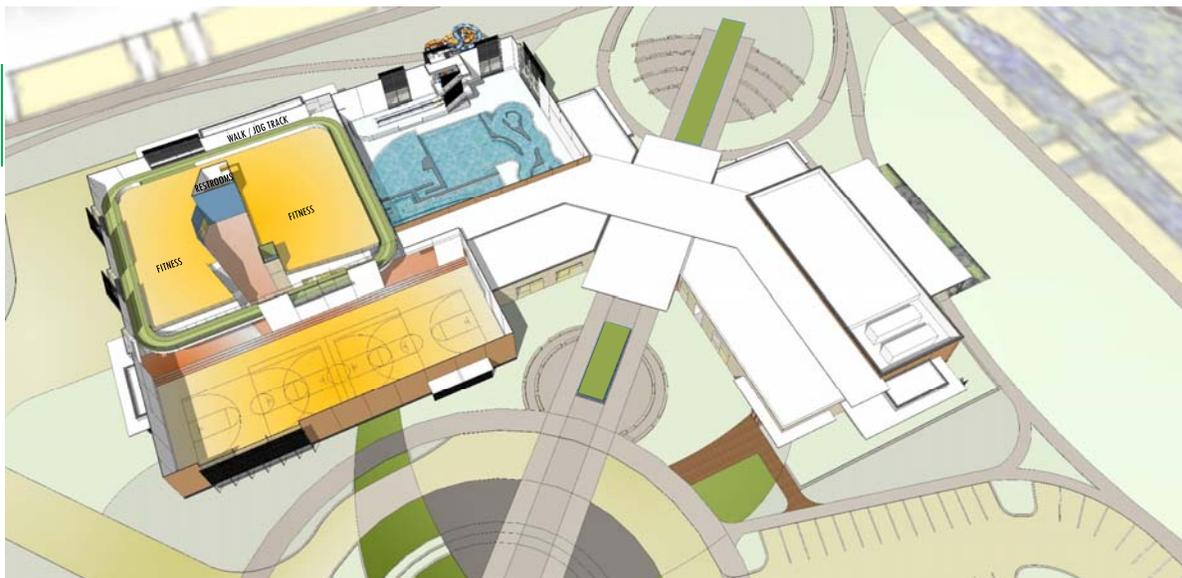
VALLEY VISTA NATURE PARK

OVERALL SITE MASTERPLAN



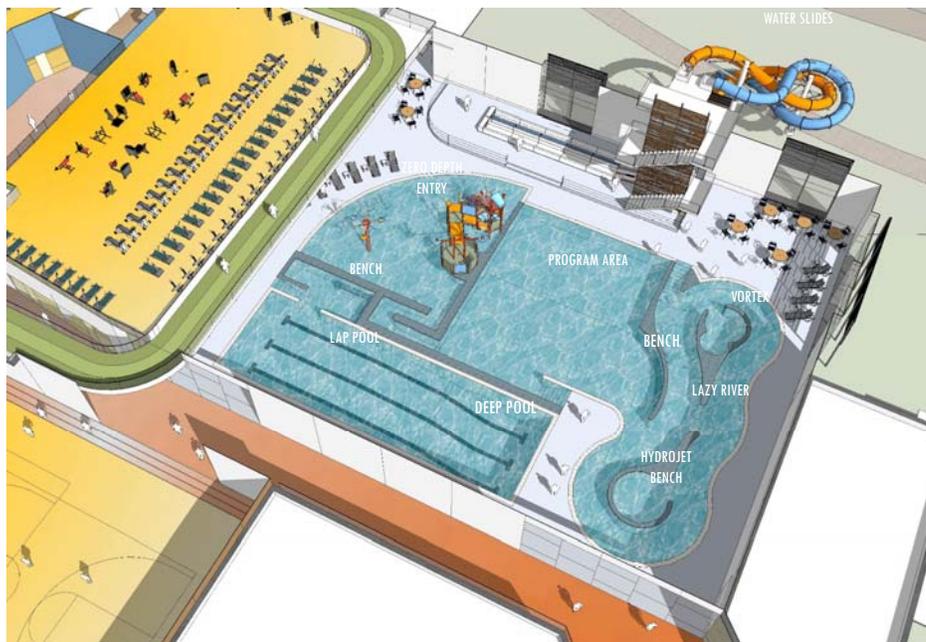
MAIN FLOOR

9



UPPER FLOOR

10



NATATORIUM



MAIN ENTRY



NATATORIUM

13



FITNESS

14



SENIOR ENTRY

15



COVERED PORCH

16



VIEW FROM INTERSECTION

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PHASING OPTION 1

OPTION 1:

Building - Provide entire 85,000 s.f building program as developed by Community Design Advisory Committee, Lewisville Staff, and Public Input process.

Site - Provide minimal site work that includes the following:

- Vehicle Drop Off
- Main Entry Plaza
- Loading area
- 24 New Accessible Parking Spaces adjacent to Senior Wing
- Reuse existing vehicle access drive
- Reuse existing parking
- Demolish existing buildings

PARKING

CAPACITY:

Approximate parking space numbers:

192 existing parking spaces

24 new accessible spaces

216 total spaces

BUDGET IMPACT:

Option adds \$6.4 M above initial project budget

Total Budget \$44.5 M

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OPTION 2 :

- Includes all of Option 1 and additional site features:
- 100 Parking Spaces in masterplan configuration
 - Start of bioswale drainage tied to Lewisville sustainability goals
 - New access drive from S Valley Parkway
 - Reuse west side of existing vehicle access drive
 - Reuse west half of existing parking

PARKING

CAPACITY :

Approximate Parking Space Numbers:
 110 existing parking spaces
 24 new accessible spaces
100 new parking spaces
 234 total spaces

BUDGET IMPACT :

Option adds \$7.9 M above initial project budget

Total Budget \$46 M

PHASING OPTION 2



OPTION 3 :

- Includes all of Option 2 and additional site features:
- All of masterplan parking area including spaces along west entry access drive
 - Completion of bioswale drainage tied to Lewisville sustainability goals
 - Completion of new access drive from S Valley Parkway

PARKING

CAPACITY :

Approximate parking space numbers:
 24 new accessible spaces
 60 new parking spaces along access drives
250 new parking spaces in bays
 334 total spaces

BUDGET IMPACT :

Option adds \$8.9 M above initial project budget

Total Budget \$ 47 M

PHASING OPTION 3



OPTION 4:

- Includes all of Option 3 and additional site features:
- Northeast community event plaza / Nature Park gateway
 - S Valley Parkway "Field of Flowers"
 - Landscaping north of building
 - Landscaping in center of drop off circle
 - Completion of vehicle drop off circle

PARKING CAPACITY:

Approximate Parking Space Numbers:
 24 new accessible spaces
 60 new parking spaces along access drives
250 new parking spaces in bays
 334 total spaces

BUDGET IMPACT:

Option adds \$10.2 M above initial project budget
 Total Budget \$ 48.3 M

PHASING OPTION 4



OPTION 5:

Building - Provide reduced scope building to meet original budget. Scope reduction from base program included the following:

- ELIMINATE GYM
- REDUCE NATATORIUM AND POOL BY 10%
- DEFER WATER SLIDES
- ELIMINATE COMMUNITY ROOM PORCH
- 20% WINDOW AREA REDUCTION
- REDUCE LOCKER ROOM CEILING QUALITY

Site - Provide minimal site work similar to Option 1 with reductions related to reduced building square footage.

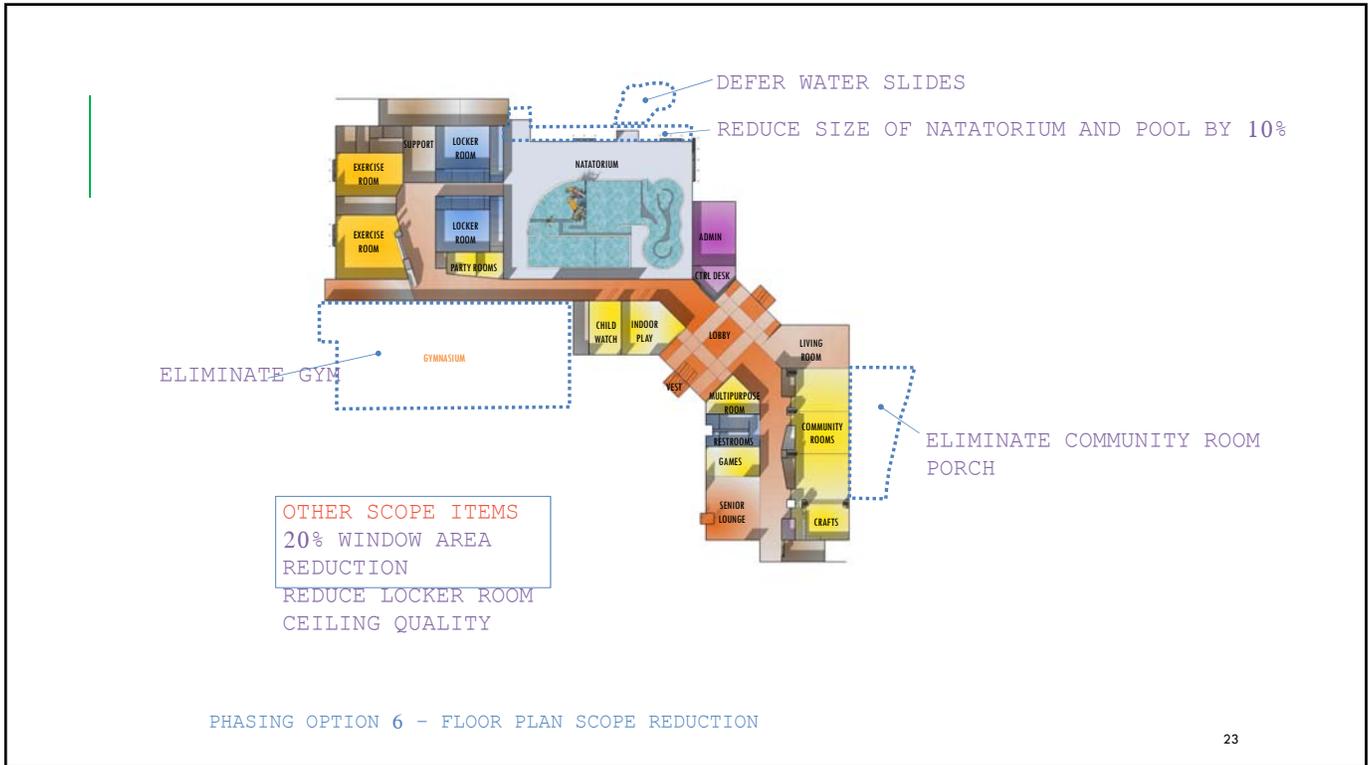
PARKING CAPACITY:

Approximate parking numbers:
 192 existing parking spaces
24 new accessible spaces
 216 total spaces

BUDGET IMPACT:

Option adds \$0 M above initial project budget
 Total Budget \$ 38.1 M

PHASING OPTION 5



CURRENT PARK INVESTMENT CIP PROJECTS

Park Improvements (\$4,886) - infrastructure improvements (4B)

Park ADA Improvements (\$54,314) (4B)

Lake Park Improvements (\$46,975) (4B)

RR Park (\$10,739) – improvements to Toyota of Lewisville RR Park – camera replacement (4B)

Lone star TOL RR Park (\$306,669) – Sponsorship funding to be used for one time events/activities and improvements (Naming Rights Agreement)

LLELA (\$106,327) – improvements to LLELA as needed (GF)

Trail Development (\$279,503) – planned for future matches for trail grants (4B)

FLAP Lake Park Improvements – (\$26,255) will be used for roadway and parking area improvements - this is part of the match to the grant (4B)

CURRENT PARKS INVESTMENT CIP PROJECTS

Pool repainting/coating (\$9,016) – will be used for pool surface coating (4B)

Kayak Take Out Points – (\$1,699,844) – two access points to river for kayaking (4B)

Nature Center (\$8,108,225) – amount currently set aside of \$20M needed (green centerpiece master strategy #33 denotes 17-18 for design and 19-20 for construction) (4B)

MGC (\$973,432) – funding currently available for design work (G O Bond)

Park Land Purchase (\$1,500,000) (C.O.s sold for park purposes)

Garden Ridge Trail (\$2,059,506) – Grant and 4B City match funding for trail

Lake Park Soccer Fields Turf Renovation (\$3,735) – completing project currently - may can be transferred to another like project (4B)

Lake Park road improvements (\$282,000) (GF)

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PLANNED DEBT ISSUANCES

Current Schedule:

▪ MGC*	\$33,705,000	2017-18	G O Bond
▪ Lake Park Day Use	\$5,100,000	2019-20	G O Bond
▪ Lake Park Campground/Pavilion Imp	\$2,600,000	2020-21	G O Bond
▪ Trail Development	\$2,007,000	2021-22	G O Bond
▪ Trail Development	\$2,000,000	2022-23	G O Bond
▪ Trail Development	\$3,093,000	2023-24	G O Bond
▪ East Hill Park	\$8,000,000	2024-25	4B Bond
▪ Herring Recreation Center	\$2,000,000	2024-25	4B Bond
▪ Trail Development	\$7,000,000	2024-25	4B Bond

*Sold \$4.395M for design in FY 2015-16.

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DECISION POINT – PRIORITY OF PARKS PROJECTS

1. MGC/Aquatic Facility
2. Nature Center
3. Valley Vista
4. Trails
5. Lake Park Improvements
6. Herring Rec Center Renovation*
7. Land Purchases
8. East Hill Park (have existing master plan (2002) that will need to redone)

*City Council will need to consider future use of center: PALS Admin offices, racquetball courts, gym, etc.

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DECISION POINT – OPTION ON MGC

<u>Option</u>	<u>Cost</u>	<u>Amenities</u>	<u>Over budget amount</u>
Option 1	\$44.5M	85,000 sq ft new building	\$6.4M
Option 2	\$46M	+100 parking spaces, start of bioswells, new access drive	\$7.9M
Option 3	\$47M	+ all parking, and complete bioswells	\$8.9M
Option 4	\$48.3M	+plaza/gateway, field of flowers, landscaping, drop off circle	\$10.2M
Option 5	\$38M	no gym, defer water slides, reduce natatorium, eliminate porch	\$ -0-

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DECISION POINT - FUNDING

Funding Needs:

- MGC/Aquatic Facility - \$6.4M to \$10.2M depending on option selected
- Valley Vista Park - \$1M estimate
- Nature Center - \$12M (currently have \$8.1M)
- Lake Park ADA Improvements - \$222,569 (currently have \$97,431 in existing projects)

Funding Options:

- 4B Bond sale sooner than 24-25
- Re-allocate funds from land purchase - \$1.5M
- Delay Nature Center or fund another way. Use current \$8M (or a portion) for MGC
- Allocation from 4B Fund balance - \$2M
- Recreation Fund balance - \$480K
- Park development fee - \$454K

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RECOMMENDATIONS BASED ON MAXIMIZING DEDICATED SOURCES OF FUNDING FOR PARKS AND MAINTAINING G O BOND PROGRAM PLANNED ISSUANCES

Recommended Funding:

- MGC/Aquatic Facility - Reallocate \$8M in 4B cash currently allocated for Nature Center = \$46.1M
- Nature Center - \$2M 4B fund balance, reallocate \$1.5M C.O.s , \$480K Recreation fund balance, \$454K Park Development fees = \$4.434M for design of nature center. Sell \$15.566M in 4B bonds in 19-20 for construction.*
- Valley Vista Park - General Fund \$1,000,000
- ADA Lake Park Improvements – supplement will be requested at mid-year from 4B or General Fund Balance - \$222,569

*Hold Charrette process with partners in Winter/Spring 2017

Impacts:

2024-25 4B Bonds previously discussed to be issued for trails, East Hill Park, and Herring Recreation Center renovation will be delayed 5 – 6 years; although Herring Recreation Center could be renovated utilizing General Fund dollars, if determined to be a higher priority. Lake Park/campground improvements would continue as planned.

Funding for land purchases would have to be re-programmed.

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