

A G E N D A

**LEWISVILLE CITY COUNCIL MEETING
JULY 17, 2017**

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

WORKSHOP SESSION - 6:00 P.M.

REGULAR SESSION – 7:00 P.M.

Call to Order and Announce a Quorum is Present.

WORKSHOP SESSION - 6:00 P.M.

- A. Presentation and Discussion on Proposed Unified Sign Area Regulations
- B. Economic Development Report
- C. Discussion of Regular Agenda Items and Consent Agenda Items

REGULAR SESSION – 7:00 P.M.

- A. **INVOCATION:** Councilman Ferguson
- B. **PLEDGE TO THE AMERICAN AND TEXAS FLAGS:** Mayor Durham

PRESENTATION: Certificates of Appointment and Oaths-of-Offices to Reappointed and Newly Appointed Members of the City's Boards/Commissions/Committees.

- C. **PUBLIC HEARING:** Consideration of Public Input on the Draft Community Development Block Grant 2017-2022 Consolidated Plan, and 2017 Annual Action Plan.

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ADMINISTRATIVE COMMENTS:

A Consolidated Plan (Con Plan) for Housing and Community Development must be submitted every three to five years to the U.S. Dept. of Housing and Urban Development (HUD) as requirement to receive Community Development Block Grant (CDBG) funds. The Con Plan outlines priorities and goals for the CDBG program for the next five years. It also incorporates goals from the Assessment of Fair Housing that was submitted to HUD earlier this year. Additionally, an Annual Action Plan must be submitted to receive \$604,261 in CDBG funds for FY 2017-2018. The Plans were developed with citizen input including surveys and public meetings. This process continues with this public hearing and further comments may be accepted during a 30-day public comment period ending July 24. The CDBG Advisory Committee reviewed proposals submitted by non-profit agencies and City departments. They recommended a draft budget for the Action Plan on July 11, 2017 by a vote of 6 to 0, and will consider a recommendation for adoption of the plans at their regular July 18, 2017 meeting. The plans must be submitted to HUD by August 16, 2017.

RECOMMENDATION:

That the City Council hold the public hearing and consider public input prior to adoption of the plans at its next meeting on August 7, 2017.

- 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 19, 2017, Workshop Session and Regular Session.
 2. **Approval of an Award for Enhanced Bill Payment Option Services to Paymentus Corporation, Charlotte, North Carolina; and Authorization for the City Manager to Execute the Contract.**

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ADMINISTRATIVE COMMENTS:

A total of twenty-eight (28) request for proposals were downloaded from Bidsync.com. Seven (7) proposals were received and opened on February 2, 2017. The services offered provide an enhanced electronic payment platform that utilizes real-time processing integrated with the City's utility software program. The term of the contract is five (5) years, with options to extend for up to three (3) additional one-year extensions. Funding is available in the Utility Billing and Cashiering division of the Finance department FY17 budget.

RECOMMENDATION:

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

- 3. Approval of an Interlocal Agreement Between the City of Lewisville and the Lewisville Independent School District for the School Resource Officer Program; and Authorization for the City Manager to Execute the Agreement.**

ADMINISTRATIVE COMMENTS:

This agreement authorizes and modifies an existing agreement to allow the Chief of Police and the Superintendent of Schools to make school assignments upon mutual agreement. There are six School Resource Officers assigned to work at LISD's middle school and high school campuses.

RECOMMENDATION:

That the City Council approve the Interlocal Agreement as set forth in the caption above.

- 4. Approval of Temporary Street Closure on a Portion of Church Street in Connection with Weekly Farmers Market.**

ADMINISTRATIVE COMMENTS:

The weekly Farmers Market in Old Town moved from the City Hall East Parking Lot to Church Street during the Sounds of Lewisville concerts in June and July. This location has allowed more space for vendors and increased visibility. Staff is requesting approval to leave the market on Church Street through October. This will require closing Church Street, between Mill and Charles, from approximately 2 p.m. to 9 p.m. on market days.

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RECOMMENDATION:

That Council approve the temporary street closure described in the caption above.

- 5. Approve a Resolution of the City Council of the City of Lewisville, Texas, Calling a Public Hearing for the Levy of Assessments for Authorized Improvements in the Lewisville Castle Hills Public Improvement District No. 6; Setting a Date for Public Hearing; Authorizing the Publication of Notice; and Enacting Other Provisions Relating Thereto.**

ADMINISTRATIVE COMMENTS:

Lewisville Castle Hills Public Improvement District No. 6 was created by City Council on May 6, 2013. The original Service and Assesment Plan and Assessment Roll associated with this District was approved on August 18, 2014 and provided for the levying of assessments for funding of infrastructure improvements. An election on November 3, 2015 was held and the District's existing property owners approved a new Joint Utility Contract and Joint Road Contract which requires a new assessment to be apportioned to finance additional infrastructure improvements. An amended Service and Assessment Plan and Assessment Roll has been created to include this new amended levy. The next step of this process is to approve a resolution calling for a public hearing.

RECOMMENDATION:

That the City Council consider approval of the resolution as stated in the caption above.

F. REGULAR HEARINGS:

- 6. Consideration of an Ordinance Approving the Amended and Restated 2016 Joint Utility Contract Between the City of Lewisville, Texas, Denton County Fresh Water Supply District No. 1-A and Denton County Fresh Water Supply District No. 1-F (The "Amended Joint Utility Contract") Providing For Severability; Providing a Repealer; Providing an Effective Date; and Declaring an Emergency.**

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ADMINISTRATIVE COMMENTS:

A Joint Utility Contract has been authorized, executed and implemented in accordance with the provisions of Chapters 49, 51, and 53 of the Texas Water Code between Denton County Fresh Water Supply District 1-A, 1-F and the City of Lewisville. The City approved the current contract on January 7, 2008 in order to implement the provisions of the Castle Hills Public Improvement District No. 4 Service and Assessment Plan and proceed with the financing of infrastructure improvements within the District. An election was held within the District on November 16, 2016 and approval was given for an Amended Joint Utility Contract and increased authorization for the issuance of refunding bonds.

RECOMMENDATION:

That the City Council consider approval of the ordinance as set forth in the caption above.

- 7. Consideration of an Ordinance Updating the Assessment/Service Plan and Assessment Roll for Lewisville Castle Hills Public Improvement District No. 4; Providing a Repealer; Providing For Severability; Providing an Effective Date; and Declaring an Emergency.**

ADMINISTRATIVE COMMENTS:

City Council approved a resolution on April 2, 2007 authorizing the creation of Lewisville Castle Hills Public Improvement District (PID) No. 4. On May 21, 2007, a Service and Assessment Plan and Assessment Roll was adopted. On May 19, 2014 a public hearing was held and an amended and supplemental plan was adopted for development changes due to lots being subdivided into different sizes that had not originally been anticipated in the original Service and Assessment Plan. This item is an update to the 2014 plan and identifies public improvement costs to be provided by the PID along with related information concerning the current outstanding assessments and indebtedness.

RECOMMENDATION:

That the City Council consider approval of the ordinance as stated in the caption above.

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- 8. Consideration of an Ordinance Authorizing the Issuance of Not To Exceed \$13,580,000 City of Lewisville, Texas, Combination Contract Revenue and Special Assessment Refunding Bonds, Series 2017 (Lewisville Castle Hills Public Improvement District No. 4 Project) (the “Series 2017 Refunding Bonds”) in Accordance With the Terms of a Fourth Supplemental Trust Agreement; Authorizing the Defeasance and Refunding of \$[Refunded Par Amount] City of Lewisville, Texas, Combination Contract Revenue and Special Assessment Capital Improvement Bonds, Series 2008 (Lewisville Castle Hills Public Improvement District No. 4 Project) (the “Series 2008 Bonds” or the “Refunded Bonds”); Approving and Authorizing the Execution of the Fourth Supplemental Trust Agreement; Authorizing a Final Offering Statement Pertaining to the Issuance of the Series 2017 Refunding Bonds; Delegating Authority to Authorized Officials to Finalize Certain Sale Terms Relating to the Series 2017 Refunding Bonds; Finalize an Escrow Agreement and Finalize a Bond Purchase Agreement; Providing a Repealer, Severability, and an Effective Date; and Containing Other Matters Related to the Series 2017 Refunding Bonds.**

ADMINISTRATIVE COMMENTS:

Denton County Fresh Water Supply District No 1-F has requested the City to authorize and approve the issuance of up to \$13,580,000 of said bonds above for the purpose of refunding a portion of the 2008 Contract Revenue and Special Assessment Bonds and pay certain costs incurred in connection with the issuance of the bonds.

RECOMMENDATION:

That the City Council consider approval of the ordinance as set forth in the caption above.

PRESENTATION: - Ross Martin, Kelly Hart and Hallman LLP

- 9. Consideration of an Ordinance Updating the Assessment/Service Plan and Assessment Roll for Lewisville Castle Hills Public Improvement District No. 6; Providing a Repealer; Providing For Severability; Providing an Effective Date; and Declaring an Emergency.**

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ADMINISTRATIVE COMMENTS:

City Council approved a resolution on May 6, 2013 authorizing the creation of Lewisville Castle Hills Public Improvement District (PID) No. 6. On August 18, 2014, a Service and Assessment Plan and Assessment Roll was adopted. This item is an update to the plan and identifies public improvement costs to be provided by the PID along with related information concerning the indebtedness to be incurred and the current outstanding assessments and indebtedness.

RECOMMENDATION:

That the City Council consider approval of the ordinance as stated in the caption above.

- 10. Consideration of an Ordinance Authorizing the Issuance of \$7,690,000 City of Lewisville, Texas, Combination Contract Revenue and Special Assessment Utility System Bonds, Series 2017 (Lewisville Castle Hills Public Improvement District No. 6 Project) (the “Series 2017 Utility Bonds”) in Accordance With the Terms of That Certain Master Trust Agreement and Second Supplemental Trust Agreement; Approving and Authorizing the Execution of the Second Supplemental Trust Agreement; Authorizing a Final Limited Offering Memorandum Pertaining to the Issuance of the Series 2017 Utility Bonds; Approving a Bond Placement Agreement; Providing a Repealer, Severability, and an Effective Date; and Containing Other Matters Related to the Series 2017 Utility Bonds.**

ADMINISTRATIVE COMMENTS:

Denton County Fresh Water Supply District No 1-H has requested the City to authorize and approve the issuance of up to \$7,690,000 of said bonds above for the purpose of acquiring certain water, sewer, and drainage facilities and to pay certain costs incurred in connection with the issuance of the bonds.

RECOMMENDATION:

That the City Council consider approval of the ordinance as set forth in the caption above.

PRESENTATION: - Ross Martin, Kelly Hart and Hallman LLP

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- 11. Consideration of an Ordinance Authorizing the Issuance of \$15,310,000 City of Lewisville, Texas, Combination Contract Revenue and Special Assessment Road System Bonds, Series 2017 (Lewisville Castle Hills Public Improvement District No. 6 Project) (the “Series 2017 Road Bonds”) in Accordance With the Terms of That Certain Master Trust Agreement and Second Supplemental Trust Agreement; Approving and Authorizing the Execution of the Second Supplemental Trust Agreement; Authorizing a Final Limited Offering Memorandum Pertaining to the Issuance of the Series 2017 Road Bonds; Approving a Bond Placement Agreement; Providing a Repealer, Severability, and an Effective Date; and Containing Other Matters Related to the Series 2017 Road Bonds.**

ADMINISTRATIVE COMMENTS:

Denton County Fresh Water Supply District No 1-H has requested the City to authorize and approve the issuance of up to \$15,310,000 of said bonds above for the purpose of acquiring and constructing certain streets and roads and to pay certain costs incurred in connection with the issuance of the bonds.

RECOMMENDATION:

That the City Council consider approval of the ordinance as set forth in the caption above.

PRESENTATION: - Ross Martin, Kelly Hart and Hallman LLP

- 12. Consideration of Three Variances to the 1996 Castle Hills Agreement Related to a Proposed Single-Family Residence at 1001 Excalibur Boulevard, as Requested by Jojoy Koshy, President of Atrium Construction.**

ADMINISTRATIVE COMMENTS:

The 0.55-acre property is located in the Castle Hills Extraterritorial Jurisdiction (ETJ). Atrium Construction, the builder, is requesting the following variances: a) to allow the single-family residence to encroach approximately five feet into the required 25-foot front setback, b) to allow lot coverage to exceed 40%, and c) to allow the building height to exceed the 35-foot maximum. The subject property is a corner lot impacted by the street curvature on the northeastern portion of the lot creating an irregular lot shape.

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RECOMMENDATION:

That the City Council approve the three requested variances as set forth in the caption above.

AVAILABLE FOR - Richard E. Luedke, Planning Director
QUESTIONS: - Jojy Koshy, Atrium Construction

- 13. Consideration of an Ordinance, Amending Chapter 6, Land Development Regulations, Article Six of the Lewisville City Code by Adding Section 6-184 to Provide for a Unified Sign Area.**

ADMINISTRATIVE COMMENTS:

This ordinance allows the creation of a unified sign area for multi-lot properties and is aimed at creating identification signage for business parks and commercial properties. This will allow more flexibility in the size and number of signs based on the area of the property and will allow design and architectural creativity to identify larger business parks in Lewisville.

RECOMMENDATION:

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

AVAILABLE FOR - Claire Swann, Assistant City Manager
QUESTIONS:

- 14. Consideration of Changing the Name of the Lewisville Animal Shelter & Adoption Center to Gene Carey Animal Shelter & Adoption Center as Requested by Councilman TJ Gilmore.**

ADMINISTRATIVE COMMENTS:

Gene Carey was elected to City Council in 1993 and served as Mayor from 2000 to 2009, the longest-serving mayor in Lewisville history. He also served on the Animal Services Advisory Committee and was instrumental in planning for the new animal shelter and adoption center, which opened in 2012. Mayor Carey died in 2016; this proposed name change would honor his contributions to the community.

RECOMMENDATION:

That the City Council consider changing the name of the Lewisville Animal Shelter & Adoption Center as set forth in the caption above.

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- 15. Consideration of an Ordinance Ordering a Charter Amendment Election to be Held on Tuesday, November 7, 2017, for the Purpose of Considering Propositions for Changes to the Lewisville City Charter.**

ADMINISTRATIVE COMMENTS:

Per City Council direction the proposed ordinance is being submitted to call a Charter Amendment Election for November 7, 2017. Per the Texas Election Code, the election must be ordered by August 21, 2017 (at least 78 days prior to the election date). In an effort to have ample time to educate the public on the propositions, it is recommended that this election be called at this meeting.

RECOMMENDATION:

That the City Council consider calling the election for the November uniform election date and adopt the proposed ordinance.

- G. **REPORTS:** Reports about items of community interest regarding which no action will be taken.
- Second Quarter 2017 Boards/Commissions/Committees Attendance Reports
 - 2017 Health Fund Report
- 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**

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).