

LEWISVILLE CITY COUNCIL

REGULAR SESSION

NOVEMBER 5, 2018

Present:

Rudy Durham, Mayor

Council Members:

TJ Gilmore
Bob Troyer, Deputy Mayor Pro Tem
R Neil Ferguson
Brent Daniels
Brandon Jones, Mayor Pro Tem

City Staff:

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

WORKSHOP SESSION – 6:30 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 6:30 p.m. on Monday, November 5, 2018, 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 Recyclable Material Collection
and Processing in Lewisville**

(Agenda Item A)

Councilman Gilmore advised that he would be abstaining from discussion and consideration of this Workshop discussion as he is employed by Waste Management of Texas. The appropriate Conflict of Interest Affidavit had been filled out and filed with the City Secretary. Councilman Gilmore stepped out of the Conference Room.

At the request of City Manager Barron, Public Services Director Keith Marvin conducted the attached PowerPoint Presentation regarding Discussion of Recyclable Material Collection and Processing in Lewisville.

City Manager Barron indicated to the City Council that in the past, the City has always made money from the recycling contracts and should this contract start costing money it would need to come back before the City Council at mid-year for some type of budget allocation.

WORKSHOP SESSION – 6:30 P.M.

**Discussion of Recyclable Material Collection
and Processing in Lewisville (cont'd)**

(Agenda Item A)

Due to time constraints, Mayor Durham advised that Workshop Agenda Item B – Presentation Seeking Council Input on 2019 Legislative Agenda would be held following the Regular City Council Session.

Mayor Durham moved on to the following item:

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

(Agenda Item C)

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-1, Public Hearing: Consideration of an Ordinance Granting a Special Use Permit for an Auto Repair Shop; on Approximately 9.632 Acres; Legally Described as Lot 2R 3, Block A, Waters' Ridge Addition Phase II and Located at 1900 Lakeway Drive, Zoned Light Industrial District (LI); as Requested by Bret Flory, Cross Architects, PLLC, on Behalf of Columbia Texas Lakeway Industrial, LLC, the Property Owner. (Case No. SUP-2018-10-14). There was no discussion on this item.

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

Mayor Durham reviewed Agenda Item E-2, Approval of an Amendment to the TxDOT Type R Maintenance Agreement for the Installation and Reimbursement for the Operation and Maintenance of Traffic Signals Within a Municipality by Adding the Traffic Signal at the Interchange of Garden Ridge Boulevard and Interstate Highway 35E (IH 35E) and Adjusting the Reimbursement Amount for the Signal at FM 407 and Interstate 35E (IH 35E) Due to Modification of the Signal Type; and Authorizing the City Manager to Execute the Agreement. There was no discussion on this item.

WORKSHOP SESSION – 6:30 P.M.

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

(Agenda Item C)

Mayor Durham reviewed Agenda Item E-3, Approval 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 Traffic Signals on Interstate Highway 35E (IH 35E) at Turbeville Road/Hundley Drive in the Cities of Hickory Creek and Lake Dallas; and at Lake Dallas Drive/Oak Drive in the Town of Hickory Creek; and Authorize the City Manager to Execute the Agreement. City Manager Barron explained that since Lewisville's population was over 50,000 we had a responsibility, if we choose, to handle the maintenance of their traffic signals for the smaller cities in our area. She advised that historically we have done this. There was no further discussion on this item.

Mayor Durham reviewed Agenda Item E-4, Approval of an Interlocal Cooperation Agreement for Library Services with Denton County; Designation of the Library Services Director as the Official Liaison for the City of Lewisville; and Authorization for the City Manager to Execute the Agreement. There was no discussion on this item.

Mayor Durham reviewed Agenda Item E-5, Authorization for Parkhill, Smith & Cooper, Inc. to Proceed With Phase 2 of a Professional Services Agreement for Architectural and Engineering Services for the Office Allocation and Land Utilization Study, in the Amount of \$71,774. There was no discussion on this item.

Mayor Durham reviewed Agenda Item E-6, Approval of Alcohol Sales at the Lewisville Public Library's Bad Art Night, a Special Evening Event for Adults Ages 21 and Over Being Held on December 14, 2018. Deputy Mayor Pro Tem Troyer requested that local products be made available at this event (Old Town Brewhouse, Witherspoon, LaRue). He stated that he felt it was important to support local businesses. Clarification was given that he was not requesting exclusively these products, just that they be made available. Discussion was held that the Library would be utilizing one of the caterers that was on the approved list for the MCL Grand. There was no further discussion on this item.

Mayor Durham reviewed Agenda Item E-7, Approval of a Bid Award for the Midway Road Rehabilitation (Paving and Drainage) Improvements Project to RKM Utility Services, Inc., Richardson, TX in the Amount of \$5,217,378.60; and Authorization for the City Manager to Execute the Contract. City Manager Barron reviewed the plan for this project. There was no further discussion on this item.

WORKSHOP SESSION – 6:30 P.M.

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

(Agenda Item C)

Mayor Durham reviewed Agenda Item E-8, Approval of a Bid Award for the Main Street, Mill Street and Charles Street Paving, Drainage, Landscape and Signalization Improvements Project to HQS Construction, LLC, Plano, TX in the Amount of \$8,533,278.60; and Authorization for the City Manager to Execute the Contract. City Manager Barron reviewed this item for the City Council. There was no further discussion on this item.

Mayor Durham reviewed Agenda Item E-9, Approval of a Resolution for the Acceptance of the 2018 Homeland Security Grant Program's Urban Area Security Initiative (UASI) Grant Award in the Amount of \$125,955.52. There was no discussion on this item.

Mayor Durham reviewed Agenda Item F-10, Consideration of a Variance to the Lewisville City Code Section 6 103 (Access Management) Regarding Driveway Spacing for the Property Located Near the Southeast Corner of State Highway 121 Business and South Valley Ridge Boulevard as Requested by Naveen Khammampati, Greg Edwards Engineering Services, Inc., on Behalf of the Owner. There was no discussion on this item.

Mayor Durham reviewed Agenda Item F-11, Consideration of a Variance to the Lewisville City Code Section 11 10 (g) (c)(2)(vii) Freestanding Signs, to Allow a Freestanding Sign to Exceed the Maximum Height of 60 Feet in the I 35E Corridor to 75 Feet, Located at 2512 S Stemmons Freeway, as Requested by Tony Callaway, Representing 'At Home', the Property Owner. City Manager Donna Barron advised that the applicant had requested that this item be continued to the November 19, 2018, City Council meeting. There was no further discussion on this item.

Mayor Durham reviewed Agenda Item F-12, Consideration of a Contract Award for Recyclable Materials Processing Services to FCC SA, Inc., Dallas, TX; and Authorization for the City Manager to Execute the Contract. Councilman Gilmore advised that he would be abstaining from discussion and consideration of this item as he is employed by Waste Management of Texas. The appropriate Conflict of Interest Affidavit had been filled out and filed with the City Secretary. There was no discussion on this item.

Mayor Durham reviewed Agenda Item F-13, Consideration of Approval for the Lewisville Chamber of Commerce to Charge for Their Focus On: State Government Event which Will Be held on November 8, 2018, on the Third Floor of City Hall. City Secretary Julie Worster explained that City staff have now been able to make contact with the Chamber regarding their intent to charge for this event. The Chamber has advised that they will not be charging for the event and will refund any monies that have already been paid; therefore, this item will not need any action taken on it. There was no further discussion on this item.

WORKSHOP SESSION – 6:30 P.M.

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

(Agenda Item C)

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

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

With no further discussion, the workshop session of the Lewisville City Council was adjourned at 6:55 p.m. on Monday, November 5, 2018.

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, November 5, 2018, 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 Gilmore gave the pledge to the American and Texas flags.

Public Hearing: Consideration of Ordinance No. 0079-18-SUP Granting a Special Use Permit for an Auto Repair Shop; on Approximately 9.632 Acres; Legally Described as Lot 2R 3, Block A, Waters' Ridge Addition Phase II and Located at 1900 Lakeway Drive, Zoned Light Industrial District (LI); as Requested by Bret Flory, Cross Architects, PLLC, on Behalf of Columbia Texas Lakeway Industrial, LLC, the Property Owner (Case No. SUP-2018-10-14)

(Agenda Item C-1)

The request is for Protech Automotive Solutions to locate its corporate office, dispatch center, vehicle repair shop and training center in a 24,800 square foot lease space within a 130,000 square foot building in Water's Ridge Business Park. Protech repairs electronic systems on vehicles after body damage is completed at collision centers. Vehicles will be brought into and out of the building by flatbed truck. All vehicle repairs and vehicle storage will occur inside the building, which was built in 2017 and meets current City codes. The applicant plans to stripe additional parking spaces on existing concrete and provide a ramp entrance at the rear of the building. To offset the visual impact of these changes, the applicant is planting additional screening shrubs. The Planning and Zoning Commission recommended unanimous approval (7 0) on October 2, 2018.

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.

Richard E. Luedke, Planning Director, and Robert Hill were both available to address any questions posed by the City Council.

Bret Flory, Cross Architects, spoke before the City Council in support of this request and offered to address any questions posed by the City Council.

MOTION: Upon a motion made by Councilman Ferguson and seconded by Deputy Mayor Pro Tem Troyer, the Council voted five (5) "ayes" and no (0) "nays" to close the public hearing. The motion carried.

Public Hearing: Consideration of Ordinance No. 0079-18-SUP Granting a Special Use Permit for an Auto Repair Shop; on Approximately 9.632 Acres; Legally Described as Lot 2R 3, Block A, Waters' Ridge Addition Phase II and Located at 1900 Lakeway Drive, Zoned Light Industrial District (LI); as Requested by Bret Flory, Cross Architects, PLLC, on Behalf of Columbia Texas Lakeway Industrial, LLC, the Property Owner (Case No. SUP-2018-10-14) (cont'd)

(Agenda Item C-1)

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

“An Ordinance of the Lewisville City Council, Amending the Zoning Ordinance by Granting a Special Use Permit for an Auto Repair Shop, on Approximately 9.632 Acres, Legally Described as Lot 2R3, Block A, Waters Ridge Addition Phase II, Located at 1900 Lakeway Drive and Zoned Light Industrial District (LI); Providing for a Repealer, Severability, Penalty, and an Effective Date; and Declaring an Emergency.”

MOTION: Upon a motion made by Councilman Ferguson and seconded by Councilman Gilmore, the Council voted five (5) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 0079-18-SUP**, as previously captioned. The motion carried.

Visitors/Citizens Forum

(Agenda Item D)

No one appeared to speak at this time.

CONSENT AGENDA

(Agenda Item E)

MOTION: Upon a motion made by Councilman Gilmore and seconded by Councilman Ferguson, the Council voted five (5) “ayes” and no (0) “nays” to approve and adopt all items on the Consent Agenda, as recommended and as follows:

2. Approval of an Amendment to the TxDOT Type R Maintenance Agreement for the Installation and Reimbursement for the Operation and Maintenance of Traffic Signals Within a Municipality by Adding the Traffic Signal at the Interchange of Garden Ridge Boulevard and Interstate Highway 35E (IH 35E) and Adjusting the Reimbursement Amount for the Signal at FM 407 and Interstate 35E (IH 35E) Due to Modification of the Signal Type; and Authorizing the City Manager to Execute the Agreement.
3. Approval 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 Traffic Signals on Interstate Highway 35E (IH 35E) at Turbeville Road/Hundley Drive in the Cities of Hickory Creek and Lake Dallas; and at Lake Dallas Drive/Oak Drive in the Town of Hickory Creek; and Authorize the City Manager to Execute the Agreement.
4. Approval of an Interlocal Cooperation Agreement for Library Services with Denton County; Designation of the Library Services Director as the Official Liaison for the City of Lewisville; and Authorization for the City Manager to Execute the Agreement.
5. Authorization for Parkhill, Smith & Cooper, Inc. to Proceed With Phase 2 of a Professional Services Agreement for Architectural and Engineering Services for the Office Allocation and Land Utilization Study, in the Amount of \$71,774.
6. Approval of Alcohol Sales at the Lewisville Public Library’s Bad Art Night, a Special Evening Event for Adults Ages 21 and Over Being Held on December 14, 2018.
7. Approval of a Bid Award for the Midway Road Rehabilitation (Paving and Drainage) Improvements Project to RKM Utility Services, Inc., Richardson, TX in the Amount of \$5,217,378.60; and Authorization for the City Manager to Execute the Contract.

CONSENT AGENDA (cont'd)

(Agenda Item E)

8. Approval of a Bid Award for the Main Street, Mill Street and Charles Street Paving, Drainage, Landscape and Signalization Improvements Project to HQS Construction, LLC, Plano, TX in the Amount of \$8,533,278.60; and Authorization for the City Manager to Execute the Contract.
9. Approval of **Resolution No. 0080-18-RES** for the Acceptance of the 2018 Homeland Security Grant Program's Urban Area Security Initiative (UASI) Grant Award in the Amount of \$125,955.52.

The motion carried.

END OF CONSENT AGENDA

Consideration of a Variance to the Lewisville City Code Section 6 103 (Access Management) Regarding Driveway Spacing for the Property Located Near the Southeast Corner of State Highway 121 Business and South Valley Ridge Boulevard as Requested by Naveen Khammampati, Greg Edwards Engineering Services, Inc., on Behalf of the Owner

(Agenda Item F-10)

The subject site is a 4.1 acre lot zoned Light Industrial (LI) within the Thompson Addition. The developer, Mike Wherley, is proposing to construct two office buildings with one building being used for L&L Auto and the other as office/warehouse. The total building areas will be approximately 37,000 sf. The developer is proposing to construct one driveway with a deceleration lane along State Highway 121 Business. Originally the proposed driveway aligned with the median opening. However, a left turn lane would have been required at the opening. The developer has requested to shift the driveway further east so the driveway no longer aligns with the median opening. The applicant is asking for the following variance: a) to allow driveway spacing between adjacent lots to be less than 230 feet apart. An SUP was approved by City Council on November 6, 2017.

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

David Salmon P.E., City Engineer, was present to address any questions posed by the City Council.

Consideration of a Variance to the Lewisville City Code Section 6 103 (Access Management) Regarding Driveway Spacing for the Property Located Near the Southeast Corner of State Highway 121 Business and South Valley Ridge Boulevard as Requested by Naveen Khammampati, Greg Edwards Engineering Services, Inc., on Behalf of the Owner (cont'd)

(Agenda Item F-10)

MOTION: Upon a motion made by Deputy Mayor Pro Tem Troyer and seconded by Mayor Pro Tem Jones, the Council voted five (5) “ayes” and no (0) “nays” to approve a variance to the Lewisville City Code Section 6-103 (Access Management) Regarding Driveway Spacing for the property located near the southeast corner of State Highway 121 Business and South Valley Ridge Boulevard to allow driveway spacing between adjacent lots to be less than 230 feet apart, as requested by Naveen Khammampati, Greg Edwards Engineering Services, Inc., on behalf of the owner. The motion carried.

Consideration of a Variance to the Lewisville City Code Section 11 10 (g) (c)(2)(vii) Freestanding Signs, to Allow a Freestanding Sign to Exceed the Maximum Height of 60 Feet in the I 35E Corridor to 75 Feet, Located at 2512 S Stemmons Freeway, as Requested by Tony Callaway, Representing ‘At Home’, the Property Owner

(Agenda Item F-11)

The subject site is a 10.30 acre lot zoned General Business (GB) within the Lakepointe Crossing Shopping Center. The property owner ‘At Home’ has an existing 122,000 square foot facility located on the site. Due to the impact of the I 35E widening, the property owner is requesting a variance for a sign to exceed the maximum height of sixty feet (60') to a height of seventy five feet (75') in the I-35E corridor.

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

Wayne K. Snell Jr., Director of Neighborhood & Inspection Services, was available to address any questions posed by the City Council.

MOTION: Upon a motion made by Councilman Ferguson and seconded by Councilman Gilmore, the Council voted five (5) “ayes” and no (0) “nays” to continue this item to the November 19, 2018 City Council meeting. The motion carried.

Councilman Gilmore advised that he would be abstaining from discussion and consideration of Agenda Item F-12 as he is employed by Waste Management of Texas. The appropriate Conflict of Interest Affidavit had been filled out and filed with the City Secretary. Councilman Gilmore stepped away from the dais.

**Consideration of a Contract Award for
Recyclable Materials Processing Services to
FCC SA, Inc., Dallas, TX; and Authorization
for the City Manager to Execute the Contract**

(Agenda Item F-12)

A total of nine (9) request for proposals were downloaded from Bidsync.com. Two (2) proposals were received and opened on July 19, 2018. Proposals were evaluated with regards to proposed approach, experience, financial stability, financial offering and interview. FCC SA, Inc. is being recommended for award based on receiving the highest evaluation score. The term of the contract will be three years, with options to extend for up to two additional three year periods.

The City staff's recommendation was that the City Council approve the award and authorize the City manager to execute the contract as set forth in the caption above.

MOTION: Upon a motion made by Deputy Mayor Pro Tem Troyer and seconded by Mayor Pro Tem Jones, the Council voted four (4) "ayes" and no (0) "nays" to approve a contract award for Recyclable Materials Processing Services to FCC SA, Inc., Dallas, TX; and authorizing the City Manager to execute the Contract. The motion carried.

(Councilman Gilmore returned to the dais.)

Consideration of Approval for the Lewisville Chamber of Commerce to Charge for Their Focus On: State Government Event which Will Be held on November 8, 2018, on the Third Floor of City Hall

(Agenda Item F-13)

The Lewisville Chamber of Commerce contacted City staff on October 22, 2018, to request use of the third floor of City Hall to conduct a Chamber breakfast on Thursday, November 8th from at 8:00am 9:30am. This breakfast is to focus on local government with State Representative Ron Simmons as the speaker. Normal rental of the third floor is \$150 per hour with a two hour minimum and \$500 deposit. Due to the nature of this breakfast and similar past events, City staff agreed to be a location sponsor for the event. Pursuant to Administrative Directive 4.1.1, co-sponsor programs are not charged any fees for use of City facilities. On November 2, 2018, City staff became aware that the Chamber was charging for this event, even though staff has previously and repeatedly told the Chamber that charging for an event held in City facilities is not allowed without City Council approval. Due to this recent discovery, it is necessary for the City Council to consider allowing the Chamber to charge for this event.

(*During Workshop Session, City Secretary Julie Worster had indicated due to discussion held with the Chamber of Commerce, there was no longer any action required on this item.)

There was no action taken on this item.

Reports

(Agenda Item G)

- Director of Public Services Keith Marvin gave an update on the status of the lake. He also advised that there were a number of City employees participating in No Shave November to bring awareness and funds for those cancers that typically most affect men.
- Assistant City Manager Claire Swann gave an update on the success of the recently held Community Expo.
- Councilman Daniels advised that the Trinity Trash Bash was being held on November 10th. He encouraged everyone interested to join the group at Lake Park starting at 8 a.m.
- Mayor Pro Tem Jones reminded everyone that November 6th was Election Day and encouraged anyone to check out VoteDenton.com to find their polling location.
- Councilman Gilmore advised the Fire Department and Library would be presenting Libros on Location at Fire Station #3, 500 West Round Grove Road, on November 8th from 4-5 p.m. He encouraged anyone interested to check out the City's website.
- Councilman Ferguson gave an update on upcoming MCL Grand events.
- Mayor Durham thanked the officers present for their service to the community.

There were no additional reports at this time.

Mayor Durham advised that the City Council would be returning to the City Council Conference Room to continue the Workshop Session discussion of the Workshop Item B - Presentation Seeking Council Input on 2019 Legislative Agenda.

With the City Council all present in the City Council Conference Room, the continuation of the Workshop Session began.

**Presentation Seeking Council Input on 2019
Legislative Agenda**

(Agenda Item B)

At the request of City Manager Barron, Director of Communications and Tourism James Kunke conducted the attached PowerPoint Presentation.

Discussion was held regarding the amending state law to allow cities to call a local option election through action of City Council, without requiring a public petition. The consensus of the City Council was if legislation was introduced to achieve this change, the City Council would be in support of that legislation; however, they did not want to initiate the change.

The following was the list of City Council's 2019 Critical Issues (in order of priority):

- Annexation
- Local revenue caps
- Rights-of-way
- Revenue redirection
- Phase 2 funding for I-35E
- Online sales tax

Mayor Durham adjourned the regular session of the Lewisville City Council into Closed Session at 8:15 p.m. Monday, November 5, 2018, in accordance with the requirements of the Open Meetings Law.

Closed Session

(Agenda Item H)

In accordance with Texas Government Code, Subchapter D, Section 551.072 (Real Estate), the Lewisville City Council convened into Closed Session at 8:15 p.m. on Monday, November 5, 2018, City Council Conference Room of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas, in order to discuss matters pertaining to the following:

1. Property Acquisition
Section 551.087 (Economic Development):
2. Deliberation Regarding Economic Development Negotiations.

The Closed Session was adjourned at 8:26 p.m. on Monday, November 5, 2018.

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

(Agenda Item I)

Mayor Durham reconvened the Regular Session of the Lewisville City Council at 8:26 p.m. on Monday, November 5, 2018, 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. There was no action taken on the items discussed during the Closed Session.

Adjournment

(Agenda Item J)

MOTION: Upon a motion made by Mayor Pro Tem Jones and seconded by Councilman Gilmore, the Council voted five (5) “ayes” and no (0) “nays” to adjourn the Regular Session of the Lewisville City Council at 8:26 p.m. on Monday, November 5, 2018. The motion carried.

These minutes approved by the Lewisville City Council on the 19th day of November, 2018.

APPROVED

Rudy Durham
MAYOR

ATTEST:

Julie Worster
CITY SECRETARY



Recyclable Material Processing

CITY COUNCIL WORKSHOP – NOVEMBER 5, 2018



Purpose

- The City's current contract for processing of recyclable materials expired on November 1st.
- Processing is currently being done under an interim agreement on a month-to-month basis.
- On the regular agenda tonight is an item to approve a 3-year recyclable materials processing contract with FCC SA, Inc. with offices and processing in Dallas, TX.
- This should have no impact on the services our residents receive for trash and recycling.

Recyclable Material Collection and Processing in Lewisville

- Recyclable materials are collected curbside on the same day as solid waste collection.
- Multi-Family materials are collected on Tuesdays.
- The hauling vendor collects and hauls material to a Materials Recovery Facility (MRF) to be sorted, cleaned and processed into commodities.
- The MRF sells the commodities with the price based on demand and the quality.
- Recyclables are bought and sold just like raw materials.
- For the last 3 years our recyclable materials have been processed by Pratt Industries in Denton.
- Pratt chose not to renew the contract, and it expired on November 1st.

Proposal Process

- City staff hired the consulting firm of Burns & McDonnell to assist with the procurement of recyclable processing services.
- The Request for Proposals was advertised on Bidsync beginning June 15, 2018 and closed on July 19, 2018.
- An evaluation committee was formed consisting of representatives from Public Services, ECS, Sustainability, Budget, and Purchasing.
- Proposals were received from two vendors.
- Two additional vendors indicated an interest, but did not submit a proposal.

Proposal Evaluations

- The proposal evaluation criteria consisted of 125 possible points.
- Proposals were evaluated on the following:
 1. Letter of Intent and Prerequisite Proposal Forms (required)
 2. Proposed Approach (25 points)
 3. Experience (15 points)
 4. Financial Stability (10 points)
 5. Financial Proposal (50 points)
 6. Interview (25 points)
- The committee reviewed the proposals and scored items 2, 3, and 4. The financial proposals were evaluated by the Consultant and results were used to score item 5.

The calculation for the Recyclable Revenue Share for Residential Service Customer material shall be as follows:

$$\begin{aligned} & \textit{Net Revenues} = \\ & \textit{Gross Recyclable Revenue} - \textit{Processing Fee accrued by City} \\ & \textit{Then} \\ & \textit{City Recyclable Revenue Share} = \textit{Net Revenues} \times \underline{\hspace{1cm}}\% \end{aligned}$$

Financial Proposal

Financial Proposal Comparison

With Index Commodity Data

	FCC		Waste Management	
	Glass Included	Glass Excluded	Glass Included	Glass Excluded
Total Incoming Tons	5,361	4,932	5,361	4,932
Glass Recycled	16.0%	0.0%	16.0%	0.0%
Residue	18.0%	28.3%	18.0%	28.3%
Residue Limit	18.0%	25.0%	18.0%	25.0%
Excess Residue (%)	0.0%	3.3%	0.0%	3.3%
Excess Residue (tons)	0	161	0	161
Disposal Fee (per ton)	\$25.00	\$25.00	\$65.00	\$65.00
Avg. Value per Ton - Last 12 months	\$89.39	\$97.17	\$89.39	\$97.17
Processing Fee per Ton (Residential)	\$81.45	\$71.45	\$92.50	\$90.25
Revenue Share	60%	60%	70%	70%
Annual Revenue (Cost)	\$6,967	\$53,501	(\$42,347)	(\$12,138)

Glass in the Recycling Stream

- Staff is recommending that City Council maintain Glass as an Acceptable item in our Residential Recycling Program in this Contract.
- Staff considered the cost to perform education and the continual messaging needed to make permanent behavior changes in residents.
- Residents often get discouraged to recycle by continuing changes to acceptable recycling program materials.
- The final contract does have a sliding scale for processing if glass is later reduced or excluded from the stream.

Contract and Recommendation

- FCC SA, Inc. was awarded the most points by the selection committee.
- FCC SA, Inc. provided the Financial Proposal that was most advantageous to the city.
- Staff is recommending an award to FCC SA, with offices and processing location in Dallas, TX.
- The proposed contract provides for processing recyclable materials for a term of 3 years, with the option to renew for two additional 3 year terms.
- There is the potential for the city to make revenue from this contract. If commodities drop in value, the City may need to pay for recycling processing.
- This contract includes a processing fee cap that will limit our potential cost to the cost of disposal.

Questions?



2019-20 Legislative Agenda

CITY OF LEWISVILLE, TEXAS

NOVEMBER 5, 2018



Lt. Gov. Dan Patrick (August 2017)

"People are happy with their governments at their state level, they're not with the city."

Expected Legislative Issues

- City revenue caps
- Reduced access to state funding
- Reduction in roll-back rate
- Additional property tax exemptions
- Limits on city-issued debt
- Limits to annexation ability
- Lowered appraisal cap
- Changes to appraisal and appeals process
- Reduced local rule-making authority

Expected Legislative Allies

- Texas Municipal League – “Our Home, Our Decisions” campaign intended to educate the public on the importance of local government
- North Texas Commission – Coordinating regional chambers of commerce on school finance, revenue cap, economic development topics
- Texas Association of Business – active on some issues (e.g. bathroom bill), neutral on others (such as revenue cap)

Most Important Legislative Allies

- Lewisville residents and businesses

Critical Issues in 2017 Agenda

- Phase 2 funding for I-35E
- Annexation under the SPA
- Local revenue caps
- Water rates
- Rights-of-way
- Revenue redirection
- Land use
- Online sales tax
- Water re-use
- Mass transit

Successes in 2017 Legislature

- Added Lewisville to the list of cities eligible for a state rebate of hotel, sales, and alcohol taxes related to certain narrowly defined projects
- Preserved the city's ability to annex Castle Hills under the existing SPA
- Lewisville officials testified at multiple hearings for bills that would have harmed city operations; only one of those bills passed as filed

2019 Legislative Calendar

- Bill pre-filing begins – November 12, 2018
- Session opens – January 8, 2019
- Last day for bill filing – March 8, 2019
- Session closes – May 27, 2019

Known 2019 Objectives

- Amend language to allow Lewisville to call a Crime Control District election in Castle Hills
- Consider proposed workers compensation changes for police and fire personnel (Texas Fire Chiefs Association)
- Preserve the city's ability to annex Castle Hills under the existing SPA
- Preserve local rule-making authority

Possible 2019 Objective

- Amend state law to change the composition of the DCTA board of directors to include only those cities that provide sale tax revenue, and to allow (but not require) cities to appoint a current City Council member as the city's representative on the DCTA board of directors. The latter change would match current law related to DART.

Possible 2019 Objective

- Explore the possibility of seeking an extension for cities that became eligible under 2017 legislation for the state tax rebate on qualifying hotel projects, applied for a Comptroller's ruling within the established timeline, but have not received a timely response. (Lewisville applied in May, and has not received an answer through the end of October.)

Possible 2019 Objective

- Amend state law to allow cities to call a local option election through action of City Council, without requiring a public petition (other than a council recall or property tax rollback, this is the only local election that City Council cannot call without first receiving a public petition)

Critical Issues in 2019 Agenda

- Seeking input from City Council