

**A G E N D A**

**LEWISVILLE CITY COUNCIL MEETING  
MARCH 21, 2016**

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

**WORKSHOP SESSION - 6:15 P.M.  
REGULAR SESSION - 7:00 P.M.**

Call to Order and Announce a Quorum is Present.

**WORKSHOP SESSION - 6:15 P.M.**

- A. Discussion of Tree Mitigation Ordinance
- B. Discussion of Regular Agenda Items and Consent Agenda Items

**REGULAR SESSION - 7:00 P.M.**

- A. **INVOCATION:** Deputy Mayor Pro Tem Tierney
- B. **PLEDGE TO THE AMERICAN AND TEXAS FLAGS:** Councilman Vaughn
- C. **PUBLIC HEARINGS:**

1. **Continued Public Hearing:** Consideration of an Ordinance Granting a Special Use Permit (SUP) for Minor Automobile Services Consisting of a Free-Standing Goodyear Auto Care Facility; and Consideration of Four Associated Variances on an Approximately 1.212-Acre lot, Legally Described as Lot 1, Block G, Carrington Village Addition Phase II, Located at the Northwest Corner of FM 3040 and SH 121 Business, as Requested by Steve Meier of Hummel Investments, LLC, on Behalf of Drexel Realty Lewisville LP, the Property Owner (Case No. SUP-2016-02-01).

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**ADMINISTRATIVE COMMENTS:**

This public hearing is continued from the February 15, 2016 and March 7, 2016 City Council meetings. Goodyear currently operates out of the retail center adjacent to this property. They have outgrown the facility and are looking to build a new 7,800 square-foot facility with 12 service bays. Staff recommends the following conditions if this SUP is approved: 1) overnight outside storage of vehicles shall not be allowed; 2) the outside storage of tires or other material shall not be allowed on the site; and 3) the hours of operation shall be limited to 7:30 a.m. to 7:00 p.m. Monday-Friday; 8:00 a.m. to 5:00 p.m. on Saturday and closed on Sunday, 4) an eight-foot, stained, board-on-board cedar fence with a top rail shall be installed on top of a minimum three-foot berm as shown on the fencing illustrations. This fence shall be kept in good repair for the life of the project. Four variances are requested: a) to waive the deceleration requirement; b) to waive the 250-foot control of access from the intersection of SH 121 Business; c) to waive the 230-foot driveway spacing requirement from an existing driveway on a separate lot; and d) to reduce the required 10-foot setback to 5 feet from the existing water and sanitary sewer easement. The Planning and Zoning Commission recommended approval of the SUP by a vote of 5-1 at their meeting on February 2, 2016.

**RECOMMENDATION:**

That the City Council considers the proposed ordinance and variances as set forth in the caption above.

**PRESENTATION:** Richard E. Luedke, Planning Manager

**AVAILABLE FOR QUESTIONS:** Steve Meier, Hummel Investments, LLC.

- 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.

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2. **APPROVAL OF MINUTES: City Council Minutes of the March 7, 2016, Workshop Session and Regular Session.**
3. **Approval of Bid Award for an Annual Requirements Contract for Clamps, Fittings, and Pipe to HD Supply Waterworks, Richland, Texas, in the Estimated Amount of \$123,854.65.**

**ADMINISTRATIVE COMMENTS:**

A total of fourteen (14) bid invitations were downloaded from Bidsync.com. Four (4) bids were received and opened on February 25, 2016. This contract involves parts needed to make repairs to water and sewer lines. The term of the contract is twelve (12) months, with an option to extend for up to two (2) additional twelve-month periods, subject to the approval of the supplier and the City. Funding is available in the Public Services' annual budget.

**RECOMMENDATION:**

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

4. **Approval of a Bid Award for an Annual Requirements Contract for the Mowing of City Rights-of-Ways and Medians to Carruthers Landscaping Management, Inc., Dallas, Texas in the Estimated Amount of \$211,890.00.**

**ADMINISTRATIVE COMMENTS:**

A total of twenty-seven (27) bid invitations were downloaded from Bidsync.com. Four (4) bids were received and opened on February 23, 2016. This contract is for the mowing of various rights-of-ways, medians, and parkways throughout the City on a per cycle cost. The term of the contract is twelve (12) months, with an option to extend for up to two (2) additional twelve-month periods. Funding is available in the Parks and Leisure Services' Operating Budget.

**RECOMMENDATION:**

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

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- 5. Approval of a Bid Award for an Annual Requirements Contract for Meter Reading Services to Olameter Corporation, Ann Arbor, Michigan, in the Estimated Amount of \$303,498.00.**

**ADMINISTRATIVE COMMENTS:**

A total eleven (11) bid invitations were downloaded from Bidsync.com. Two (2) bids were received and opened on February 25, 2016. This contract provides for the manual reading of approximately 22,383 water meters each month and the associated services (disconnects, reconnects, and re-reads). The term of the contract is for twelve (12) months, with an option to extend for up to two (2) additional twelve-month periods. Funding is available in the Public Services' Utility Fund Operating Budget.

**RECOMMENDATION:**

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

- 6. Acceptance of the Fiscal Year 2015 Comprehensive Annual Financial Report (CAFR).**

**ADMINISTRATIVE COMMENTS:**

The independent annual audit of the City's financial statements is complete. The 2015 Comprehensive Annual Financial Report is provided in compliance with the City Council's Finance Policy Statement 3.0 Section I. The report includes the auditor's opinion statement regarding the financial statement presentation. Also included is the Single Audit Report on Federal Financial Assistance.

**RECOMMENDATION:**

That the City Council accepts the Fiscal Year 2015 Comprehensive Annual Financial Report (CAFR).

- 7. Approval of a License Agreement Between the City of Lewisville and RO Property, LTD; and Authorization for the City Manager to Execute the Agreement.**

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**ADMINISTRATIVE COMMENTS:**

RO Property, LTD, owner of the building at 115 West Main Street, will be renovating the current building space to open a coffee shop, Perc on the Plaza. Proposed improvements include interior renovations, rear and front façade improvements, installation of a grease trap and the construction of a rooftop balcony structure. The proposed license agreement will allow RO Property, LTD to construct the rooftop balcony structure and grease trap adjacent to the rear façade of the coffee shop. Part of the balcony will be on City property, in the public access, drainage and utility easement.

**RECOMMENDATION:**

That the City Council approves the agreement as set forth in the caption above.

- 8. 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 or her Designee to Execute the Agreement.**

**ADMINISTRATIVE COMMENTS:**

This agreement authorizes an additional School Resource Officer increasing to six School Resource Officers. Currently, the Lewisville Police Department has five police officers assigned to work at LISD's middle school and high school campuses. The new School Resource Officer will be assigned to the Lewisville Learning Center.

**RECOMMENDATION:**

That the City Council approves the agreement as set forth in the caption above.

- 9. Approval of Policy Statement 1.0 Administration, Section VII - Public Art.**

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**ADMINISTRATIVE COMMENTS:**

Use of Public Art is recommended by the Lewisville 2025 Vision Plan. City Council approved funding in the FY 2015-16 City budget for a Public Art program. Staff discussed with Council this policy during the February 15, 2016, Council workshop and has worked with the Arts Advisory Board to create a policy that establishes parameters for a Public Art program. The board unanimously (7-0) recommended Council approval of the draft policy.

**RECOMMENDATION:**

That the City Council approves Policy Statement 1.0 Administration, Section VII - Public Art.

- 10. Approval of an Amendment to an Existing Professional Services Agreement Between the City of Lewisville and Strategic Community Solutions, LLC, Regarding Implementation of the Lewisville 2025 Plan; and Authorization for the City Manager or Her Designee to Execute the Agreement.**

**ADMINISTRATIVE COMMENTS:**

Karen Walz, with Strategic Community Solutions, LLC, has assisted the City with implementation of the Lewisville 2025 Plan, primarily in the Green Centerpiece and Sustainability areas. The current agreement for these services in the amount of \$36,000 is now complete and an amendment is being requested to continue implementation assistance related to the Green Centerpiece - operating partners' coordination, master strategy, and Audubon nature center feasibility; Lewisville 2025 committee workshop facilitation; and Sustainability work related to the Resource Efficiency Analysis of existing City operations. The amendment to the agreement amounts to \$35,600.

**RECOMMENDATION:**

That the City Council approves the amendment as set forth in the caption above.

- 11. Approval of a Resolution Amending the City's Economic Incentive Policy To Adopt Amended Guidelines and Criteria for Tax Abatement Agreements and to Elect to Participate in Said Agreements.**

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**ADMINISTRATIVE COMMENTS:**

The City's Economic Incentive Policy was updated and adopted in 2010. The policy sets criteria and guidelines for all incentives granted by the City including tax abatements. In order for the City to participate in a tax abatement agreement, the guidelines and criteria for said agreements must be re-adopted as the law provides that the guidelines and criteria are only effective for two years. The guidelines and criteria have not been re-adopted since 2010 because the City has not participated in a tax abatement agreement since 2008.

**RECOMMENDATION:**

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

F. **REGULAR HEARINGS:**

- 12. Consideration of a Variance to the 1996 Castle Hills Agreement Section V(8)(D) Regarding Paving on a Public Water Line Easement Related to Lewisville GDB Located at 5040 SH 121, as Requested by Jonathon Hake, P.E. of Cross Engineering Consultants, Inc., on Behalf of the Owner.**

**ADMINISTRATIVE COMMENTS:**

The subject property is located within Castle Hills in the City of Lewisville Extra Territorial Jurisdiction (ETJ) and is to be developed in accordance with the 1996 Castle Hills Agreement. The subject property is being developed as a multi-tenant restaurant and retail development and has an existing City of Lewisville water line in an easement along the north side of the lot. The requested variance is to allow pavement within the water line easement. The owner accepts responsibility for any and all pavement repairs required due to maintenance or repair of the City water main performed by City crews or City's contractor.

**RECOMMENDATION:**

That the City Council approves the variance as set forth in the caption above with the condition that in the event of water main maintenance or repair, maintenance and repair of the pavement within the easement is the responsibility of the property owner.

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- 13. Consideration of a Variance to the Lewisville City Code, Article III of Chapter 5, Section 5-95, Appendix D, Section D105.2, Regarding Minimum Fire Apparatus Road Widths at 2500 Windhaven Parkway, Known as Discovery Stonebridge, as Requested by Kimley-Horn & Associates on Behalf of Discovery Senior Living.**

**ADMINISTRATIVE COMMENTS:**

The applicant has requested a variance to the City's Fire Code to allow currently existing fire apparatus roads (fire lane) to remain at twenty-four (24) foot-widths in lieu of the currently required twenty-six (26) foot-widths roads serving buildings in excess of thirty (30) feet in height.

**RECOMMENDATION:**

That the City Council approves the requested variance as set forth in the caption above and subject to the following criteria: compliance with the site plan submitted to City Council.

**AVAILABLE FOR QUESTIONS:** Tim Ippolito, Fire Marshal

- 14. Third and Final Reading: Consideration of an Ordinance Granting a Zone Change Request From Specific Use District-Mining (SU-Mining) to Specific Use District-Landfill Accessory Use (SU-Landfill Accessory Use); on an Approximately 4.237-Acre Tract of Land out of the Hugh Harper Survey, Abstract No. 605; Located at 1600 South Railroad Street; as Requested by Richard Dormier of Freeman-Millican, Inc. on Behalf of Waste Management of Texas, Inc., the Property Owner (Case No. PZ-2016-01-02).**

**ADMINISTRATIVE COMMENTS:**

At the February 15, 2016, City Council meeting, the Council approved the subject ordinance. However, due to the lack of a 4/5's vote by the Council to adopt the ordinance on an emergency basis, the ordinance has to be read on three separate days to meet the City Charter requirements. This will be the third and final reading.

**RECOMMENDATION:**

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

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