

A G E N D A

**LEWISVILLE CITY COUNCIL MEETING
NOVEMBER 7, 2016**

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

WORKSHOP SESSION - 6:00 P.M.

**REGULAR SESSION BEGINS IMMEDIATELY FOLLOWING THE
COMPLETION OF WORKSHOP SESSION**

Call to Order and Announce a Quorum is Present.

WORKSHOP SESSION - 6:00 P.M.

- A. Overview of Proposed I-35E Overlay District Recommendations Presented by Tom Hester, WSP Parsons Brinckerhoff
- B. Discussion of Regular Agenda Items and Consent Agenda Items

**REGULAR SESSION BEGINS IMMEDIATELY FOLLOWING THE
COMPLETION OF WORKSHOP SESSION**

- A. **INVOCATION:** Councilman Ferguson
- B. **PLEDGE TO THE AMERICAN AND TEXAS FLAGS:** Mayor Pro Tem Gilmore
- C. **PROCLAMATIONS:**
 - 1. Declaring the Week of November 7-11, 2016, as “Municipal Court Week”
 - 2. Declaring November 11, 2016, as “Veterans Day”
- D. **PUBLIC HEARING:** Consideration of an Ordinance Granting a Zone Change Request From Light Industrial District (LI) to Specific Use – Landfill Accessory Uses District (SU – Landfill Accessory Uses); on Approximately 9.86-Acres Situated in the S. M. Hayden Survey, Abstract No. 537, Located on the Southeast Quadrant of Huffines Boulevard and Stonewall Drive; as Requested by Steven Homeyer, Homeyer Engineering, Inc. on Behalf of the Property Owner (Case No. PZ-2016-10-28).

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ADMINISTRATIVE COMMENTS:

Republic Services provides waste and recycling services to residential, municipal, commercial and industrial customers nationwide. This request includes the development of a new office and maintenance facility for waste and recycling trucks. The proposal will accommodate a new 22,000 square-foot facility containing 12,000 square feet of office space and 9,954 square feet of vehicle maintenance space. Enhanced landscaping and screening proposed for the site promotes increased compatibility of the proposed facility with existing uses in the general area. The Planning and Zoning Commission recommended unanimous approval (4-0) of the zone change request at their meeting of October 18, 2016.

RECOMMENDATION:

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

AVAILABLE FOR QUESTIONS: - Nika Reinecke, Director of Economic Development and Planning

- E. **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.
- F. **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 October 17, 2016, Workshop Session and Regular Session.
 - 2. **Approval of a Professional Services Agreement With HDR Engineering, Inc. in the Amount of \$216,233 for Professional Engineering Services for the Design, Construction and Special Services in Connection With the Raw Water Pipeline Relocation; and Authorize the City Manager to Execute the Agreement.**

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ADMINISTRATIVE COMMENTS:

The United States Army Corps of Engineers (USACE) has requested that the City relocate portions of its two raw water pipelines, in order to implement the Lewisville Lake Dam improvements. In response, staff recommends the selection of HDR Engineering, Inc. for engineering services which will include a condition assessment of the existing pipelines and an evaluation of future capacity needs to develop three conceptual alternatives for relocation of the pipelines. The consultant will work with the City, USACE and other utilities to provide suitable pipeline alignment alternatives within a pipeline corridor.

RECOMMENDATION:

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

- 3. Approval of a Local Project Advance Funding Agreement Between the City of Lewisville and the Texas Department of Transportation Related to Construction and Funding of Aesthetic Improvements for the Fox Avenue Interchange at I-35; and Authorization for the City Manager to Execute the Agreement.**

ADMINISTRATIVE COMMENTS:

AGL Constructors, the design build Contractor for the I-35E Managed Lanes Project, is constructing Phase 1 of I-35 from LBJ Freeway in Farmers Branch to Hwy 380 in Denton including the Fox Avenue Interchange in Lewisville. The Agreement defines both state and local responsibilities regarding construction and funding of aesthetic improvements on the I-35E at Fox Avenue Interchange per approved plans designed by Parsons – Brinkerhoff as well as additions to that design as directed by the City Council at a workshop on December 15, 2014.

RECOMMENDATION:

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

- 4. Approval of a Local Project Advance Funding Agreement Between the City of Lewisville and the Texas Department of Transportation Related to Construction and Funding of Aesthetic Improvements for the Garden Ridge Blvd Interchange at I-35; and Authorization for the City Manager to Execute the Agreement.**

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ADMINISTRATIVE COMMENTS:

AGL Constructors, the design build Contractor for the I-35E Managed Lanes Project, is constructing Phase 1 of I-35 from LBJ Freeway in Farmers Branch to Hwy 380 in Denton including the Garden Ridge Interchange in Lewisville. The Agreement defines state and local responsibilities regarding construction and funding of aesthetic improvements on the I-35E at the Garden Ridge Interchange per approved plans designed by Parsons – Brinkerhoff. Staff received concurrence by the City Council at a workshop on December 15, 2014.

RECOMMENDATION:

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

- 5. Approval of a Resolution for the Acceptance of the 2016 Homeland Security Grant Program’s Urban Area Security Initiative (UASI) Grant Award in the Amount of \$183,897.**

ADMINISTRATIVE COMMENTS:

The Office of Emergency Management received notice from the State of Texas Office of the Governor’s Homeland Security Grants Division that the City of Lewisville has been awarded a grant in the amount \$183,897 under the Urban Area Security Initiative (UASI) grant program. The intent of the UASI grant program is to support local efforts in preparing for threats and hazards that pose risk to our community and to improve our urban area’s ability to prevent, protect against, mitigate, respond to and recover from acts of terrorism. The amount of \$183,897 is awarded for the acquisition of current, highly accurate elevation data through a Light Detection and Ranging (LiDAR) topographic surveying method and the subsequent development of flood inundation models and depth analyses for a range of flooding scenarios.

RECOMMENDATION:

That the City Council accept the grant and approve the resolution as set forth in the caption above.

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G. REGULAR HEARING:

- 6. Consideration of a Variance to the Lewisville City Code, Section 6-57, Procedures for Issuance of a Building Permit, Regarding the Issuance of Building Permits for 64 Residential Lots Prior to Gas and Electric Utilities Being Available for the Windhaven Crossing Addition Phase A and Phase B, as Requested by CADG Windhaven LLC, the Property Owner.**

ADMINISTRATIVE COMMENTS:

The Property Owner is developing the Windhaven Crossing Subdivision. Lewisville City Code Section 6-57 requires gas and electric services be available to each lot in a subdivision prior to the issuance of a building permit. Due to scheduling problems outside of the Property Owner's control, gas and electric to the site will be available on or about December 20, 2016. The Property Owner, however, desires to transfer ownership of the development on November 8, 2016 to Wilbow-Windhaven Development Corporation (the "New Purchaser") and has requested that the City of Lewisville grant a variance to allow the issuance of a building permit for the sixty-four lots prior to gas and electric services being installed.

RECOMMENDATION

That the City Council approve the requested variance as set forth in the caption above provided that final inspections will be withheld for each lot until all utilities are connected.

AVAILABLE FOR - Cleve Joiner, Director of Neighborhood Services
QUESTIONS:

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7. **Second Reading: Consideration of an Ordinance Granting a Zone Change Request From Agricultural Open-Space District (AO), Light Industrial District (LI) and Specific Use – Landfill Operations District (SU – Landfill Operations) to Specific Use – Landfill Operations and Accessory Uses District (SU – Landfill Operations and Accessory Uses); With Seven Associated Variances, on Approximately 470 Acres Situated in the P.O. Leary Survey, Abstract No. 974; A.J. Chowning Survey, Abstract No. 1638; P. Higgins Survey, Abstract No. 525; H. Harper Survey, Abstract No. 605; and the S. M. Hayden Survey, Abstract No. 537; Generally Located at the Southern Terminus of Huffines Boulevard and South of the Future Extension of East Corporate Drive, at 580 Huffines Boulevard; as Requested by Jason Edwards of Weaver Consultants Group, LLC on Behalf of the City of Farmers Branch and Camelot Landfill TC, LP, the Property Owners (Case No. PZ-2016-09-27).**

ADMINISTRATIVE COMMENTS:

At the October 17, 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 second reading.

RECOMMENDATION:

That the City Attorney provide the second reading of the ordinance.

8. **Consideration of an Ordinance Modifying Lewisville's Corporate Boundaries in Accordance with a Boundary Adjustment Agreement Entered Into With the City of Highland Village Which Provides That Such Area as Described in Exhibit "A" of Said Agreement Shall Become a Part of Lewisville and That Such Other Area Described in Exhibit "B" of Said Agreement Shall be Released Unto the City of Highland Village for Inclusion Within its Corporate Limits; and Approving a Service Plan.**

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ADMINISTRATIVE COMMENTS:

The Texas Local Government Code allows adjacent municipalities which desire to make mutually agreeable changes in their boundaries of areas that are less than 1,000 feet in width to do so by agreement. On October 3, 2016, the City Council approved a boundary adjustment agreement with the City of Highland Village in which the parties agreed to establish new boundary lines over the land described in the exhibits attached to the agreement. All notice requirements have been satisfied, and two public hearings were held in October. A service plan for the annexed area was made available for public inspection and explained at the public hearings. The proposed ordinance finalizes the boundary adjustment.

RECOMMENDATION:

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

- H. **REPORTS:** Reports about items of community interest regarding which no action will be taken.
- I. **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
- J. **RECONVENE** into Regular Session and Consider Action, if Any, on Items Discussed in Closed Session.
- K. **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).